

I would like to submit the following comments for ~~the scoping on~~ the Surplus Plutonium Disposition Environmental Impact Statement:

- 1) The mixed-oxide (MOX) nuclear fuel option has a negative economic value, will result in unnecessary subsidies to nuclear power utilities, and is experiencing grave technical challenges. A range of immobilization options need to be addressed as more viable for disposition. 1
- 2) Plutonium processing has never occurred at Pantex and for this reason it is a relatively clean site. I believe it is unwise to locate plutonium processing at a site with no processing and minimal nuclear waste treatment experience, especially one located over a major aquifer and in the middle of rich agricultural producing land. 2
- 3) Environmental, safety, and health impacts must be fully identified and analyzed, including quantity and composition of waste streams, potential accident scenarios, and consequences of accidents. 3
- 4) The impact on the area agricultural economy needs to be addressed at length in this document. 4

Signed

Kathryn Albrecht, NM

CD1700

CD1700-1

Alternatives

Use of MOX fuel in domestic, commercial reactors is not proposed in order to subsidize the commercial nuclear power industry. Rather, the purpose of this proposed action is to safely and securely disposition surplus plutonium by meeting the Spent Fuel Standard. The Spent Fuel Standard, as identified by NAS and modified by DOE, is to make the surplus weapons-usable plutonium as inaccessible and unattractive for weapons use as the much larger and growing quantity of plutonium that exists in spent nuclear fuel from commercial power reactors.

The fabrication of MOX fuel and its use in commercial reactors has been accomplished in Western Europe. This experience would be used for disposition of the U.S. surplus plutonium.

The MOX facility would produce nuclear fuel that would displace LEU fuel that utilities would have otherwise purchased. If the effective value of the MOX fuel exceeds the cost of the LEU fuel that it displaced, then the contract provides that money would be paid back to the U.S. Government by DCS based on a formula included in the DCS contract. The commercial reactors selected for the MOX approach include only those reactors whose operational life is expected to last beyond the life of the surplus plutonium disposition program.

DOE has identified as its preferred alternative the hybrid approach. Pursuing both immobilization and MOX fuel fabrication provides the United States important insurance against potential disadvantages of implementing either approach by itself. The hybrid approach also provides the best opportunity for U.S. leadership in working with Russia to implement similar options for reducing Russia's excess plutonium in parallel. Further, it sends the strongest possible signal to the world of U.S. determination to reduce stockpiles of surplus plutonium as quickly as possible and in a manner that would make it technically difficult to use the plutonium in nuclear weapons again.

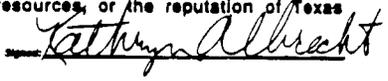
CD1700-2

Alternatives

DOE acknowledges the commentor's opposition to siting the proposed surplus plutonium disposition facilities at Pantex. The analyses presented in

<input checked="" type="checkbox"/>	NO! To plutonium processing in the Texas Panhandle.	1
<input checked="" type="checkbox"/>	NO! To bringing plutonium to Pantex from other sites.	2
<input checked="" type="checkbox"/>	NO! To long-term storage of plutonium over the Ogallala Aquifer.	1
<input checked="" type="checkbox"/>	NO! To facilities that handle nuclear waste or to processes that generate it.	3

I support jobs and development in the Panhandle that don't endanger workers, my family, our natural resources, or the reputation of Texas agricultural products.



CD1701

CD1701-1

Alternatives

DOE acknowledges the commentor's opposition to the surplus plutonium disposition program at Pantex. Decisions on the surplus plutonium disposition program will be based on environmental analyses, technical and cost reports, national policy and nonproliferation considerations, and public input.

CD1701-2

DOE Policy

DOE acknowledges the commentor's concern regarding the safe storage of plutonium pits at Pantex. DOE is committed to the safe, secure storage of pits and is evaluating options for upgrades to Pantex Zone 4 facilities to address plutonium storage requirements. Evaluation of repackaging Pantex pits into a more robust container is documented in the *Supplement Analysis for: Final Environmental Impact Statement for the Continued Operation of the Pantex Plant and Associated Storage of Nuclear Weapon Components—AL-R8 Sealed Insert Container* (August 1998). This document is on the MD Web site at <http://www.doe-md.com>. Based on this supplement analysis, the decision was made to repackage pits at Pantex into the AL-R8 sealed insert container and to discontinue plans to repackage pits into the AT-400A container.

CD1701-3

Alternatives

DOE acknowledges the commentor's support of new missions at Pantex that don't endanger people or the environment. The analyses presented in Section 4.26.3.2.2 indicate that there would be no discernible impacts on the quality of water in the Ogallala aquifer from normal operation of the proposed surplus plutonium disposition facilities. Other sections show, moreover, that the normal operation of these facilities would likely have minor impacts on human health, agriculture, and livestock; Sections 4.17.1.4 and 4.17.2.4 address the potential radiological and hazardous chemical effects of the maximum-impact alternative on workers and the public at Pantex; Appendix J.3, the potential contamination of agricultural products and livestock, and consumption of these products by persons living within an 80-km (50-mi) radius of Pantex.

NEW MEXICO ENVIRONMENT DEPARTMENT
GEDI CIBAS
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GARY E. JOHNSON
 GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
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 1190 St. Francis Drive, P.O. Box 26110
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PETER MAGGIORE
 Secretary

September 23, 1998

Howard R. Canter
 Acting Director
 Office of Fissile Materials Disposition
 U.S. Department of Energy
 P.O. Box 23786
 Washington, D.C. 20026-3786

Dear Mr. Canter:

RE: **SURPLUS PLUTONIUM DISPOSITION DRAFT ENVIRONMENTAL IMPACT STATEMENT;
 OFFICE OF FISSILE MATERIALS DISPOSITION, U.S. DEPARTMENT OF ENERGY; JULY
 1998**

This transmits New Mexico Environment Department (NMED) staff comments regarding the above-referenced Draft Environmental Impact Statement (DEIS).

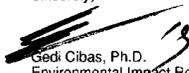
(1) Volume 1, Part A, Page 1-5 **Issues that Need to Be or Are Already Addressed Elsewhere**. The Nuclear Regulatory Commission should be involved, and their regulations be complied with, in all aspects of the Mixed Oxide (MOX) fabrication process, including the lead fuel assembly fabrication. 1

(2) Volume 2, L.3.3 **Ground Transportation Route Selection Process**. Shipments of radioactive materials to LANL should use the Santa Fe Relief Route (Route 599) to reduce the potential of a vehicular accident (and subsequent human health risk) while shipping components through the Santa Fe area. 2

(3) The main activities of pit disassembly, conversion, and immobilization, and MOX fuel fabrication were analyzed for sites outside the State of New Mexico. The only activity that might be located at Los Alamos National Laboratory is the fabrication of lead assemblies. An existing building would need to be modified to contain this activity, so welding would be done only inside buildings, limiting emissions. Operational emissions would result from vehicular traffic and emergency diesel generators. The Los Alamos National Laboratory is in an area that is currently in attainment for all National Ambient Air Quality Standards (NAAQS). Based upon the information provided, we would not anticipate any ambient air quality problems as a result of this project. 3

We appreciate the opportunity to comment on this DEIS. Please let us know if you have any questions.

Sincerely,


 Gedi Cibas, Ph.D.
 Environmental Impact Review Coordinator

NMED File No. 1191ER

MD325

MD325-1

NRC Licensing

Under the National Defense Authorization Act (fiscal year 1999), Congress directed that any facility under contract with and for the account of DOE that is used for the purpose of fabricating mixed plutonium-uranium oxide nuclear fuel for use in a commercial nuclear reactor obtain a license from NRC. In this act, Congress also exempted facilities that are used for research, development, demonstration, testing, or other analysis purposes from the licensing requirement.

Early in the preparation of the *Storage and Disposition PEIS* and this SPD EIS, DOE invited NRC to be a cooperating agency for the surplus weapons-usable fissile materials program. NRC declined the offer in favor of being a commenting agency. DOE is conducting regular meetings with NRC on the MOX approach, including fuel design and qualification.

As directed by Congress, NRC will be the regulatory authority for the MOX facility and will continue to be responsible for licensing the reactors, and as such would have to approve the use of MOX fuel through the license amendment process. The lead assemblies would be fabricated at DOE facilities that are not licensed by NRC, but the lead assemblies would meet licensing requirements for irradiation in selected reactors.

MD325-2

Transportation

DOE acknowledges the commentor's concerns about the transportation route selection process. The shipment of nuclear material (e.g., depleted uranium) using commercial carriers would be the subject of detailed transportation plans in which routes and specific processing locations would be discussed. These plans are coordinated with State, tribal, and local officials. The shipment of waste would be in accordance with the decisions reached on the *Final Waste Management Programmatic Environmental Impact Statement for Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste* (DOE/EIS-0200-F, May 1997) and the *WIPP Disposal Phase Final Supplemental EIS* (DOE/EIS-0026-S-2, November 1997). The transportation of special nuclear materials is the subject of detailed planning with DOE's Transportation Safeguards Division. The dates and times that specific transportation routes would be used for special nuclear materials are classified

information; however, the number of shipments that would be required, by location, has been included in this SPD EIS. Additional details are provided in *Fissile Materials Disposition Program SST/SGT Transportation Estimation* (SAND98-8244, June 1998), which is available on the MD Web site at <http://www.doe-md.com>.

MD325-3

Air Quality and Noise

DOE acknowledges the commentor's input. Air quality impacts from construction and normal operation of facilities at LANL for lead assembly fabrication would likely be minor as discussed in Section 4.27.4.1.

NEW MEXICO URANIUM WORKERS
PAUL HICKS
PAGE 1 OF 1

Honorable Donna Shalala
Sec. of Health & Human Services
200 Independence Ave. SW
Wash. D.C. 20201

Dear madam secretary:
We the uranium workers of the 48 con-
states have a serious problem. We are
fighting tooth & nail for our very lives,
and there are few of us left alive now.
See my testimony before the Judiciary
Committee in June.

The President's advisory committee on human
radiation experiments in 1995 said that
R.E.C.A. (Radiation Exposure Compensation Act)
of 1990 was an unfair, unjust & inadequate
bill, & should be amended.

We now have Mr. Redmond's bill (which
is really our bill) in the house & Mr. Bing-
aman has a similar bill in the senate
but they are going nowhere.

Could you please help us in some
way, or tell us what we can do
to get things moving.

505-287-3165

Paul Hicks

President New Mexico Uranium Workers
FAX: 505-287-4877 604 B Alam, State, NM 82020

MD331

MD331-1

Other

DOE acknowledges the commentor's concerns. However, the impact of radiation on uranium miners is beyond the scope of this SPD EIS. If MOX fuel is used in domestic, commercial reactors as proposed in this EIS there would be less uranium needed to fuel these reactors and therefore less uranium mined. This comment was forwarded to the Department of Health and Human Services to whom it was originally addressed.