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The Honorable Shirley Jackson
Chairwoman
Nuclear Regulatory Commission
Washington, DC 20555

June 4, 1997.

Dear Chairwoman Jackson,

On May 2, 1997, an NRC Atomic Safety and Licensing Board issued a historic decision that has reverberated around the world. As you know, the ASLB denied a license to Louisiana Energy Services for its proposed private uranium enrichment plant next to Center Springs and Forest Grove, Louisiana, on the grounds that its siting process and the NRC review of that process are indicative of environmental racism and violate the President's 1994 executive order on environmental justice.

Not only did this well-reasoned and clearly long-contemplated decision affirm to the public that an NRC license is not automatic, but must be earned—something which NRC history would not suggest—but that the NRC understands the implications of environmental racism and will seek to ensure environmental justice.

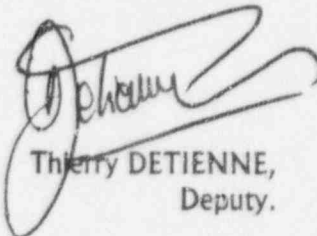
As the ASLB stated, environmental racism is rarely overt, is usually denied, is rarely intended, and is nearly always rationalized. Yet the disproportionate impact of the siting of hazardous facilities must be considered and weighed. It is clear, upon reading this decision and related depositions, that race was a factor in LES' siting decision—there is no other rationale for a siting process which rejected one site because there were "nice homes" along a lake, and chose a final site based on an "eyeball" assessment of a low population area, when any other eyeballs would have seen well-maintained homes and churches, and vibrant long-standing communities—communities, which, by the way, the NRC would not even put on the map for its Draft Environmental Impact Statement. This was a complete embarrassment for U.S. citizens and the U.S. government.

These issues reach beyond the LES case. Environmental racism and injustice are endemic in our society, and in much of the world. That is why President Clinton issued the 1994 executive order. And that is why the NRC must uphold its ASLB's decision. Reversal of this decision now would send a message to all Americans that it is literally impossible to protect their homes and communities from hazardous facilities—that all a company or consortium requires is deep enough pockets and a reservoir of patience and their license eventually will be granted on appeal, no matter how unnecessary the project or how faulty their approach to siting and licensing. Further, reversal of this decision would send a message that the President's executive order is irrelevant, that the United States is not concerned about race bias in hazardous facility siting, and that any well-heeled corporation can trod upon the interests of minority people anywhere it chooses. Finally, reversal of this decision—which has given such hope across the U.S. and elsewhere—would signal to the rest of the world that the United States will not enforce its civil rights laws and regulations, so why should any other nation?

This is not an ordinary situation and this is not an ordinary case. The entire nation, and indeed the entire world, is watching intently. This may be the single most important case any NRC Commissioner will ever hear. We beseech you to do the right thing.

We urge you and all the NRC Commissioners to uphold the ASLB's decision in the LES case and send a message to the world that racism and injustice will simply not be tolerated in Louisiana, or anywhere else.

Sincerely Yours.



Thierry DETIENNE,
Deputy.