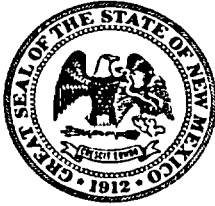


**From:** "April Wade" <Awade@NEFNM.com>  
**To:** <tcj@nrc.gov>  
**Date:** 8/20/04 5:34PM  
**Subject:** NRC PR

Rod asked me to send this to you.

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SECRETARY

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DEPUTY SECRETARY

September 2, 2004  
Immediate Release

Contact: Jon Goldstein, NMED Communications Dir.  
Phone: (505) 827-0314

## **Environment Secretary Ron Curry Statement on NRC Ruling Concerning Eunice Uranium Enrichment Facility**

(Santa Fe, NM) — "The NRC has made a grave error by not granting the state standing on several vital environmental issues surrounding the proposed National Enrichment Facility in Eunice," said NMED Secretary Ron Curry. "This wrongheaded decision on the issue of the storage and disposal of depleted uranium waste reflects a neglectful attitude toward the State of New Mexico and our elected representatives.

I am especially disappointed because this decision was not made upon the merits of our filings but on narrow procedural issues. The state did not miss any deadlines for our filings. My staff has diligently put forward the state's case on these issues.

Despite these efforts, the NRC ruled that we could not add additional supporting information to our arguments as it became available. By going this route, the NRC has effectively put blinders on what should have been a thorough process. This is a disservice to the state and its citizens.

The state is now examining options including an appeal of this decision to the Federal Court of Appeals and putting on a case as an Interested State Agency under the NRC's rules. Whatever action we take, we will continue to seek full and active participation on all environmental and waste management issues.

In its order, the NRC states that LES' plan for deconversion and disposal of uranium waste 'must represent more than mere speculation.' I could not agree more and will continue to push this point in any way possible.

In addition to further inclusion in the NRC process, the state is also in the process of reviewing a Ground Water Discharge Permit Application for this facility. I intend to make sure that this permit is thoroughly reviewed both by NMED's technical staff and by all interested members of the public. In contrast to the NRC's decision, I will ensure that the state review process will be as open and transparent as possible.

*more*

NMED NRC Statement  
August 19, 2004  
Page 2

To this end, NMED is currently examining the possibility of requiring additional information from LES in the form of an emergency plan submittal in its permit application. This plan would address actions to be taken by LES to prevent ground water contamination in the event of a spill or other emergency.

What we are asking for is very simple. All the state is seeking is the greatest amount of transparency possible on the plans for this proposed facility. This information is needed in order for us to ensure that human health and the environment are fully protected.”

For further information contact Jon Goldstein, Communications Director, NMED at (505) 827-0314.

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