

RAS 14045

120 Newing  
 Erwin, Tenn. 37650  
 August 26, 2006

DOCKETED  
 USNRC

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OFFICE OF SECRETARY  
 RULEMAKINGS AND  
 ADJUDICATIONS STAFF

Secretary

U.S. Nuclear Regulatory Commission

ATTN: Chief, Rulemaking and Adjudications Staff  
 Washington, D.C. 20555-0001

RE: Nuclear Fuel Services, Erwin, Tenn.  
Federal Registry, Docket # 70-143

Dear Sir or Madam

As a concerned citizen living 3 miles from Nuclear Fuel Services in Erwin, Tenn. I request that the N.R.C. hold a meeting (hearing) in this area to explain to the public why the serious spill of highly-enriched uranium in March 2006 was kept secret from the local community and why it was classified. The citizens in this area (population 20,000+) have been denied their due process rights as mandated by Section 189 of the Atomic Energy Act when the N.R.C. withheld public notice of the Feb. 21, 2007 Confidential Order that modified N.F.S.'s Special Nuclear Materials License. We live in Region II.

N.F.S. has a long repeated history of violations and non-compliance with the N.R.C. This is common knowledge. N.F.S. is a privately owned company when it suits them but when it doesn't, then they are a DOE or defense facility. Can they be both? If so, who is their boss? Who do they answer to? You can't serve two masters!

N.R.C. is failing in its "mission" to "insure adequate protection of public health and safety, promote the common defense and security, and protect the environment." Where is the "openness" in your regulatory processes you state as essential for ensuring that the N.R.C. remains a strong, fair, predictable, and credible regulator? The image the N.R.C. is conveying in the community is that they are unable, incapable and unwilling to uphold the purpose for which Congress chose them to do. It has the appearance of collusion. After numerous years of repeated violations with little or no consequences from the N.R.C. how can anything else be believed?

N.F.S. has admitted that "1. past disposition of violations via

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the enforcement policy has not resulted in N.F.S.'s development of corrective action capable of preventing recurrence of violations" and (2) "also a deficient safety culture at N.F.S. appeared to be a contributor to the recurrence of violations. I believe the March 2006 spill was a safety and poor management issue, not a security issue. "Secrecy" to save face is cowardly.

Additionally, a byproduct of the N.F.S. secrecy is the fact that CDC's Agency for Toxic Substances and Disease Registry (ATSDR) was not able to do its job thoroughly during a recent health assessment. The final report, dated May 29, 2007 is on their website. - Take a look.

The bottom line is that I am afraid for my health and safety and the health and safety of my family and friends and everyone living remotely close to this city including the animals. No one can be sure of their health from the spill in 2006 and the one in 2000. We are only told "don't worry, everything's fine." The spill from 2000 had migrated. We were told we were 30 x high level for radiation. We have a high cancer rate here. Every year 500-800 more people are diagnosed with cancer compared to another town the size of Evansville. There are breathing and respiratory problems here that are high. We have no air monitoring station in Union Co. Radioactive dirt has to be hauled off continuously from N.F.S. and has been for many years. I was never warned about a terminal attack before. Why should I - We have N.F.S. But now with all this secrecy and cover-up if there was 1 person in the nation who didn't know what N.F.S. did & was located - they certainly do now. We are on the internet all the way to Nevada, Kansas and <sup>the</sup> India, India. With location, coordinates and maps. I think the truck number was on a terrorist list. I am now skeptical of the N.R.C.

I believe the Commission needs to hold a public hearing in this community and explain this obvious cover-up and classification, what the Commission is doing about it now, and what the Commission intends to do about it in the future. Our rightful place at the table was denied by N.R.C. for our public health and

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safety. Your actions are critical to our public health and safety. We will be watching and so will Congress.

Respectfully,

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