



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Cisco McSorley
New Mexico State Senate
415 Wellesley Place NE
Albuquerque, NM 87106

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. McSorley:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Gerald Ortiz y Pino
New Mexico State Senate
400 12th Street NW
Albuquerque, NM 87102

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Ortiz y Pino:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Jeff Steinborn
New Mexico State Senate
PO Box 562
Las Cruces, NM 88004

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Steinborn:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Bill Tallman
New Mexico State Senate
5909 Canyon Pointe Court
Albuquerque, NM 87111

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Tallman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Pete Campos
New Mexico State Senate
418 Raynolds Avenue
Las Vegas, NM 87701

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Campos:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Linda M. Lopez
New Mexico State Senate
9132 Suncrest SW
Albuquerque, NM 87121

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Lopez:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable John Pinto
New Mexico State Senate
509 W Morgan Avenue
Gallup, NM 87301

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
 INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Pinto:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Benny Shendo, Jr.
New Mexico State Senate
PO Box 634
Jemez Pueblo, NM 87024

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Shendo:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Mimi Stewart
New Mexico State Senate
313 Moon Street NE
Albuquerque, NM 87123

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Stewart:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Stephanie Garcia Richard
New Mexico House of Representatives
PO Box 4657
Los Alamos, NM 87544

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Garcia Richard:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable D. Wonda Johnson
New Mexico House of Representatives
PO Box 982
Church Rock, NM 87311

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Johnson:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable G. Andrés Romero
New Mexico House of Representatives
4503 Valley Park Drive SW
Albuquerque, NM 87105

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Romero:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Deborah A. Armstrong
New Mexico House of Representatives
2015 Dietz Place NW
Albuquerque, NM 87107

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Armstrong:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Sheryl Williams Stapleton
New Mexico House of Representatives
Box 25385
Albuquerque, NM 87125

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Williams Stapleton:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Christine Trujillo
New Mexico House of Representatives
1923 Madeira Drive NE
Albuquerque, NM 87110

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Trujillo:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Angelica Rubio
New Mexico House of Representatives
PO Box 2155
Las Cruces, NM 88004

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
 INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Rubio:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Eliseo Lee Alcon
New Mexico House of Representatives
PO Box 2134
Milan, NM 87021

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Alcon:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Antonio Maestas
New Mexico House of Representatives
5818 Jones Place NW
Albuquerque, NM 87120

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Maestas:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Gail Chasey
New Mexico House of Representatives
508 Morningside Drive SE
Albuquerque, NM 87108

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Chasey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Debra M. Sariñana
New Mexico House of Representatives
825 Claudine Street NE
Albuquerque, NM 87123

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Sariñana:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Georgene Louis
New Mexico House of Representatives
PO Box 72123
Albuquerque, NM 87195

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Louis:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Derrick J. Lente
New Mexico House of Representatives
70 Kuaua Street
Sandia Pueblo, NM 87004

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Lente:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Matthew McQueen
New Mexico House of Representatives
7 Avenida Vista Grande B7-120
Santa Fe, NM 87508

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. McQueen:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Miguel P. Garcia
New Mexico House of Representatives
1118 La Font Road SW
Albuquerque, NM 87105

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Garcia:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Patricio Ruiloba
New Mexico House of Representatives
3917 Camino Alameda SW
Albuquerque, NM 87105

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Ruiloba:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Harry Garcia
New Mexico House of Representatives
PO Box 226
Grants, NM 87020

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
 INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Garcia:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Patricia Roybal Caballero
New Mexico House of Representatives
PO Box 72574
Albuquerque, NM 87195

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Roybal Caballero:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Tomás E. Salazar
New Mexico House of Representatives
PO Box 66
Las Vegas, NM 87701

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
 INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. Salazar:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Doreen Y. Gallegos
New Mexico House of Representatives
4301 Summit Lane
Las Cruces, NM 88011

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Ms. Gallegos:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2018

The Honorable Bill McCamley
New Mexico House of Representatives
PO Box 458
Mesilla Park, NM 88048

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED
INTERIM SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051

Dear Mr. McCamley:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated February 10, 2018, in which you requested the NRC extend the public comment scoping period for the Holtec International proposed Consolidated Interim Storage Facility (CISF). Your letter explained that the typical 45-day comment period would conclude before the New Mexico Legislature has had the opportunity to hold public hearings, receive expert testimony, get citizen input, and make scoping recommendations. Your letter requested that the NRC leave the scoping comment period open until after the end of your full legislative session in 2019, to allow the New Mexico Legislature and State agencies an opportunity to fully review critical issues in the appropriate legislative interim committees and make policy recommendations that can be included as scoping comments.

The NRC's mission is to ensure adequate protection of the public health and safety; as such, the protection of the people near the facility is essential to our agency mission. Consistent with that mission, the NRC will not issue a license for a CISF unless and until the NRC staff has completed its detailed safety, security, and environmental reviews, and the applicant is able to demonstrate that the facility can meet all applicable NRC regulations and statutory requirements, including the Atomic Energy Act of 1954, as amended. The NRC staff estimates this review process will take approximately three years.

The NRC has an established regulatory process for developing environmental impact statements (EIS) consistent with its principles of good regulation, which include openness and transparency in the conduct of licensing activities. The NRC's regulations in Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 51) govern this process and implement Section 102(2) of the National Environmental Policy Act of 1969. Our process provides opportunities for the public to comment and participate in various elements of the environmental review process. The first opportunity for public involvement and input is during the scoping period, as the NRC staff solicits external stakeholder input on the matters identified in 10 CFR 51.29, including the issues to be analyzed in depth during the agency's environmental review. The first opportunity for public input with respect to this licensing action will be during the 60-day comment period for the scoping process.

The NRC staff has considered your request that the scoping period be extended until the end of your next full legislative session, which will begin in 2019. However, the agency has an obligation to the public and the regulated community to make timely regulatory decisions. The NRC staff will not start its detailed technical review until all the comments from scoping have been reviewed and considered. Extending the scoping period until the close of your legislative session would cause a corresponding delay in our licensing review of more than one year and would not be commensurate with a timely regulatory decision-making process. Accordingly, the NRC staff has decided not to extend its scoping period per your request.

The NRC's scoping process is intended to be inclusive. The NRC staff is planning to hold scoping meetings and open houses in communities near the proposed site of the CISF to encourage public participation and gather as much information as possible. Further, a webinar will be conducted to provide an opportunity for stakeholders who are unable to attend the local meetings to receive information on the proposed facility, and also provide oral comments to the NRC through the webinar. The NRC staff will capture all of the oral comments received during those meetings. Written comments from the public will be accepted as well, and can be submitted electronically or during the meetings. Spanish translators will be available at the meetings to ensure the Hispanic community in the region has a meaningful opportunity to provide comments and ask questions of the NRC staff. All scoping meetings will be announced in the *Federal Register* and will also be announced on the NRC's website, social media, via press release, and other communication vehicles, such as local media, to encourage public participation.

The conclusion of the scoping process will not limit other meaningful opportunities for the NRC to benefit from the involvement of the New Mexico State Legislature. Importantly, both the legislature and the public will have additional opportunities to participate in the NRC's environmental review process when the staff publishes the draft EIS for public comment. The staff anticipates the draft document to be available for public comment no sooner than the summer of 2019. Thus, we expect this to occur after your next legislative session. The NRC staff will actively seek comments on the draft EIS by conducting public meetings in the local area of the proposed facility to solicit comments on its draft report.

Finally, let me inform you that the NRC staff has accepted Holtec's CISF application for docketing. Acceptance for docketing does not constitute approval of the license, but initiates the detailed safety, security, and environmental reviews. If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Spent Fuel Licensing Branch, at (301) 415-5722.

Sincerely,

/RA by Daniel H. Dorman for/

Victor M. McCree
Executive Director
for Operations

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR A CONSOLIDATED INTERIM
 SPENT FUEL STORAGE FACILITY LICENSE, DOCKET NO. 72-1051, DOCUMENT
 DATE: March 23, 2018

DISTRIBUTION:

SFM Reading File JWhitten, RIV JCaverly CRoman

G:\SFST\McKirgan\NM Legislator Response Letters - Consolidated.docx

ADAMS ACCESSION NO. ML18072A323

LTR-18-0062-1

OFC:	SFM	SFM	FCSE	OGC
NAME:	JMcKirgan	WWheatley via e-mail	CRoman via e-mail	JBielecki via e-mail
DATE:	3/13/18	3/13/18	3/13/18	3/13/18
OFC:	SFM	NMSS	OEDO	
NAME:	MLayton	MDapas	VMcCree DDorman for	
DATE:	3/14/18	3/16/18	3/23/18	

OFFICIAL RECORD COPY

