

WCS_CISFEISCEm Resource

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Sent: Friday, April 28, 2017 1:28 PM
To: WCS_CISFEIS Resource
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Subject: [External_Sender] WCS West Texas Dump Site for "Interim" Storage
Attachments: WCS.Citizen.Action.NM.Comments.4.28.2017.docx

Please see attached Scoping Comments.

Thank you.

Dave McCoy
Citizen Action NM

Federal Register Notice: 81FR79531
Comment Number: 16216

Mail Envelope Properties (CAKhVgZaqTE+W8jUD=yi6e3PYMFqk5usO0wPggjiqNKaOiARRA)

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April 27, 2017

Ms. Cindy Bladey, Office of Administration
Mail Stop: OWFN-12-HO8
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Docket No. 72-1050; NRC-2016-0231 – Environmental Impact Statement
Public Scoping Comments about Waste Control Specialists LLC's
Consolidated Interim Spent Fuel Storage Facility Project (CISFSF)

REQUEST FOR PUBLIC HEARING

Dear Ms. Bladey and the Nuclear Regulatory Commission:

The application of Waste Control Specialists (WCS) for a license to store irradiated nuclear fuel from commercial nuclear power plants at their dump site in Andrews County, Texas, is wholly deficient. A full Environmental Impact Statement is required prior to issuance of a license.

Nuclear power production is a dead end technology and the CISFS is an attempt to breathe life back into a corpse. Less costly, environmentally friendly forms of energy production—solar, wind, bio-technology, make more sense. Other energy forms will begin and are superseding nuclear generation without extreme construction costs, generating long-lived waste and the associated health, political and economic problems with operation and disposal. Western Germany is phasing out nuclear power reactors by 2020. Recent events in Fukushima and past events at Three Mile Island and Chernobyl underscore the danger of nuclear power spreading long-lived radionuclides over air, ocean and land. You can't buy an ocean fish that hasn't been poisoned with radiation. The problem of nuclear waste has turned into a serious dilemma for generators, regulators, and consumers. Cancer rates near nuclear power plants are higher.

The nuclear energy industry employs more than 100,000 people in high quality, career-long jobs.¹ American wind power supported a record 88,000 jobs at the start of 2016—

¹ <https://www.nei.org/Master-Document-Folder/Backgrounders/Fact-Sheets/Job-Creation-and-Economic-Benefits-of-Nuclear-Ener?feed=factsheet>

an increase of 20 percent in a year—according to the *U.S. Wind Industry Annual Market Report, Year Ending 2015*. The U.S. solar industry employed 260,077 workers in 2016, a nearly 25% increase in the number of jobs from 2015. The workers aren't dying of brain cancer from their jobs like Cold War era nuclear workers costing at least \$60,000,000 in payments annually on the Employee Emergency Occupational Illness Program Act (EEOICPA). Studies also showed that 98% of radiation induced cancers in nuclear workers occurred at radiation levels less than the existing maximum "safe" levels.

The back end of the fuel cycle so far is a problem without a solution. Yucca Mountain has been a failure to date. The Waste Isolation Pilot Plant (WIPP) experienced fire and explosion(s) spreading a cloud of Plutonium and Americium over several states and injuring workers with contamination and resulting in a three year shutdown. The Department of Energy low-level radioactive waste dump at Beatty, Nevada erupted in explosions and fires raging for a day shutting down major highways and sending a radioactive cloud over Las Vegas, St. George, Utah and into Idaho. We have genius at making nuclear waste and idiocy when it comes to cleanup.

The Nuclear Regulatory Commission is so irresponsible toward New Mexico that it refused to take jurisdiction or do anything about the more than 70 spent fuel elements irresponsibly dumped in the Sandia National Laboratories Mixed Waste Landfill (an unlined dump) that has no license for shallow waste disposal of spent fuel and Transuranic waste. Many of the disposed MWL spent fuel pins/rods are from nuclear reactor meltdown tests performed by Sandia Labs for the NRC severe accident program (nuclear reactor meltdown experiments), performed after the 3MI accident. MWL waste experiment canisters hold irradiated fuel melted together with metallic sodium. Metallic sodium was the source of the explosions at Beatty, Nevada. NRC refuses to accept responsibility for the unlicensed, illegal disposal of the MWL spent fuel and Transuranic waste. NRC can't be bothered to enforce its own regulations against unlicensed disposal. Why should NRC be trusted to license and regulate 40,000 tons of commercial spent fuel from around the U.S.? There is no plan for where it should go next. New Mexico apparently is to receive the waste after some indefinite time of temporary storage?

Let's all be perfectly honest about this situation. It doesn't matter if the Interim Site is opposed by most of the public in Texas and New Mexico for the sanest reasons in the world. The game is for the applicant to trot out experts who will always be believed over anything the public or their experts have to say. The amount of money backing the nuclear zombies is phenomenal. The corrupt politicians who will claim public support for the Interim Site are already lined up to testify. The money flows to their campaign coffers. The NRC then has a public hearing and makes a decision that

everything is OK and the community approves. It's a disgusting pro forma process performed over and over that elevates absurdity over reason to the endangerment of public health and the environment.

The public is always underfunded to bring forth its perspective and experts that may be in opposition.

In its April 18, 2017 letter to the Nuclear Regulatory Commission, Waste Control Specialists indicates that it was recommended by the 2012 Blue Ribbon Commission on America's Nuclear Future:

As one of its initiatives intended to help WCS eventually become profitable and following on the recommendations of the 2012 Blue Ribbon Commission on America's Nuclear Future and the encouragement of the host city, county and State, WCS leaders began considering the possibility of siting a CISF at its Andrews County, TX facility. (Emphasis supplied).

This is a gross overstatement by WCS and far from the truth. There is no mention of WCS at all in the Blue Ribbon Commission Report. While WCS may have mentioned they had a site in Texas there was no specificity as to that site being suitable or desired for a CISF. Moreover, the WCS site has been the subject of controversy and opposition in Texas and New Mexico. WCS is too underfunded to carry out such a huge project and its purchase by ECS is the subject of an anti-trust suit by the Department of Justice.

The inability to open Yucca Mountain has thrown all assumptions about interim storage in the wind. **Where's the repository? It was promised decades ago. This matter requires a Programmatic Environmental Impact Statement.**

Contentions of Deficiencies

1. WCS has not provided the meaning of "interim." WCS has not demonstrated the existence of a detailed quality assurance program which would effectively detect and prevent defective work by contractors and manufacturers of the WCS proposed spent fuel storage facility for an extended period of time. The following quality assurance program elements are wholly inadequate:

(1) program; (2) organization; (3) design control; (4) procurement document control; (5) instructions, procedures, and drawings; (6) document control; (7) control of purchased material, equipment, and services; (8) identification of materials, parts, and components; (9) control of special processes; (10) inspection; (11) test control; (12) control of measuring and testing equipment; (13) handling, storage, and shipping; (14) inspection, test, and operating status; (15) nonconforming items; (16) corrective actions; (17) quality assurance records; and (18) audits (19) waste acceptance criteria

2. Long-term Storage: The Licensees have failed to demonstrate that utilization of the interim storage, associated systems, and storage system, as proposed pursuant to the requested permit, is adequate to accommodate storage of spent fuel elements safely either for the length of time contemplated by its analysis or for what is reasonably likely to be a substantially longer period of time. This failure precludes a conclusion that issuance of the proposed license is not inimical to the public health and safety. The Licensees have not assessed the effect of increased corrosion, the need for chemistry and material controls, and the need for surveillance of equipment, and ongoing inspections for leakage.

3. The Licensees have not adequately analyzed corrosion and radiation damage to the fuel elements, the assemblies, and the concrete walls and flooring of the spent fuel facility due to: (a) increased radioactivity from fuel assemblies; (b) increased and uninterrupted spent fuel assembly residence time including possible residence beyond 10,000; and (c) increased temperatures resulting from the proposed modification.

4. The licensees have not analyzed the long term damage to the fuel assemblies and the effect of moving them from reactor sites around the country and then removing the containers once again (perhaps thousands of years later) from the interim site to a permanent repository.

5. The Licensees have failed to adequately demonstrate that the storage of greater amounts of irradiated fuel for longer periods of time than ever anticipated and the attendant increased fission product inventory, heat load, will not: (b) result in breakage, leakage, unacceptable radioactivity and heat-induced acceleration of corrosion of the separation system for the fuel elements racks, the seismic restraint system, and the Zircaloy cladding on the stored fuel elements.

6. The proposed seismic design for the Interim Site is inadequate.

7. The Licensees have not demonstrated that the design of the spent fuel storage provides a structural integrity sufficient to store spent fuel onsite safely in the manner and for the extreme period that is not contemplated by its application. This failure precludes the conclusion that issuance of the proposed amendment is not inimical to the public health and safety.

8. The drop test for transport does not accurately reflect the internal condition of the containment in the event of an accident and whether the container will still be sent to the site after an accident.

9. Accidental dropping of the containers during loading and unloading has not been adequately analyzed. Repeated droppings may occur over a period of time of containers and fuel assemblies or other similar large objects into or upon the expanded storage area.

10. Speed of rail travel and the damage to tracks has not been adequately analyzed.

11. The Licensees' analysis of potential accidents during and after loading and transport is deficient, and therefore cannot be used to support a conclusion that issuance of the proposed license would not be inimical to the public health and safety. The Licensees did not adequately discuss what provisions have been made to recover from accidents or from the longer term effects of spent fuel storage such as degradation of containment, the fuel cooling systems, or storage racks. Specifically, the Licensees have failed to demonstrate that (1) leakage can be repaired, and (2) sufficient numbers of casks are available for or can be obtained in the event of accidents to allow removal of fuel from damaged containment if such removal is necessary.

12. The Licensees' analysis of potential accidents is deficient, and therefore cannot be used to support a conclusion that issuance of the proposed facility would not be inimical to the public health and safety. Specifically (a) the Licensees did not accurately address either the increased risks of or consequences from releases of radioactivity from or criticality that may occur due to an accident resulting from (1) the transport of spent fuel casks and other heavy objects alongside, over, and near the spent fuel pool if one is utilized; (2) projectiles generated by natural events, such as earthquakes or tornados, or by mechanical failure.

13. The Licensees' analysis of the effect of the spent fuel configuration upon criticality is deficient.

14. The Licensees have failed to demonstrate that the increased amount of spent fuel proposed to be stored will not become critical some time during the period of storage permitted under the proposed amendment.

15. A terrorist attack on a storage site could result in the release of radioactive material. There is no assurance Licensees have adequate resources and attention for devotion to maintaining the storage facilities.

16. There is sufficient space at all operating nuclear reactors to accommodate all spent nuclear fuel for the duration of the plant licenses. By the time consolidated storage

could be established almost all U.S. reactor sites will have installed dry storage systems. So it does not make sense to impose the extra costs of moving the waste twice before a permanent repository is established.

17. Licensees have provided no rigorous cost estimates showing that consolidated interim storage is an economically attractive option in the face of significant delays in opening the repository.

18. There is no assurance that the costs to the government will be avoided with one or more consolidated facilities: costs of land acquisition; construction of facilities for cask receiving and handling, especially if they are designed to handle bare fuel; and construction of rail and highway spurs to the facility and improvements to existing transportation infrastructure.

19. Construction of interim storage will delay the siting and development of one or more permanent repositories as required by the Nuclear Waste Policy Act. Consolidated interim storage will become the de facto permanent solution for managing the nation's growing inventories of commercial spent fuel.

20. Given the long-term storage, Licensees have not provided assurance that underground aquifers (the Dockum, Ogallala, Pecos Valley, and Edwards-Trinity) and groundwater will be protected from deterioration and/or breakage of containers and leakage.

21. Prevention of potential episodes of criticality and emergency procedures for criticality events must be presented.

22. Licensees have not explained if Spent Fuel Pools will be used for damaged fuel, details of construction and what water and other requirements would be necessary for cooling. The handling of liquid and solid waste from any fuel pool operations needs presentation.

23. The WCS site is located above one of the largest karst lands in the world where water runs underground since the surface is too porous to hold the run off. Licensees have not analyzed the risk of aquifer contamination due to the karst formation. The site lies over a shallow perched aquifer that rises and falls inexplicably (New Mexico Environment Department). Monitoring wells are often saturated.

NRC is requested hold a public hearing on the draft Environmental Impact Statement in Albuquerque. Please provide a written response.

Respectfully submitted,

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