

## WCS\_CISFEISCEm Resource

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**From:** Protecting NM From All Things Nuclear <protectnewmexico@gmail.com>  
**Sent:** Saturday, April 29, 2017 2:41 AM  
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**Subject:** [External\_Sender] Docket No. 72-1050; NRC-2016-0231

April 28, 2017

SENT VIA ELECTRONIC MAIL: [wcs\\_cisf\\_eis@nrc.gov](mailto:wcs_cisf_eis@nrc.gov)

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 Waste Control Specialists LLC's Consolidated Interim Spent Fuel Storage Facility Project

Dear Ms. Bladey and Commissioners,

This letter is in regards to the Environmental Impact Statement (EIS) Scoping Comment Period for the proposed Consolidated "Interim" Storage (CIS) Facility at the Waste Control Specialists' (WCS) site in Andrews, Texas. We understand WCS is currently amidst a merger with Energy Solutions (ES), we submit the following to be considered should the Scoping Process continue or become un-suspended. Otherwise, we maintain that Energy Solutions needs to start the full EIS process from the beginning if ES should become owner/operator of the current WCS facility .

We are writing to request that NRC hold a public hearing in Albuquerque, New Mexico at each and every step of the National Environmental Protection Act (NEPA) process for WCS's proposed facility. A research study on the cumulative impacts of WCS's CIS, locally and along all transport routes, including impacts to groundwater, environment, human health, atmosphere, and cultural resources should be included in a full Environmental Impact Statement.

This project entails importing tons of spent fuel "high-level radioactive waste" from nuclear reactors around the country and storing it in Andrews for forty years or more, possibly indefinitely. This constitutes a serious risk to public health and safety. If any adverse and irreversible impacts would be created or exacerbate existing impacts, we respectfully request an overall and permanent halt to this project, regardless of ownership.

*Please consider the following factors below to include in the EIS.*

## **Transportation**

The EIS should include the dangers of transporting High-Level Radioactive Waste (HLRW) across the country. The risk of transporting the nation's commercial HLRW is one of the most important factors to consider because if an accident does occur, it could create a national sacrifice zone. This area could have its water, air

and land contaminated to extremely unsafe levels in which no person should be near. An accident in a big city would release an unsafe amount of radiation to countless people that would all need treatment. Thus all areas that this waste goes through must be examined closely because each piece of land it travels over will be at risk.

## **Water**

The EIS should look closely into the risk of groundwater contamination at the site, especially since the entire Texas Commission on Environmental Quality Radioactive Materials Division recommended denying a license for "low-level" radioactive waste at the Waste Control Specialists site due to the proximity of groundwater. The EIS must include how the WCS will be monitored for radiation, toxic and hazardous releases to the air, soil, and water. Furthermore, a new more precise method should be used to determine the location of groundwater. Different maps show the Ogallala Aquifer under the WCS CIS Facility, while others do not. As certain forces might have altered the data it would be appropriate to get an independent third party to map the proposed area for any signs of an aquifer. As water is one of the most important human needs, it is essential to include any factor that may contaminate this water.

## **Environmental Justice**

The EIS should consider environmental justice in overburdened communities. It is well documented that communities of color, or low-income and rural communities have had disproportionately higher amounts of dangerous waste dumped in them or released nearby. WCS is located in an area with a large Hispanic population. It should be noted how an accident in or near Carlsbad, Hobbs, and other communities along the transportation route could have devastating effects on small economies.

The NRC needs to abide by the directives set forth by Executive Order 12898 and enforce that WCS "identify and address the disproportionately high and adverse human health or environmental effects ... on minority and low-income populations, [and] to develop a strategy for implementing environmental justice, to promote nondiscrimination in federal programs that affect human health and the environment, as well as provide minority and low-income communities access to public information and public participation".

## **Education**

Furthermore, the communities along the route and at the location of storage sites must be properly educated about what the effects they would face in the event of an accident or incident, no matter how unlikely it may be. In addition, all printed and digital materials, public meetings and notices need to be available or have accessible translation in appropriate language of local residents.

## **Homeowners Insurance**

Homeowners' insurance does not cover radioactive contamination. The draft EIS should explain how homeowners and renters along the transportation routes and

near the WCS site will be covered in case of an accident and/or terrorism. The draft EIS should also include information about any negative impacts to property value.

## **High Temperatures**

Another factor that should be examined are the high temperatures of Andrews County. This particular high-level radioactive waste requires air to cool it. This is concerning considering that the WCS is in a desert that gets extreme temperatures and heat waves. Also, WCS needs to consider and examine rising global temperatures as climate change patterns are becoming more available.

### **Geophysical Aspects**

WCS needs to have a very clear plan for how it will respond to the current and changing geophysical aspects of the area due to seismic activity resulting from climate change and hydraulic fracturing.

### **Accidents and Terrorism**

With the increase in transportation of radioactive waste also comes the increase in the possibility of accidents and terrorism incidents. The draft EIS must include the emergency response systems that would be in place in case of an accident or terrorist incident across all potential rail, barge, and truck transport routes. The draft EIS should explain in great detail how radioactive waste from either cracked and or leaking canisters would be handled; as well as include the response systems that would be put in place to best protect and minimize contamination throughout communities along the routes. Both the NRC and WCS should explain how transfers would be performed and omit statements that they will handle it when the problem arises.

### **Insurance & Bonding**

WCS must be in a financially secure position when transporting and accepting waste with adequate bonding in case of accidents or unintentional contamination. Although there have been assurances that accident damages would be minimal, disasters such as the Fukushima-Daichii disaster in 2011 have proven to exceed the worst anticipated scenarios.

### **Time**

It is important for WCS to study and have plans for canisters and overall design for 10,000 years or more as current situations change; such as, within the WCS company and facility, in the environment, or in regional or international economics, and so on. It is suggested that current canisters can remain safe for a period of time, but after this period of time will no longer be safe.

The EIS needs to include a schedule of inspections and to monitor the site into perpetuity. This should include design and funding for signage to last at least 10,000 years. For example, the EIS should answer how safe or dangerous this waste would be at this facility for 10,000 years or more. If the projection shows

long-lasting radioactive contamination, WCS needs to provide signage that will last for at least 1000 years of year.

Overall, we ask you to deny the application no matter who owns the facility. At the very least we ask all regulatory agencies, including NRC to hold multiple Public NEPA meetings regionally and nationwide, including Nevada, California, New Mexico, Arizona, Utah, Colorado, and Texas with proper translation and educational Materials.

As a group of concerned New Mexican citizens, we are especially focused on any impacts from WCS affecting New Mexico's environment and future generations.

On Behalf of the Nuclear Issue Study Group,

Leona Morgan

Nuclear Issue Study Group

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Albuquerque, NM 87106

CC:

NM Governor Martinez

TX Governor Abbott

NM Senator Udall

NM Senator Heinrich

NM Representative. Grisham

NM Representative Lujan

NM Representative Pearce

Mike Conaway, 11th Congressional District of Texas

NM State Senator Gerald Ortiz y Pino

NM State Senator Cisco McSorley

NM State Rep. Sheryl Williams Stapleton

New Mexico Environment Department

Bernalillo County Commissioner Debbie Oâ€™Malley

Albuquerque City Councilors:

Ken Sanchez

Don Harris

Dan Lewis

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Trudy Jones

Pat Davis

Brad Winter

Diane Gibson

Ike Benton

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