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# SIERRA CLUB LEGAL DEFENSE FUND, INC.

*The Law Firm for the Environmental Movement*

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February 7, 1994

Ref: 08-814

Mr. John W. N. Hickey, Chief, Enrichment Branch  
 U.S. Nuclear Regulatory Commission  
 Division of Fuel Cycle Safety and Safeguards  
 Office of Nuclear Material Safety and Safeguards  
 Mail Stop 4-E-4  
 Washington, D.C. 20555

RE: Supplemental comments on NUREG-1484  
 ((Draft Environmental Impact Statement  
 for the proposed Claiborne Enrichment  
 Center, Homer, Louisiana); Docket No.  
 70-3070-ML, ASLBP No. 91-641-02-ML,  
 (Special Nuclear Materials License)

Dear Mr. Hickey:

The Sierra Club Legal Defense Fund, Inc. ("SCLDF"), on behalf of Citizens Against Nuclear Trash ("CANT") hereby submits the following supplement to its 1/27/94 comments on the Draft Environmental Impact Statement ("Draft EIS") for the construction and operation of the proposed Claiborne Enrichment Center ("CEC") outside of Homer, Louisiana (NUREG-1484).

These supplemental comments were prepared with assistance from Steven C. Sholly of MHB Technical Associates, who has been very ill, thus making it impossible to submit these comments earlier.

- 1.) The design basis earthquake ("DBE") selected for the proposed facility is entirely arbitrary because it bears no relationship to the seismic hazard actually present at the proposed site. The DBE is based on historical records for the last 150 to 200 years, when there are methods to extend the potential seismic hazard further back in time, as has been done with other facilities, in order to correctly ascertain the seismic

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hazard for the proposed site. See Revised Livermore Seismic Hazard Estimates for 69 Nuclear Power Plant Sites East of the Rocky Mountains, draft for comment, (October 1993).

The DBE selected for the proposed CEC facility (0.046 horizontal) is also inappropriately low; a much higher DBE (in the range of 0.15-0.25g horizontal) would be appropriate. In laymen's terms, this means that the earthquake selected for the design basis of the CEC is so small that even basic design codes -- such as for houses -- are adequate to withstand such a minimal earthquake. The CEC facility should be designed to a much higher DBE, to withstand more significant earthquakes, and this could be accomplished at minimal cost. As indicated in the Livermore Report, the DBE for two other facilities in Louisiana (the Riverbend nuclear plant and the Waterford nuclear plant) which are farther from the major sources of seismic risk (such as the New Madrid region) than the proposed CEC site, each have higher DBE's than the DBE for the proposed CEC facility. Livermore Report at A-13, A-17.

- 2.) There is nothing about the seismic risk at the Louisiana site proposed for the CEC that distinguishes this site from vast areas of the United States. As clearly indicated on page 3-17 of the draft EIS, the proposed site shares seismic risk characteristics with nearly half of the United States. And within this seismically similar area of the United States, there are many potential sites for the CEC that are much closer to the raw material sources and finished product destinations for the CEC than the proposed Louisiana site. This is clearly seen by comparing the centroids of the raw material sources and finished product destinations in Figure 2.7 (page 2-41) of the Draft EIS with the seismic risk map on page 3-17. Accordingly, the seismic risk at the proposed Louisiana site in and of itself is irrelevant as a site selection criterion.
- 3.) The use of the investor-owned electric utility service areas for LP&L, NSP, and Duke Power as a site selection criterion is totally arbitrary and insupportable as a legitimate siting criterion. The proximity of the enrichment center and utility service areas has nothing to do with siting the facility: the fuel shipped to nuclear plants in the utility service areas comes from the finished product destinations, not from the enrichment plant. The utility service area thus should be disregarded as a legitimate siting factor for the enrichment plant.
- 4.) Ignoring the entirely irrelevant utility service areas, and instead reviewing Figure 2.10 of the Draft EIS (page 2-45) and

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the centroids of the raw material sources and finished product destinations<sup>1</sup>, clearly indicates that potential sites in northern Indiana, northern Illinois, and northern Missouri would be more appropriate than the proposed site. The "final study area" from which the proposed site was selected (unlike the three aforementioned areas in Indiana, Illinois, and Missouri) is not at all well suited because it is:

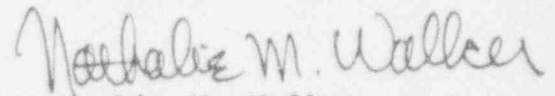
within the exclusory wind speed region;

at the extreme of the favorable transportation area; and

far from the centroids of the raw material sources and the finished product destinations.

In short, the proposed site has all the appearances of having been selected based on arbitrary and artificial criteria, such as being in Senator J. Bennett Johnston's home state (Senator Johnston is a strong supporter of the project and sponsored the legislation making this facility possible), and being within LP&L's service area.

Very truly yours,

  
Nathalie M. Walker

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<sup>1</sup> Figure 2.7 of the Draft EIS (page 2-41).