

EagleRockCEm Resource

From: Sara Cohn [scohn@wildidaho.org]
Sent: Thursday, June 18, 2009 11:04 AM
To: EagleRockEIS Resource
Subject: Idaho Conservation League Comments RE: Docket No. 70-7015
Attachments: AREVA Enrichment Scoping.pdf

To Whom it May Concern,

Attached, please find Idaho Conservation League comments regarding the proposed AREVA Eagle Rock Enrichment facility slated for Idaho Falls, Id.

Please do not hesitate to contact me should you have any problems with the attachment.

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Idaho Conservation League preserves Idaho's clean water, wilderness and quality of life.

Federal Register Notice: 74FR20508
Comment Number: 62

Mail Envelope Properties (C65FB37B.5670%scohn)

Subject: Idaho Conservation League Comments RE: Docket No. 70-7015
Sent Date: 6/18/2009 11:03:54 AM
Received Date: 6/18/2009 11:04:17 AM
From: Sara Cohn

Created By: scohn@wildidaho.org

Recipients:
"EagleRockEIS Resource" <EagleRockEIS.Resource@nrc.gov>
Tracking Status: None

Post Office: wildidaho.org

Files	Size	Date & Time
MESSAGE	560	6/18/2009 11:04:17 AM
AREVA Enrichment Scoping.pdf		297966

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:



Idaho Conservation League

Chief, Rules and Directives Branch
Mail Stop TWB-05-B01
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

RE: Scoping Comments for Proposed AREVA Enrichment Services, LLC Eagle Rock Enrichment, Idaho Falls, ID - Docket No. 70-7015

Thank you for the opportunity to comment on the Notice of Intent and Environmental Report for the proposed AREVA Enrichment facility in Idaho Falls, Idaho. Since 1973, the Idaho Conservation League (ICL) has been Idaho's voice for clean water, clean air, and wilderness—values that are the foundation to Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through citizen action, public education, and professional advocacy. As Idaho's largest state-based conservation organization we represent over 9,800 members, many of whom have a deep personal interest in protecting Idaho's natural resources and public health.

The ICL has reviewed the Environmental Report for the Eagle Rock Enrichment facility and is concerned that construction and operation of the facility will pollute Idaho's natural resources and compromise public health. The Environmental Report does not provide the level of detail that would ensure the reduction of impacts or appropriate mitigation plans. More detailed analysis must be given in subsequent documents to ensure that no adverse impacts occur that pollute Idaho's clean water and clean air, or endanger public health.

- reduce the risks associated with transport and storage of toxic, hazardous, and/or radioactive materials;
- ensure no contamination of Idaho's waters;
- preserve Idaho's clean air;
- protect public health;
- analyze all potential risk associated with hazardous materials onsite, whether existing or proposed for storage;
- adequately document and mitigate for wildlife and habitat disturbances;
- and, reduce the risk of accident and fire.

We look forward to working with the project proponent, the U.S. Nuclear Regulatory Commission (NRC), additional federal agencies and interested parties to design a project that preserves Idaho's natural resources and provides adequate assurances that the project

ICL Comments regarding AREVA Enrichment Services, Idaho Falls, Idaho

Transportation

The ICL is very concerned about the transportation of hazardous and toxic materials to and from the project site. Based on the size of the facility and the number of trips expected to transport hazardous and toxic materials, the possibility of accidental spills and subsequent contamination is high. Further analysis will be needed to ensure that the transport of hazardous materials to and from the site will not result in the pollution of Idaho's waters and air, or endanger public health. More information is needed to understand the size and scale of the enrichment facility, the amount of waste produced and transported from the site, and the amount of hazardous and toxic materials imported and exported from the site. We also request information regarding the methods of transport and the types of containment vessels that will be used to transport materials.

Detailed plans should be prepared to reduce contamination and public health risks in the event of a spill or accident during transport.

The Environmental Report does not provide cumulative risk analysis regarding the amount of hazardous or toxic materials to be imported and exported across state lines. The documents provided do not appropriately consider methods to minimize risks associated with transport routes options. Alternative transportation modes, such as rail, should be further analyzed. Transportation routes and modes that present significant risk to public health and natural resources should be avoided.

Permanent impacts associated with the project include the construction of two access roads from Highway 20 to the project site. Further analysis of this impact must include additional risk associated with fire and the spread of invasive weeds (for more detail on this topic see subsection Environmental Resources – *Invasive Weeds*).

Water Resources

The ICL is very concerned that spillage or leakage of hazardous materials and waste from the proposed facility will contaminate Idaho's surface or groundwater. We are concerned that there will be large quantities of hazardous, toxic, and radioactive materials produced and stored onsite and that these materials may contaminate Idaho's waters. The Snake River Plain Aquifer is southern Idaho's primary source of drinking and irrigation water. Should the facility operations result in the contamination of the aquifer, this pollution would have wide reaching affects on public health and Idaho's agricultural economy. Toxic and radioactive materials from enrichment facilities have been shown to leak through detention basins and contaminate groundwater. We are very concerned the proposed facility may contaminate Idaho's waters the way similar facilities have contaminated groundwater in Paducah, KY and Portsmouth, OH.

Due to the amount of pollutants expected to be stored onsite, the extremely hazardous nature of waste products like depleted uranium, the possibility of waste spills, the possibility of leakage from proposed retention basins, and the importance of the Snake River Plain Aquifer, much more information is needed to ensure no endangerment of public health or contamination of precious water resources. We request more information

Nitrate contamination of groundwater is also of concern. Recent findings indicate that long-term exposure to elevated concentrations of nitrate may contribute to the risk of developing bladder and ovarian cancers¹ and non-Hodgkin's lymphoma².

associated with water and air contamination from enrichment operations. We request detailed information regarding the amounts and types of materials used, produced, and stored onsite. We would like detailed information about how these materials may be released and how releases may endanger public health. Detailed plans to contain releases as well as alert and protect the public will be essential. Additionally, further analysis must ensure no air releases during transportation of both uranium product and waste to and from the site. The health of Idahoans is of primary import and should not be compromised by enrichment product, waste, or transport.

Hazardous Materials

The impact analysis did not contain any information regarding hazardous materials existing onsite, or proposed for storage. The EIS must provide information with regard to any hazardous materials existing or proposed for storage onsite and any cumulative risk associated with the storage, transport, and use of hazardous materials during project operations. Additionally, subsequent environmental documentation must include a Management Plan for Toxic and Hazardous Materials. This plan should address health and accident risks associated with toxic and hazardous materials onsite as well as accident prevention and management strategies. This information is incredibly important to protect the health and lives of emergency responders and communities such as Idaho Falls, Pocatello, and others that would potentially be harmed by facility operations. The ICL is concerned that a hazardous materials analysis was not included in the environmental analysis and we look forward to evaluating information on this subject.

Ecological Resources

The Environmental Report does not adequately address impacts to ecological resources on site. Due to pending sage-grouse and pygmy rabbit Endangered Species Act (ESA) listing, we suggest the applicant prepare environmental documentation and pursue the appropriate permits in anticipation of this ESA listing.

Avoid, Minimize, Mitigate

In terms of priorities, the NRC should first site facilities and infrastructure to avoid impacts to wildlife and cultural resources. If impacts cannot be entirely avoided, the NRC should incorporate design features to minimize impacts. Lastly, a plan should be prepared to mitigate for impacts that cannot be avoided or minimized.

Habitat, habitat fragmentation, and migration corridors

Portions of the project area contain habitat that is crucial to the sagebrush steppe obligate species such as sage-grouse, pygmy rabbits, sage thrasher, sage sparrow, and others. Such habitat has been severely fragmented and reduced through a variety of land management practices, including road construction and development of rights of way corridors. Although communities can't be listed under the endangered species act, sagebrush steppe habitat is considered by federal agencies as "imperiled" and an area of primary concern. The project should minimize negative impacts by avoiding areas of critical habitat for species of concern, establishing siting criteria to minimize soil disturbance and erosion on steep slopes, utilizing visual resource management guidelines, avoiding significant historic and cultural resource sites, and mitigating any potential disturbance of this habitat.

special management of these species. There are also elk, mule deer, and pronghorn antelope in the proposed project area.

The project should avoid and minimize all impact to big game winter habitat. The project site contains good to excellent antelope and sage-grouse habitat. We are concerned how the proposed project will impact this important habitat and the species that depend on it. We are also greatly concerned the project will impact nesting habitat for migratory birds.

Invasive Weeds

The most cost-effective way to deal with noxious weeds is to protect strongholds of native vegetation from activities that either spread noxious weeds directly or create suitable habitat by removing native vegetation and disturbing the soil. Project activities should limit road construction in areas that contain mineral soils where weeds may become established. Roads serve as a primary route for noxious weed species expansion. Special care should be taken to safeguard ecologically intact areas that are not currently infested. The EIS needs to analyze the effects of noxious weeds and describe management of weeds in the project area. For example, management strategies may include ensuring the tires and undercarriage of access vehicles are hosed down prior to site access to dislodge noxious weeds. Further documentation should analyze the effects of regular weed control activities in previously undisturbed areas. For example, weed treatments may affect non-target species and vehicle access may increase fire hazard and soil disturbance.

Public Comment Opportunities

Due to the nature and size of the proposed facility, we suggest the project proponent hold additional public hearings throughout the EIS process in Boise, Idaho.