

September 12, 2007

The Honorable Bill Richardson  
Governor of New Mexico  
Santa Fe, New Mexico 87501

Dear Governor Richardson:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of July 31, 2007, in which you expressed concern with the NRC's proposed generic environmental impact statement (GEIS) for in-situ leach (ISL) uranium recovery.

The purpose of the GEIS is to position the NRC to efficiently review the potential influx of uranium recovery license applications. The GEIS is not intended to replace or reduce the importance of site-specific environmental reviews for uranium recovery facilities or to limit public participation. We are committed to openness in our regulatory process and we intend to provide ample opportunity for the public to participate during the preparation of the GEIS and each site-specific environmental review.

The staff intends to use the GEIS to focus its site-specific environmental review. The GEIS will analyze the construction and operation of ISL facilities and discuss the potential environmental impact for reference resource areas (e.g., surface water, air quality, and transportation). Then for each ISL facility application, a site-specific environmental assessment (EA) will be prepared that incorporates relevant conclusions from the GEIS and concentrates on potential environmental impacts that are unique to the proposed site.

Through the GEIS process, the NRC affords the public many opportunities to participate. To date, the NRC has conducted two public scoping meetings for the GEIS (one in Casper, Wyoming, and one in Albuquerque, New Mexico). More than 200 individuals attended the August 9, 2007, meeting in Albuquerque and provided a range of views to the NRC staff on uranium recovery operations. In response to comments from the public, the NRC will hold a third meeting in Gallup, New Mexico, during late September 2007 to allow for additional attendance of stakeholders in close proximity to one of the major uranium production areas. The NRC has also extended the scoping comment period to October 8, 2007. The extension provides additional time for the public to submit comments including individuals who participate in the September meeting in Gallup, New Mexico. After issuing the draft GEIS, the NRC will conduct one or more public comment meetings so that the public can comment on the preliminary conclusions of the staff's evaluation.

For site-specific EAs incorporating conclusions from the GEIS, the draft EA will be provided to the State for review and comment prior to issuance. After considering State comments, the NRC also intends to issue these draft site-specific EAs for public comment. If the staff does not reach a conclusion of "finding of no significant impact" for the site-specific EA, the NRC will prepare an environmental impact statement (EIS) and involve the public during the scoping period and after issuance of the EIS.

-2-

The Commission understands the importance of this issue and appreciates your comments on the GEIS process. We look forward to interacting with New Mexico throughout the GEIS process and will continue to examine ways in which we can enhance our communications. Please contact me if I can be of additional assistance.

Sincerely,

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Dale E. Klein