



Pack Creek Ranch

... A Country Inn

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November 13, 1998

Executive Director for Operations
U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852



Subject: Petition for Leave to Intervene
Atomic Safety and Licensing Board Panel
International Uranium (USA) Corporation
Docket No. 40-8681-MLA-4: ASLBP No. 98-748-03-MLA

Peter B. Bloch, Administrative Judge, Presiding Officer

This is a petition to intervene in the hearing concerning the license amendment issued to International Uranium (USA) Corporation by the U.S. Nuclear Regulatory Commission (NRC) that allows IUC to receive wastes from the Ashland 2 site in Tonawanda, New York. This petition is made in accordance to the notice published by NRC on October 15, 1998, in the Federal Register page 55412), and NRC regulation 10 CFR 2.1205.

I am filing this petition as I am a general partner in the firm, Pack Creek Ranch, a guest ranch catering to the tourist trade. I live in San Juan County at Pack Creek Ranch. Now 69 years of age, I have guided wilderness-type trips in the region and in San Juan County professionally since 1955.

As guide and outfitter of Pack Creek Ranch, I conduct horseback trail rides, pack trips, and tourist excursions into varied regions of San Juan County. I hold permits issued to me by the National Park Service, the Forest Service and the Bureau of Land Management.

I travel the US-91 and U-95 highways often during by commercial and private trips. I am directly and negatively affected by the increasing truck travel on U.S. 191 (Moab to White Mesa) by the hauling of nuclear waste material that originates in Tonawanda, New York.

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WASHINGTON, D.C. 20545

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I am also an officer and stockholder of High Desert Adventures, a Utah corporation, headquartered in St. George, Utah. High Desert Adventures, as a National Park Service concessioner, conducts boating trips in Utah on the San Juan River and on Lake Powell. I have personally conducted trips on the San Juan River since the 1950's and this firm continues that legacy to this day.

As a citizen of San Juan County, I am concerned with my own health and that of my passengers. I am concerned that the cumulative amounts of radioactivity and other chemicals resulting from nuclear industry activities, over and above the high levels of naturally occurring radiation in the region, threatens my health and well being. I have lived in Southern Utah during the periods of the nuclear bomb tests and have directly experienced downwind radioactive fallout. I and my passengers have camped near old uranium mines and on uranium mining ores during river travel on the Green, Colorado, and San Juan rivers unknowing of the dangers. I and my passengers have drunk the rivers' waters and wallowed in the sands of the Green, Colorado and San Juan Rivers for years unknowingly to us that the rivers were heavily contaminated with radionuclides and other chemicals - we ceasing only after the National Park Service issued a directive that we should no longer use the waters for drinking purposes. While at my office and bookstore I was for years exposed to the wind-swept clouds of dust radiating from the Atlas uranium mill tailings at Moab. Other threats can be documented.

These cumulative amounts of radiation must be taken into account, as for my own and others concerns, before adding yet another source of radiation in the form of radioactive material brought in from Tonawanda, New York.

The public, including myself, have not been fully advised of the dangers of this hazardous waste material. There has been little environmental information given to me and the citizens by NRC or the International Uranium Corporation regarding the acceptance of hazardous waste from Tonawanda. Few studies were accomplished as were required during the period of license amendments. Having asked for the initial EIS, the environmental documents, and other information pertaining to the White Mesa mill, little has been forthcoming from NRC even after I wrote a Freedom of Information Request letter to the agency for this information. In the absence of that information, it is not possible to adequately assess the health problems that may arise. With the lack of information comes increasing costs to me and to all of us - in time spent and through legal means - to get that information. My rights have been jeopardized.

Without adequate information provided county residents by NRC, concerning the environmental effects, there is a growing FEAR of

nuclear waste and the prospects of a nuclear waste dump. This fear and anguish, valid or not, directly affects the physical and mental health and well-being of each of us. The health care system in San Juan County, in desperate straits at the present time, could not near afford the added costs that it might entail.

As a taxpayer in San Juan County and the state of Utah, the added burden by the government in regulating and overseeng nuclear

waste problems would definitely cost me and other citizens much more than if there were no dump to be regulated.

And as an outfitter I am concerned with bringing in tourists from varied areas of the world only to subject them to the dangers of added radiation. As a moral issue, as in the case of polluted rivers, lands, or air, I must warn our visitors of such concerns. And the prospective customers' knowledge that there is an added risk, if they did come, would cause many to go elsewhere. This would hit my pocketbook and others in the travel industry. Our travel industry would suffer.

And as a member of the Utah Guides and Outfitters Association, I associate with an active group of outfitters who works for clean waterways and rivers and a clean environment. This group has taken a strong and costly stand against nuclear-based activities in the region. Continuing to increase health hazards, the costs will ultimately increase to all of the members, to myself, and to their customers.

This diminished quality would be detrimental to me personally, and other outfitters, as there would be a lessened demand for natural and wilderness-type travel which I engage in and promote. It would destroy the very thing the outfitters' customers are coming to see and experience . We can't afford to damage our own capital resource. For an effective and viable business, I am dependent upon the preservation of a clean, beautiful, and untarnished environment.

And furthermore, we can't afford to damage the very areas that people are coming to see and to experience. By desecrating such areas of scenic beauty, citizens of our country and of the world, and even myself as a citizen, would be deprived of San Juan County's full beauty and natural environment. A nuclear waste dump and increasing hauls of nuclear waste would adversely bring negative promotion to the region and detract from the region's attractiveness. This would cost me and others untold amounts.

I have worked closely in the past with the White Mesa Utes. My good friend, Norman Begay, a leader of the White Mesa Utes, and with the Ute people led the fight in demonstating against the desecration of White Mesa. The Ute people were concerned with the

desecration of their own burial sites on the property of the White Mesa mill. Many antiquities, as documented by past archeological studies, would be in jeopardy should further nuclear material be brought in. The Ute people also fear that their ground water will be contaminated. Environmental studies, already accomplished, have in the past neglected to fully study the effects to the White Mesa community. It becomes a case of environmental justice. As a citizen of the county, this concerns and troubles me directly.

And likewise, the Navajo peoples have been neglected in not being fully consulted or a party to past and ongoing environmental studies. They are, rightly so, concerned that their aboriginal and ancestral lands are being desecrated. As a citizen, I feel they and their needs have not been treated fairly. As a citizen, this is costly to me. Many of our rights have been taken from us.

Any contaminated groundwater from the White Mesa mill facilities would drain towards the San Juan River. Full ground water studies have yet to be completed. Any drainage into the San Juan River and adjacent areas would affect me and my operations negatively.

Allowing IUC to receive the uranium waste material will adversely affect my and others rights and interests. This material is hazardous waste left over from the Manhattan Project - not from local uranium sources.

This facility was built for the extraction of uranium and allows for the disposal of the waste tailings generated by the process to be disposed on site. The operation of the facility for the processing of uranium from economically viable ores is what the NRC has licensed the facility to do. New environmental studies must be accomplished if the the Tonawanda wastes or other mixed wastes, are to be accepted and stored at White Mesa.

It is obvious that the material is being accepted for storage purposes, not for recycling alone. A great deal of money, we're not told how much, is paid to the corporation for accepting it. This "acceptance money" should go to the county rather than the corporation because of the environmental impacts sustained by the citizens.

The recycling of the small amount of ore for uranium would, without the acceptance money, surely not be economical for the corporation. Though requested, a list of the chemicals and products that make up the material has not been forthcoming. We don't know what we're getting in our community. And I feel it an affront to me and other citizens that we have not been fully informed of the consequences and impacts of this action. I feel my own rights, as well as other citizens rights, have been denied in this regard.

This license amendment and the management of the facility are creating a disposal facility, another nuclear waste dump, without going through the licensing requirements and required environmental studies. This violates both NRC's and the State of

Utah's requirements for licensing a disposal facility. It also violates the concepts of environmental justice.

Therefore, I request that NRC grant this petition for leave to intervene. My address and phone number are:

Ken Sleight
Pack Creek Ranch
P.O. Box 1270
Moab, Utah 84532

Phone: (435) 259-8575 or (435) 259-5505

Sincerely,



Ken Sleight
General Partner, Pack Creek Ranch

cc: International Uranium (USA) Corporation
Independence Plaza, Suite 950
1050 Seventeenth Street
Denver, Colorado 80265