

March 9, 2017

MEMO TO:

Annette L. Vietti Cook
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
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NRCExecSec@nrc.gov
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Re: 82FR18:8773 (hearings)

Cindy Bladey
Office of Administration
Mail Stop: OWFN-12-H08
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
WCS_CISF_EIS@nrc.gov
Re: 82FR18:8771 (scoping)

RE: Docket No. 72-1050; NRC-2016-0231

Dear Mss. Vietti-Cook and Cindy Bladey:

Nuclear Information and Resource Service (NIRS) and the listed organizations are making extension requests on the two proceedings announced in the January 30, 2017 Federal Register. The notices are regarding Docket No. 72-1050; NRC-2016-0231, the WCS license application for a Consolidated “Interim” Spent Fuel Storage facility in Andrews, Texas and the opportunity to comment on the scope of the Environmental Impact Statement.

We request an extension of **90** days beyond the current deadline of March 13, 2017 to comment on the Scope of the Nuclear Regulatory Commission’s (NRC) Environmental Impact Statement (EIS). [Re: 82FR18:8771-8773 (scoping)].

We request an extension of **120** days beyond the March 31, 2017 deadline for submission of requests for adjudicatory hearings, contentions and petitions to intervene regarding the WCS license application for a Consolidated “Interim” Spent Fuel Storage facility in Andrews, Texas. [Re: 82FR18:8773-8776 (hearings)]. We believe that the NRC has good cause to extend the time period for preparing hearing requests and petitions to intervene by 120 days until July 1, 2017 under NRC regulation 10 C.F.R. § 2.307.

NIRS is a national organization which works with allied national, regional and local groups across the U.S., promoting sustainable, renewable energy and energy efficiency. Our organizations’ members’ well-being and rights to a safe, secure and healthful environment would be adversely affected by the proposed licensing of the WCS facility.

We believe these extensions are justified because the application will trigger the largest transport campaign of highly radioactive “spent” fuel in history, anywhere in the world, impacting railroads, roadways and waterways across our homeland.

The specter of thousands of shipments over decades is unique and involves many novel and complex technical and legal issues. Communities along transport routes could be impacted and have a right to participate in this proceeding. Additional time is needed to notify and involve them and their experts. Citizens and governmental entities need additional time to consider

whether they should intervene in order to protect local interests, including health, safety and financial impacts.

We and our experts need time evaluate the viability of casks and canisters for transport and storage in extreme desert climate conditions, the potential for earthquakes and water contamination, the cumulative impacts of hazardous waste storage and multiple nuclear facilities in the region, and how damaged thin canisters would be handled since no dry cell or wet pool is included in the license application.

This is an unprecedented application because of the potential for terrorist attacks as waste is moved and while it is in consolidated storage, an incredibly important national security issue.

The potential for the consolidated storage site becoming a reprocessing facility needs to be evaluated. The first proposed away from reactor storage sites were at reprocessing facilities and this is a clear possibility when fuel is centralized.

The application is still changing significantly. WCS has not completed its responses to NRC requests for additional information and plans to submit revisions to numerous chapters of the license application, all of which are significant for the safety and security of the proposed facility, some which are significant for environmental concerns.

WCS has yet to submit additional information regarding Greater Than Class C waste, an important and technically complex issue.

Major unanswered questions remain about the long term legal, financial, technical and environmental disposition of the waste and the site. This is the only time to input on a 40 year license but the clear potential exists for the site to become a de facto permanent storage facility. If the waste does move again, there is the potential for repeat shipments back to the origin or to another temporary site or to a future permanent site. We and our experts need time to examine the financial qualifications of Waste Control Specialists and its potential future owner, EnergySolutions. We need to understand and integrate the financial and legal commitments and enforceability of short and long term management requirements and responsibilities of NRC, DOE and the licensee.

Thank you for your consideration of these requests for 90 more days to comment on the WCS Environmental Impact Statement Scoping and 120 more days to request hearings and intervene.

Sincerely,

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