

March 9, 2017

Mr. Chuck Hayes, Assistant Chief
Ecosystem and Environmental
Planning Division
New Mexico Department of Game
and Fish
P.O. Box 25112
Santa Fe, NM 87504

SUBJECT: REQUEST FOR SCOPING COMMENTS FOR ENVIRONMENTAL IMPACT
STATEMENT ADDRESSING THE WASTE CONTROL SPECIALISTS PROPOSED
CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT NUCLEAR FUEL,
ANDREWS COUNTY, TEXAS (DOCKET NUMBER 72-1050)

Dear Mr. Hayes:

On April 28, 2016, Waste Control Specialists LLC (WCS) submitted a license application to the U.S. Nuclear Regulatory Commission (NRC) to construct and operate a consolidated interim storage facility (CISF) for spent nuclear fuel in Andrews County, Texas. WCS requests a license from NRC to store up to 5,000 metric tons uranium (MTUs) in the CISF for a period of 40 years and proposes eventually to store up to 40,000 MTUs in the CISF over that period of time. The NRC accepted WCS's license application for detailed technical review on January 27, 2017. A map showing the proposed CISF location is provided with this letter (Enclosure 1).

By a *Federal Register* Notice (FRN) published on November 14, 2016 (Enclosure 2), the NRC noticed its intent to prepare an Environmental Impact Statement (EIS) to document NRC's independent evaluation of the potential effects on the human environment from WCS' proposed action. The EIS will be prepared in accordance with the regulatory provisions in Title 10 of the *Code of Federal Regulations* Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implement the requirements of the National Environmental Policy Act of 1969, as amended. By that same FRN, the NRC staff opened the scoping period for the EIS and requested public input to aid in determining issues of significance to address in the EIS.

By this letter, the NRC staff is requesting of the New Mexico Department of Game and Fish (NMDGF) scoping comments on issues related to state-listed animal and plant species of concern, including those identified as state-listed endangered or threatened species and their critical habitat, as those issues relate to WCS' proposed construction and operation of the CISF. The NRC staff also welcomes any other comments that the NMDGF considers relevant to WCS' proposed action.

Additionally, the NRC staff would welcome an opportunity to discuss with you and your staff, either in-person or by telephone, the NMDGF requirements and review process as they relate to state-listed species of concern. This also would provide an opportunity to discuss any previous times that the NMDGF has commented on actions related to the WCS site in Andrews County, Texas or on actions for facilities in the vicinity of that site.

If you have any questions concerning this matter, please contact Mr. James Park of my staff at (301) 415-6954 or via e-mail at James.Park@nrc.gov.

Sincerely,

/RA/

Cinthya Román, Chief
Environmental Review Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-1050

Enclosures:

1. General Map of Proposed CISF
Location
2. November 14, 2016 *Federal Register*
Notice

SUBJECT: REQUEST FOR SCOPING COMMENTS FOR ENVIRONMENTAL IMPACT
STATEMENT ADDRESSING THE WASTE CONTROL SPECIALISTS PROPOSED
CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT NUCLEAR FUEL, ANDREWS
COUNTY, TEXAS (DOCKET NUMBER 72-1050) DATED: March 9, 2017

DISTRIBUTION: FCSE r/f

DDiaz-Toro, NMSS

J-CNguyen, NMSS

ADAMS Accession Number: ML17011A130

OFC	FCSE/ERB	FCSE/ERB	FCSE/ERB
NAME	JPark	AWalker-Smith	CRomán
DATE	03/09/17	01/31/17	03/9/17

OFFICIAL RECORD COPY