



State of New Mexico

Office of the Governor

Bill Richardson
Governor

For Immediate Release
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Governor Richardson and Attorney General Madrid Release letter to NRC

SANTA FE - Governor Bill Richardson and Attorney General Patricia Madrid today jointly signed a letter expressing their concerns to the Nuclear Regulatory Commission on the decision to withhold information on the licensing process from public review.

Letter of the text is as follows:

Nils Diaz
Chairman
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Chairman Diaz:

Once again we write to object to the NRC/ASLB (Nuclear Regulatory Commission/ Atomic Safety Licensing Board) process regarding the proposed national enrichment facility in southern New Mexico. By the steps it has taken in the licensing process, the NRC continues to erode public confidence in the process and the likelihood of a sensible, informed decision on the license application.

The decision to withhold some of the information in the licensing process from public review makes it difficult or impossible for members of the public to participate in an informed way.

Although there is some agreement to allow some parties who sign confidentiality papers to see more information, there is no denying that the Commission's decision eliminates opportunities for informed public participation, prevents dialogue about potentially important issues, and provides little public protection - likely less protection than an open process would.

This facility should be subject to an open, informed licensing process. During that process the NRC and the ASLB should take steps to make absolutely certain that the facility, if licensed, is protected from potential terrorist attack. The protection from terrorism should occur on the ground when the facility is in operation, not in the licensing review by withholding important information from the public. In fact, the mere fact that the NRC is creating a situation in which terrorist threats are discussed only in confidential circumstances by a few parties based on incomplete information may constitute a greater threat. The NRC needs full, informed, and open dialogue to decide on the appropriate counter-terrorist measures. Freedom of information may be the greatest anti-terrorist weapon in the United States' hands, because it allows everyone to think about potential terrorist threats and design anti-terrorism safeguards. In effect we can create a marketplace of awareness and ideas that will assure protection of the facility, if it is licensed.

As you know, we are deeply concerned that the State of New Mexico has been virtually shut out of this licensing process. This experience provides an example of why the NRC's decision to exclude the State was wrong, disadvantages the licensing process, and allows the State very limited options to object to the NRC process. If the NRC continues these closed-door, closed-mind policies, it is certain to affect our decisions on accepting such a facility in New Mexico.

Please reverse the decision regarding the partial closure of the process.

Sincerely,

/signed

Bill Richardson
Governor

/signed

Patricia A. Madrid
Attorney General

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