



**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**  
*Office of the Secretary*  
*Harold Runnels Building*  
*1190 St. Francis Drive, P.O. Box 26110*  
*Santa Fe, New Mexico 87502-6110*  
*Telephone (505) 827-2855*  
*Fax (505) 827-2836*



**RON CURRY**  
SECRETARY

**DERRITH WATCHMAN-MOORE**  
DEPUTY SECRETARY

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

## **Governor Richardson Calls for NRC to Reconsider Decision Concerning Uranium Enrichment Plant; State Continues to Push Environmental Issues**

(Santa Fe, NM) — Governor Bill Richardson today called for the U.S. Nuclear Regulatory Commission (NRC) to reconsider its exclusion of issues raised by the New Mexico Environment Department (NMED) in the review of the uranium enrichment facility proposed for Eunice, New Mexico. This request came in a letter to NRC Chairman Nils Diaz.

The letter reads, in part:

“I am writing to express, in the strongest terms, my concern that the Nuclear Regulatory Commission (NRC) has decided not to allow consideration of important issues raised by the New Mexico Environment Department (NMED)...This decision deprives the State of New Mexico of an important opportunity to assure that critical environmental issues, such as the management and disposal or deconversion of wastes from the facility and the adequacy of proliferation safeguards related to foreign ownership, receive comprehensive analysis in the review process...Such a decision, particularly on procedural grounds, is regrettable, and may indicate absurdly misplaced emphasis and content in the NRC’s own regulatory process.

As significantly, the NRC decision deprives the NRC of state information and involvement that by all rights should be considered crucial to its decision process. A recent U.S. Circuit Court decision regarding the Yucca Mountain proposal supports the argument that governmental agencies deserve standing and deference in such proceedings, and I believe the NRC puts its own decision-making and the LES project in peril by ignoring this precedent.

I hereby request that you meet with NMED Secretary Ron Curry to discuss the State’s concerns regarding the NRC decision.”

The Governor’s letter follows an NRC decision last week to not grant the state standing on several environmental issues surrounding the proposed National Enrichment Facility in Eunice. Central to the issues raised by the NMED are the facility’s plans for the storage and disposal of depleted uranium waste.

In a legal filing made today, the NMED has begun the process of raising these environmental waste management issues in the NRC hearings as an “interested state agency.” The department also asked that the commission reconsider its decision not granting NMED standing.

In its filing NMED states:

“The State of New Mexico has a keen interest in not being added to the list of states with tons of depleted uranium for which there is no firm disposal pathway.”

“The NRC’s decision is clearly wrong,” said NMED Secretary Ron Curry. “It limits the involvement that New Mexicans can have in this process and effectively puts blinders on what should be a thorough vetting of LES’ plans.”

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,” said Secretary Curry. “This process will take as long as needed. In contrast to the NRC’s actions, I will ensure that the state review process will be as open, complete and transparent as possible.”

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

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