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NUCLEAR REGULATORY COMMISSION

Title: Public Scoping Meeting for the Environmental Impact Statement for Holtec International's Hi-store Consolidated Interim Storage Facility for Spent Nuclear Fuel Located in Lea County, New Mexico

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC SCOPING MEETING FOR THE ENVIRONMENTAL IMPACT
STATEMENT FOR HOLTEC INTERNATIONAL'S HI-STORE
CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT
NUCLEAR FUEL LOCATED IN LEA COUNTY, NEW MEXICO

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WEDNESDAY,

APRIL 25, 2018

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ROCKVILLE, MARYLAND

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The Public Scoping Meeting was convened in
the Commissioners' Hearing Room at the Nuclear
Regulatory Commission, One White Flint North, 11555
Rockville Pike, at 7:00 p.m., Chip Cameron,
Facilitator, presiding.

NRC STAFF PRESENT:

CHIP CAMERON, Facilitator

BRIAN SMITH, Deputy Director, Division of Fuel Cycle
Safety, Safeguards, and Environmental Review,
Office of Nuclear Material Safety and
Safeguards (NMSS)

1 JILL CAVERLY, Environmental Review Project Manager,
2 Environmental Review Branch, NMSS
3 JOSE CUADRADO, Licensing and Safety Review Project
4 Manager, Spent Fuel Licensing Branch, NMSS
5 JOHN McKIRGAN, Chief, Spent Fuel Licensing Branch,
6 NMSS
7 CINTHYA ROMAN, Chief, Environmental Review Branch,
8 NMSS
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P-R-O-C-E-E-D-I-N-G-S

(7:00 p.m.)

1
2
3 MR. CAMERON: Okay, good evening everyone
4 and welcome to the public meeting tonight. My name is
5 Chip Cameron and I'm pleased to serve as the
6 Facilitator for tonight's meeting. And in that role,
7 I'll try to help all of you to have a productive
8 meeting.

9 And tonight's meeting is the first of four
10 meetings that the NRC is holding on its review of a
11 license application submitted by Holtec International,
12 to construct and operate an interim spent fuel storage
13 facility in Lea County, New Mexico.

14 Tonight's meeting is here at the NRC
15 Headquarters in Rockville, Maryland. And our format
16 tonight is a webinar teleconference where members of
17 the public can comment over the phone. We also have
18 members of the public here, in the meeting room, in
19 Rockville, Maryland.

20 The other three meetings on this subject
21 are going to be held next week in Southeastern New
22 Mexico. And in a few minutes, I'll give you some
23 details about those meetings.

24 Now, the focus of all of the meetings is
25 on something called scoping. Under the National

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1 Environmental Policy Act, we'll cut down on the
2 acronyms, if we can tonight, but you're going to hear
3 NEPA for National Environmental Policy Act.

4 And scoping is a term used in connection
5 with the development of an environmental impact
6 statement under NEPA. So there is another acronym you
7 might hear tonight, EIS.

8 In simple terms, scoping means identifying
9 what should be evaluated in the EIS and what doesn't
10 need to be evaluated. In other words, what is the
11 scope of the EIS? And that's where the NRC staff is
12 looking to all of you, on the phone and here in the
13 room, for advice.

14 The objectives tonight, twofold. First,
15 make sure that the NRC clearly explains the licensing
16 process, including the environmental review process on
17 the license application.

18 Second objective is to provide all of you
19 with an opportunity to give your advice and comments
20 to the NRC Staff tonight.

21 And these two objectives guide our agenda.
22 First segment of the agenda are presentations by the
23 NRC Staff on the licensing process. Second part of
24 the agenda is listening to your comments on the scope
25 of the EIS.

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1 We'll have a few minutes, not long, but a
2 few minutes after the NRC Staff presentations to see
3 if any of you have clarifying questions on the
4 environmental review process. And then we're going to
5 go to comments.

6 And your comments are going to be of a
7 formal record. We have a court reporter with us
8 tonight, Matthew Miller, who is going to be taking a
9 transcript of your comments. And that transcript will
10 be publicly available to all of you.

11 We have many people on the phone tonight.
12 I'm not sure how many of them want to talk to us
13 tonight, but we also have people in the room.

14 We have people from Holtec International,
15 the Staff is here. Tonight, we have Diane D'Arrigo
16 from NIRS with us. And so we will hear from at least
17 Diane.

18 And, I'm asking all of you who are going
19 to comment to follow a five minute guideline for your
20 comments. I'll remind you at the four minute mark
21 that it's time to sum up. And we're going to only
22 have time for one comment per person tonight.

23 I apologize in advance if I have to ask
24 you to sum up, if I have to ask you to finish tonight
25 because I know that you have spent time preparing your

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1 comments. And fortunately, you can amplify on your
2 comments tonight by submitting written comments. And
3 the NRC Staff is going to be telling you how to do
4 that in a few minutes.

5 The NRC Staff is here tonight to listen
6 carefully to your comments. They're not going to be
7 responding to any comments they hear tonight, they're
8 not going to be responding to any questions that you
9 might ask in your comments, but they will be carefully
10 evaluating all of those comments and questions as they
11 prepare the draft EIS. And that draft EIS will also
12 be subject to public comment.

13 In terms of our speakers, the NRC
14 presentations, first of all we have Cinthya Roman is
15 with us tonight. And she's the branch chief of the
16 Environmental Review Branch that is in the Division of
17 Fuel Cycle and Safe Guards Environmental Review in our
18 Office of Nuclear Material Safety and Safeguards.

19 The project manager for the Environmental
20 Review on this facility is Jill Caverly. And she's
21 going to be doing a presentation.

22 And let me introduce a few other people.
23 Our senior NRC official tonight is Brian Smith. And
24 Brian is the Deputy Director of the Division of Fuel
25 Cycle and Safe Guards and Environmental Review. And

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1 I'm going to be asking Brian at the end of the tonight
2 to close up the meeting for us.

3 We also have NRC Staff from the safety
4 review side. We have Jose Cuadrado who's the project
5 manager on the safety side. And we have the chief of
6 his branch, John McKirgan who is with us tonight.

7 And finally, I would just say that let's
8 all of us to extend courtesy to everybody. Tonight,
9 you may hear opinions tonight that differ from your
10 own, let's respect the person who's giving that
11 opinion.

12 And finally, let me just tell you where
13 the three other meetings are. Monday, April 30th,
14 we're going to be Roswell, New Mexico at the Eastern
15 New Mexico University in the Campus Union Building.

16 We're doing an open house, extended open
17 house, in Roswell on Monday. That's going to be from
18 4:00 p.m. to 7:00.

19 But then we're going to do the traditional
20 public comment from everybody in the room, with the
21 whole audience. That's going to be from 7:00 p.m. to
22 10:00 p.m.

23 Tuesday night May 1st we're going to be at
24 the Lea County Events Center in Hobbs. And that's
25 going to be a 7:00 to 10:00 meeting. There will be an

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1 open house before that from 6:00 to 7:00.

2 And at these open houses the idea is, come
3 in and talk to the NRC Staff informally, ask them
4 questions, give opinions. And that will be before we
5 start the formal comment period.

6 Then we're going to skip a day and it's
7 going to be May 3rd, Thursday at the Eddy County Fire
8 Service in Carlsbad, New Mexico. That meeting is
9 going to be from 7:00 to 10:00 p.m.

10 So with that, I'm going to go to Cinthya
11 Roman to start us off. Cinthya.

12 MS. ROMAN: Thank you. Good evening. As
13 he mentioned, staff in my branch is going to be
14 performing the environmental review for the Holtec
15 license application.

16 Today I just want to give you a very quick
17 overview of the NRC role and what we do. And how
18 we're going to regulate the Holtec project.

19 Our agency is charged by federal law to be
20 the nation's only regulator of commercial nuclear
21 materials, independently ensure these materials are
22 used, handled and stored safely and securely.

23 Our mission is to protect the public
24 health and safety, promote the common defense and
25 security and protect the environment by regulating the

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1 civilian use of radioactive materials.

2 To accomplish our mission, we carefully
3 review each license application we receive before
4 making a decision on whether or not to grant the
5 applicants request.

6 Next slide. The NRC regulate the
7 operation of 99 nuclear power reactors. That's about
8 20 percent of the electricity in the United States.

9 We also regulate civilian use of nuclear
10 materials, research reactors at universities,
11 transportation of nuclear materials, their storage and
12 disposal.

13 We always strive to be open and
14 transparent in its review, and as such, as
15 stakeholders, we'll have many opportunities to
16 participate in the public meeting and environmental
17 and safety issues. This scoping meeting is one of
18 those opportunities.

19 Next slide. So what's our role regarding
20 the Holtec proposed facility? As an independent
21 regulator, NRC will determine whether it's safe to
22 build and operate a source facility at the proposed
23 site.

24 NRC does not promote or build any nuclear
25 facility. Also, we do not own or operate any nuclear

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1 facility. Again, our mission is to protect the
2 public, the workers and the environment.

3 Holtec is applying for a license to store
4 waste. Holtec is not asking NRC for permission to
5 reprocess or generate more nuclear waste.

6 NRC does not select the location for the
7 storage facility; we just evaluate the impacts of
8 building and operating this facility at the location
9 proposed by the licensee.

10 As we will explain later in this
11 presentation, the results of the environmental review
12 will be documented in an environmental impact
13 statement, which is a public document. The analysis,
14 a long other factors, will form the basis for the
15 Staff decision to issue a license or not.

16 This concludes my remarks and Jill will
17 now provide additional details about the Holtec
18 project and the environmental review process. Thank
19 you.

20 MS. CAVERLY: Thanks, Cinthya. So, my
21 name is Jill Caverly and I'm going to be the
22 environmental project manager for this review. And
23 I'm assisted on this project by Stacy Bowden, whose
24 sitting in the audience.

25 The next few slides will be specific to

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1 the Holtec storage facility application. Holtec has
2 applied for a license to construct and operate the
3 storage facility under 10 CFR Part 72, or the NRC's
4 regulations governing storage of spent nuclear and
5 reactor related greater than Class C waste.

6 If granted, Holtec would receive a 40 year
7 license to construct and operate the consolidated
8 interim storage facility.

9 The current application before the NRC
10 requests construction and operation of only the first
11 phase of up to 20 planned phases. In this current
12 application, Holtec is requesting storage of up to 500
13 canisters of spent nuclear fuel.

14 This spent fuel would come from shutdown
15 and operating nuclear power plants around the country.

16 Holtec anticipates applying for up to 20
17 phases of construction and operation, of 500 canisters
18 of spent nuclear fuel each, for a total of 10,000
19 canisters of spent fuel storage.

20 However, these additional phases would
21 require separate applications from Holtec and would be
22 subject to their own safety and environmental reviews.
23 The environmental report provides information on the
24 full build out of the site, or 10,000 canisters.

25 Next slide. This slide shows the

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1 approximate location of the proposed consolidated
2 interim storage facility in Southeastern New Mexico.
3 The facility would be located approximately half way
4 between the Cities of Carlsbad and Hobbs in New
5 Mexico. And Lea County New Mexico.

6 Next slide please. Holtec plans to use
7 the HI-STORM UMAX system for the storage of spent
8 fuel. HI-STORM UMAX stands for Holtec International
9 Storage Module Underground Maximum Capacity. And is
10 an NRC certified design, which means we have evaluated
11 it and determined that it meets the NRC regulations
12 and can safely store spent fuel.

13 This system is a dry, in-ground spent fuel
14 storage system. Each of these modules holds one
15 canister of spent fuel. And Holtec has applied for
16 storage of 500 canisters of spent fuel.

17 The canister transfer facilities would be
18 below ground. This is a low-profile, as seen in the
19 conceptual drawing, from the Holtec application.

20 Next slide please. This flow chart
21 provides an overview of the license application review
22 process, which can be described generally as a three
23 parallel phase process.

24 After the application is submitted, NRC
25 conducts an acceptance review to determine if the

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1 application has sufficient information to begin a
2 detailed technical review. If so, NRC docket the
3 application.

4 This begins the safety and environmental
5 pass. From a safety standpoint, we work through a
6 separate safety review to decide if the license should
7 be issued.

8 The result of this phase of the review is
9 a safety evaluation report. This is graphically
10 represented on the left column of the flow chart with
11 the steps highlighted in orange.

12 Jose Cuadrado, at the end of the table,
13 will be the PM coordinating the safety review.

14 PARTICIPANT: What's PM?

15 MS. CAVERLY: Project manager. The
16 environmental review, as seen in the middle column,
17 results in an environmental impact statement which
18 describes the impacts on the environment of the
19 proposed project.

20 On the right-hand side, you'll see the
21 adjudicatory hearings. This blue box, on the figure,
22 refers to the opportunity for the public to request a
23 hearing on the application. These hearings would be
24 held if a petition to intervene is granted.

25 The results of these three processes, a

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1 hearing if granted, the results of the environmental
2 review documented in an environmental impact statement
3 and the safety review in a documented in a safety
4 evaluation report, will factor into NRCs final
5 decision on whether or not to grant the license to
6 Holtec for the storage facility.

7 It's important to note that the focus of
8 this meeting will be on the environmental review
9 process.

10 This flow diagram outlines the
11 environmental review process or the middle column of
12 the previous slide. The opportunities for public
13 involvement are highlighted in light blue.

14 After staff receive and application, it is
15 reviewed to ensure that it is complete and technically
16 adequate. If acceptable, the application is docketed
17 and we proceed with both the environmental and the
18 safety reviews.

19 The staff starts the environmental review
20 by publishing a notice of intent. And that informs
21 the public of our plan to prepare an EIS and conduct
22 the scoping process.

23 The light blue box on the right side
24 identifies the current scoping process of which this
25 meeting is included. The purpose of this phase is to

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1 gather more information to use to help prepare the
2 EIS.

3 Comments gathered from this meeting, as
4 well as many other information collections, will be
5 independently evaluated for impacts of this particular
6 project, on the environment.

7 We will document your comments today in
8 the meeting transcripts. The public can also provide
9 written comments through the end of the scoping
10 period.

11 We analyze all the information gathered
12 and develop an EIS an issue it for public comment. At
13 that time, we will again invite the public's comments
14 on the draft EIS. Or also seen as the lower left blue
15 box.

16 At that time, the Staff will schedule a
17 meeting, hear comments from the public on the draft
18 EIS. The NRC will evaluate those comments and
19 consider modifying the draft EIS before issuing a
20 final EIS.

21 The final EIS and the results of the
22 safety review, or the safety evaluation report,
23 contribute to NRCs final decision on the application.

24 Our environmental review is based on the
25 requirements of the National Environment Policy Act,

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1 or NEPA. NEPA requires federal agencies to apply a
2 systematic approach to evaluate the impacts of
3 actions, of its actions.

4 For major, federal actions, NEPA requires
5 agencies to document their evaluation in an
6 environmental impact statement. NRC will prepare the
7 EIS in accordance with the regulations and guidance.
8 NEPA also encourages public participation in this
9 process.

10 And that's why we are here tonight. We
11 are looking for public input to our environmental
12 review process.

13 Next slide. Here is a graphical
14 representation of the type and source of information
15 that NRC gathers when preparing an EIS. We will
16 conduct a site visit and meet with local and state
17 officials and other federal agencies and tribes.

18 We are currently gathering information for
19 scoping to help us determine which issues should be
20 considered in our review. We also expect to request
21 additional information from Holtec, following the
22 completion of these activities.

23 The NRC will gather information on a wide
24 range of topics related to environmental issues. This
25 slide shows many of the resource areas we will

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1 consider in our environmental impact statement.

2 The NRC typically includes the following
3 environmental resources in its environmental reviews.
4 Air quality, water quality, ecological resources,
5 historic and cultural resources, land use,
6 transportation, soil and geology, socioeconomics and
7 environmental justice, public and occupational health,
8 noise, visual, scenic resources and waste management.

9 This slide is a high-level timeline of our
10 anticipated environmental review. This step-wise
11 approach meets our responsibilities under the National
12 Environmental Policy Act.

13 We started the review with a notice of
14 intent to conduct scoping and prepare an EIS. This
15 started a 60 day scoping period.

16 The public meeting is part of our scoping
17 process and we will continue to gather and analyze
18 information related to the review and develop a draft
19 EIS. We tentatively expect to publish the draft EIS
20 in June 2019.

21 At that point, we'll publish a notice of
22 availability that starts at least a 45 day period for
23 the public and other agencies to comment on the draft
24 EIS. Those comments will also be addressed and the
25 analysis adjusted if necessary. We tentatively expect

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1 to issue the final EIS in mid-2020.

2 The scoping process is intended to
3 determine the scope of the EIS and identify the
4 significant issues to be analyzed in depth. It's
5 intended to identify and eliminate issues which are
6 not significant.

7 It is intended to identify other
8 environmental reviews and consultation requirements
9 related to the proposed action. In other words, we
10 want to hear from you because you live in the local
11 area and may bring issues to our attention that we are
12 not aware of.

13 NRC is requesting information and input
14 specific to the proposed facility regarding what
15 should be included or excluded from the scope of the
16 EIS.

17 Some examples of information that NRC are
18 requesting are, are the local projects that are being
19 planned, excuse me, are there local projects that are
20 being planned or developed nearby, have you identified
21 any wildlife or habitat that should be considered, are
22 there cultural resources that should be considered in
23 the evaluation, are there particular populations
24 nearby that should be considered, are there unique
25 characteristics of the project site or local

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1 communities that NRC should consider in the
2 evaluation.

3 So this slide shows you the ways that you
4 can submit comments on the scope of the EIS. You may
5 present comments orally or in writing at this public
6 meeting.

7 You can submit comments through the
8 regulations.gov website, by searching for Docket NRC-
9 2018-0052 and submitting the comments with the form
10 there. You may mail the comments to the address on
11 this slide.

12 Remember that the comment scoping period
13 ends on May 29th. And so, in order to ensure that
14 your comment is considered, please get it into the
15 website or by mail, to us.

16 Additional information on the application
17 and review can be found on the federal rulemaking
18 website, at the NRC's public document room, through
19 the NRCs agency-wide document access and management
20 system or through the NRCs project specific website,
21 for the Holtec application.

22 Additionally, the public libraries in
23 Hobbs, Carlsbad and Roswell, have agreed to hold a
24 copy of the environmental report for public review.

25 If you want to be on our mailing list for

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1 our email list, please make sure your name and address
2 are provided to one of the NRC staff, at the
3 registration table. This is one way to ensure that
4 you will be notified of upcoming meetings and issuance
5 of the draft and final EIS.

6 At the bottom of the slide are the points
7 of contact for the Holtec application. Remember that
8 all comments are due on May 29th, 2018.

9 This concludes my portion of the
10 presentation, so I'm going to turn it over to Brian
11 Smith for a few closing comments.

12 MR. B. SMITH: Good everyone. My division
13 has the responsibility for performing the EIS review.
14 It's a responsibility that we take very seriously.

15 First off, I want to thank you for your
16 participation in the meeting tonight. We're looking
17 forward to hearing from you and getting valuable
18 information pertinent to the environmental review.

19 As you heard from Cinthya and Jill, the
20 scoping process is an important aspect of the
21 environmental review. We want to hear your comments
22 regarding aspects of the project that can impact the
23 environmental review.

24 Especially if there is something unique
25 about the site that you think we might not be aware

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1 of.

2 Your comments will be recorded by a court
3 reporter. Sometime after the conclusion of the
4 meeting, the transcripts will be made publicly
5 available.

6 My staff will categorize the comments and
7 respond to them in a scoping summary report. This
8 report will be made available to the public and will
9 become an appendix to the draft in the environmental
10 impact statement.

11 The Staff will issue the draft EIS for
12 comment, and at that time we'll again request comments
13 from the public and we'll host a public meeting to
14 receive your comments. So as you see, this is not
15 your only opportunity to comment, there will be
16 others.

17 And so, in addition to commenting tonight,
18 I would encourage you to submit your comments in
19 writing to us. So in order to allow the maximum time
20 possible for comments, I will end my comments here.
21 And with that I'll turn it over to Chip to get us
22 started on hearing your comments.

23 MR. CAMERON: Okay, thank you. Thank you,
24 Cinthya and Jill and Brian. And as I mentioned, we do
25 have some time for clarifying questions on the review

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1 process.

2 And, Fran? Fran, are you there?

3 OPERATOR: Yes. Are you ready to take
4 questions now?

5 MR. CAMERON: Yes, let's do that. And you
6 can just give the instruction on the *1 and whoever is
7 in the queue we'll go to them until we run out of time
8 for this question period.

9 OPERATOR: Thank you. If you would like
10 to ask a question from the phone please press star and
11 the Number 1. Please do make sure that you un-mute
12 your phone to record your name at the prompt.

13 Again, that is *1 for any questions. And
14 one moment while questions come through please. And
15 our first question comes from Don Hancock. Your line
16 is open.

17 MR. HANCOCK: Yes. My question relates to
18 Slide 5, the last one that Cinthya talked about.
19 Which says, NRC's, one of NRC's role is to determine
20 whether it is safe to build and operate.

21 My question is, will NRC determine that
22 the Holtec site is safer than where the waste is now
23 or safer than alternative sites?

24 MS. ROMAN: So, as part of the
25 environmental review we will evaluate the current

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1 proposal and we will also look at alternatives. And
2 we will present those results as part of our
3 evaluation.

4 MR. CAMERON: Okay, and that was, for
5 Matthew's purpose, that was Don Hancock. Does that
6 answer your question, Don?

7 MR. HANCOCK: Well, not really. It uses
8 the term safe, which is one term. My question was
9 about safer.

10 In other words, is there some kind of
11 comparative safety analysis or it just has to meet
12 some safety standard.

13 MR. CAMERON: And I take it that the
14 question is, does the NRC look at whether there is a
15 safer alternative. And I'm going to go to John
16 McKirgan now, on the safety side. Go ahead, John.

17 MR. MCKIRGAN: Right. Yes, thank you,
18 Chip. So this is John McKirgan, I'm Chief of the
19 licensing branch.

20 So, as part of the NRC safety review we do
21 not evaluate whether one side is safer than the other.
22 The Staff will evaluate the application as presented
23 and determine whether it meets the NRCs regulations.

24 MR. CAMERON: So, if it meets the NRC
25 regulations, that's the bottom line so to speak?

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1 MR. MCKIRGAN: Yes.

2 MR. CAMERON: Okay. Thank you for that
3 question, Don.

4 MR. HANCOCK: If it's possible, I have
5 another quick question, please?

6 MR. CAMERON: Okay, go ahead.

7 MR. HANCOCK: So, the Slide 14 said, that
8 Jill talked about, said the final EIS is mid-2020 and
9 Slide 9 said that the license is issued after the
10 final EIS, which means the licensing decision couldn't
11 be made until at least mid-2020.

12 However, the Holtec environment report
13 states, "Holtec anticipates that NRC will issue the
14 final environmental impact statement and license in
15 2019." That's stated a couple of times.

16 So, should the public rely on what the
17 Holtec ER states or what the NRC schedule has been
18 described as?

19 MR. CAMERON: Simple answer.

20 MS. CAVERLY: Yes, I would rely on NRC's
21 schedule. It's based on our availability and our
22 resources to perform the review.

23 MR. CAMERON: And it may be that the
24 Holtec ER was prepared some months in advance of the
25 NRC schedule. Thank you.

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1 MR. HANCOCK: So my other quick point that
2 I'd like to have some clarification on, the citing
3 that I just did, of a page from the Holtec ER is,
4 according to Holtec, because I didn't get written
5 approval from them, it's unlawful. That's stated on
6 the front page of the environmental report.

7 So I'm concerned that that kind of
8 statement does stifle public review and comment on the
9 document. And while I've talked to Jill about this,
10 I've seen no statement from NRC that copyright and
11 notice warning is in effect. And I think that's
12 stifling public comment and I'm trying to understand
13 why NRC has not corrected or said something about
14 that.

15 MR. CAMERON: Jill.

16 MS. CAVERLY: So, what we have on the
17 website and what you have access to is the
18 environmental review, environmental report that was
19 submitted to us by Holtec.

20 We look at that information, and if we
21 believe that it should be made publicly available we
22 do that. We put it on to our ADAMS system and we
23 submit it out to the public for review.

24 So, any information that is on our public
25 website that you can see, is available to the public

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1 to use in whatever way they would like to use it.
2 Read it, use it as they would wish.

3 MR. CAMERON: So is the Holtec, the
4 environmental report is part of the license
5 application, so unless there is any proprietary or
6 whatever --

7 MS. CAVERLY: That's correct.

8 MR. CAMERON: -- information. So --

9 MS. CAVERLY: And John can talk to their,
10 there is some information that's withheld under the
11 safety side of the application.

12 MR. CAMERON: But most of the
13 environmental report is public?

14 MS. CAVERLY: The only portion of the
15 environmental report that would not be made available
16 is the portion that has to, that identifies
17 potentially eligible cultural resources. That
18 information is being withheld under Section 304 of the
19 National Historic Preservation Act.

20 MR. CAMERON: Okay.

21 MS. CAVERLY: All other environmental
22 information is, and should be, publicly available.

23 MR. CAMERON: Okay, thank you very much.
24 And thanks, Don, those were great questions. And,
25 Fran, do we have someone else who has a clarifying

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1 question?

2 OPERATOR: We do. The next question comes
3 from Donna. Your line is open.

4 MS. GILMORE: Okay, thank you. This is
5 Donna Gilmore, San Onofre safety.

6 I noticed that, from looking at some other
7 documents, that the assumption is that there is a
8 five-mile radius beyond the site. Is that what's
9 currently in scope?

10 I would like to raise the issue that with
11 the kind of corrosion that can happen with stainless
12 steel from various issues, and risk of explosion if
13 air gets inside the canisters and risk of criticality
14 if water gets inside the canisters that's not borated,
15 the distance impact could be a lot greater, and I want
16 to know if those issues are being taken into
17 consideration?

18 And also, there is no holes in the,
19 there's no drains in the Holtec holes.

20 MR. CAMERON: And, Donna, thank you for
21 that question. And the NRC staff has heard that
22 question.

23 That's a good example that we're trying to
24 draw between clarifying questions on the process and
25 substantive questions on the substance. I mean, very

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1 important questions, but we're not going to be able to
2 go to that question now, but the NRC Staff has heard
3 it and will consider that and we'll see how that can
4 be answered. So thank you, Donna.

5 MS. GILMORE: So, I'm a little confused
6 between the environmental scope and how that overlaps
7 with the safety evaluation. So is the environmental
8 part going to make an assumption for five-miles or,
9 that's where I'm confused about, where one, probably
10 two interrelates.

11 MR. CAMERON: Now, that's a good
12 clarifying question. And I don't know if we're going
13 to get into the five-mile thing, but could Jose, for
14 example, can we just show what the relationship is
15 between the environmental review and the safety
16 review, the fact that there may be information in the
17 environmental review that the safety side may look at?

18 But, Jose or, Jose, John, do you want to
19 talk about that?

20 MR. CUADRADO: Yes, Donna. The
21 regulations in Part 72 are, would specify they contain
22 the requirements that the applicant has to meet to
23 determine if the construction and operation of the
24 site can be done safely and whether or not we can
25 issue a license or the facility.

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1 There are multiple areas of review that
2 will be considered. The specific topic that you
3 refer, whether a specific radius area, I cannot know
4 with precision without the application in front of me,
5 what is, that you're referring.

6 But certainly, I think you may be
7 referring to any kind of emergency response or
8 anything.

9 MR. CAMERON: Okay. And, John --

10 MS. GILMORE: Now --

11 MR. CAMERON: Donna?

12 MS. GILMORE: -- what kind of --

13 MR. CAMERON: Excuse me, Donna. We're
14 going to go to John McKirgan right now for
15 amplification.

16 MS. GILMORE: Okay.

17 MR. CAMERON: Go ahead, John.

18 MR. MCKIRGAN: Yes. So, thank you, Chip.

19 And I think, for those on the webinar, we do have a
20 slide up that's showing the parallel activities
21 between the environmental and the safety review.

22 And these are two parallel reviews, but
23 there are areas that overlap. And some I'll just
24 offer.

25 For example, soil characterization is

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1 something that's relevant, both to the safety and the
2 environmental reviews. And so when you look at some
3 of the site characteristics, you often see elements
4 that are present in both reviews.

5 I would point out for all our
6 stakeholders, the purpose of those reviews are
7 slightly different. The environmental review is
8 supporting our environmental protection statutes.

9 The safety review is also looking at our
10 Atomic Energy Act statutes. And so there are some
11 differences in the statutory basis for each of these
12 reviews, but they do often touch on the same material.

13 And we do make sure that our safety
14 reviewers and our environmental reviews are working
15 closely together to make sure they're sharing
16 information.

17 MR. CAMERON: Okay, thank you. And,
18 Donna, I would just suggest that in a written comment
19 you submit your concern.

20 I would also say that for those of you who
21 are going to be in New Mexico next week, particularly
22 at the Roswell meeting, this question that Donna
23 asked, the relationship between the environmental
24 review and the safety review, that's a perfect
25 question that the public open house will give people

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1 an opportunity to talk to the NRC Staff about.

2 And with that, Fran, is there someone else
3 on the phone with a question?

4 OPERATOR: We do have several questions in
5 the queue actually. And the next one comes from
6 Karen. Your line is open.

7 MS. HADDEN: Hi, this is Karen Hadden. I
8 have a couple quick questions. One is, I think we're
9 looking at environmental Revision 1, Rev 1, as the
10 current version, is that accurate?

11 MS. CAVERLY: That's correct.

12 MS. HADDEN: Okay. I noticed that that
13 one 30.4 megabytes and the original, Rev 0, was 61.78
14 megabytes, so it's less than half of the original size
15 really early on here in the licensing process. Is
16 there a reason why it's only half as big as it was and
17 what got cut?

18 MS. CAVERLY: I don't think that much got
19 cut. It might have been some method of condensing the
20 file to make it easier to transmit.

21 MR. CAMERON: Jose.

22 MS. CAVERLY: Jose can --

23 MR. CUADRADO: Yes, Karen, this is Jose.
24 I think both versions have the same number of pages.
25 Obviously there may have been revised pages that are

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1 indicated by revision bars that differentiate whether
2 those two versions and whether they were revised.

3 It's entirely possible that there was some
4 level of processing on the files to compress the size
5 and make it more easier to download and access through
6 the internet. But we definitely made sure that they
7 contained the same number of pages that the original
8 version had.

9 MR. CAMERON: Okay, thank you. Karen, do
10 you have another quick question?

11 MS. HADDEN: Yes. I'm wondering, I have
12 not seen in the environmental report a legal
13 description of the property, the site that would be
14 used, and I'm wondering if that can be made available?

15 And then lastly, I would like to know if
16 the library copies are already out in the library, and
17 if so, if they have Spanish material?

18 MR. CAMERON: Okay, Jill.

19 MS. CAVERLY: Yes, the libraries in
20 Carlsbad and Hobbs and Roswell all have a copy of the
21 Revision 1. They also have CDs on the inside flap of
22 Revision 0 and 0A, if you want to look at the digital
23 version of the earlier revisions.

24 MR. CAMERON: Okay, thank you, Karen.

25 MS. HADDEN: Is that in Spanish? Is any

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1 of that in Spanish? And there was another question in
2 there too. Hello?

3 MR. CAMERON: And what was that last thing
4 you said, Karen?

5 MS. HADDEN: I had another question as
6 well. I had, part two of that one was, is it in
7 Spanish, and then also I asked about a legal
8 description of the site and how that can be found?

9 MR. CAMERON: Oh, good.

10 MS. CAVERLY: Oh.

11 MS. CAVERLY: Where can the exact
12 description of the site be found?

13 MS. CAVERLY: Well, there should be a
14 description in the environmental report. If it's not
15 detailed enough for you, you could also look into the
16 safety, Jose, help me. Safety analysis report,
17 probably Chapter 2, and that will give you additional
18 detailed information.

19 MR. CAMERON: And just --

20 MS. HADDEN: All I found is something
21 like, a thousand acres and it's 32 miles one way and
22 34 another, but I'm looking for a legal description so
23 that we know what's next to it, et cetera --

24 MR. CAMERON: Okay.

25 MS. HADDEN: -- so the public can comment

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1 adequately.

2 MR. CAMERON: Karen, I would recommend
3 that you, the Staff has heard your question and so
4 they're going to check on that.

5 But just for everybody's information is
6 that, corresponding to the NRC's responsibility to do
7 a safety review and an environmental review, what the
8 applicant submits is the environmental report for the
9 environmental review, they also submit a safety
10 analysis for the safety review. So just don't look in
11 the environmental report, look in the safety analysis
12 report.

13 And with that, if the Staff finds that
14 there is no good description, useful description, they
15 will do something. But I think that it probably is
16 taken care of.

17 But thank you for that question, Karen.
18 And we're going to go to --

19 MS. CAVERLY: She asked about Spanish
20 version.

21 MR. CAMERON: Oh. The final point from
22 Karen Hadden, Spanish version.

23 MS. ROMAN: It's not available. We are
24 making some of the material that we will use at the
25 scoping meeting in Spanish, but the environmental

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1 report nor the license application is available in
2 Spanish.

3 MR. CAMERON: So, there will be
4 information at the other scoping meetings available in
5 Spanish, but --

6 MS. ROMAN: And the slides will be made --

7 MR. CAMERON: -- environmental report will
8 not be. Okay, thank you, Karen.

9 We're going to go for maybe one or two
10 more questions. Do you have someone else, Fran?

11 OPERATOR: Yes. The next question comes
12 from Ray. Your line is open.

13 MR. LUTZ: This Raymond Lutz, is that who
14 you meant?

15 OPERATOR: Yes --

16 MR. LUTZ: Hello?

17 OPERATOR: -- your line is open.

18 MR. LUTZ: Okay, good. I basically had a
19 substantive statement. I don't want to do it at the
20 wrong time, so can you put me on the list since I'm
21 probably going to, this is probably the wrong time to
22 make my comment.

23 MR. CAMERON: That's exactly right, Ray,
24 but thank you for telling us that. And we're going to
25 put you on the comment portion of the meeting.

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1 MR. LUTZ: Thank you.

2 MR. CAMERON: Thank you. Fran, one more.

3 OPERATOR: The next question comes from
4 Tom. Your line is open.

5 MR. T. SMITH: Hello everybody, this is
6 Smitty with Public Citizen, and I have a question
7 about the overall legality of this proceeding.

8 Without having the final repository, how
9 is it that you are planning on holding the hearings
10 and beginning the process of licensing and interim
11 storage site?

12 MR. CAMERON: Okay, we'll deal with that
13 as a clarifying question, Smitty. And as far as, I
14 mean, the basis of the question, is there anything in
15 the Nuclear Waste Policy Act or anything else that
16 prohibits the NRC from accepting and reviewing and
17 possibly granting a license application for an interim
18 storage facility?

19 MR. B. SMITH: Not to my knowledge. In
20 fact, we previously licensed such a facility in Utah.
21 A private fuel storage facility back in 2006.

22 MR. CAMERON: Okay.

23 MR. T. SMITH: So can you operate? Can
24 Holtec operate such a facility without a permit or
25 repository having been constructed?

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1 MR. CAMERON: There may be some legal
2 issues involved with the acceptance of spent fuel from
3 the Department of Energy, but I think that, I don't
4 know whether Holtec had addressed that, or would ever,
5 but I do not think that that's tied to the repository.

6 But, Brian, you want to go? Anybody?
7 Smitty, thanks for that question, and that's a great
8 question to end the clarify question period with and
9 I think that the NRC Staff is going to carefully
10 layout what the framework is in relative to Smitty's
11 question because it will probably come up again.

12 So, thank you for all those questions out
13 there. And, Fran, we're going to go to the comment
14 period now.

15 There's a few people who indicated that
16 they wanted to make a comment, so rather than doing
17 the freeform that we just did, I'd like to start by
18 calling a person's name, and if they, would ask them
19 to hit *1 and they will be on.

20 I'm going to go through a few names, and
21 then we're going to throw it open to freeform, if
22 that's the right phrase, again. So, why don't we
23 start with Ray Lutz. Ray, press *1 and join us for
24 your comment.

25 I'm reminding everybody it's a five minute

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1 comment. Ray.

2 OPERATOR: Ray comes through the queue
3 please. And, Ray, your line is open.

4 MR. LUTZ: Okay, thank you. I was trying
5 to get that *1 thing done.

6 Yes, this is Ray Lutz with Citizens
7 Oversight. And I think actually my comments relate to
8 some of the things that were brought up by the
9 questions in fact.

10 There's a concern here about the safety of
11 these facilities. And what really surfaces in mind is
12 the 40 year license.

13 And I think the 40 year license term is
14 also, in your, the rules, the way they're written, is
15 also the design life. And I'm worried that the NRC is
16 evaluating these systems that may be there for a lot
17 longer than people imagine right now.

18 The reason I say that is, because the fuel
19 is just too hot to go into Yucca Mountain, it needs to
20 cool for about 150 years. Unless you want to put big
21 fans on Yucca Mountain to cool it off. That was
22 actually in the Yucca Mountain plan.

23 So there's I think, if we want to consider
24 transporting waste all the way over to this
25 destination, which from the western side, near San

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1 Onofre, is probably one of the first places that's out
2 of the high seismic area. And so it seemed like it's
3 almost like a minimum distance to go.

4 And then -- but for folks on the east
5 coast, it may be better not to move it that far and
6 still leave it on the surface.

7 So we have submitted to the NRC a petition
8 on this issue. And it's PRM Docket Number PRM-72-8
9 for anyone in the public that would like to look it
10 up, but we call it HELMS.

11 And, H-E-L-M-S, is a criteria we're using
12 to evaluate the appropriateness of interim storage
13 facilities like this. And each letter, H means
14 hardened, it should be immune to simple explosions.

15 E is for extended life. We want to see a
16 thousand year goal for the lifetime, if it's
17 maintained, and 300 years passive life. And they can
18 do that fairly easily by making the little vaults in
19 the Holtec thing a little bit bigger to accommodate a
20 second outer shell to protect that inner canister and
21 have a two-layer system.

22 Then L for local. We don't really want to
23 move stuff all the way across the country just to be
24 sitting on the surface anyway.

25 And M for monitored. A lot of these

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1 systems are not monitored well enough. And if you do
2 have the two-layer canister you can easily test for
3 cracks.

4 And finally, S is surface. We have to
5 admit that Yucca Mountain is not open and it probably
6 won't open.

7 And even if it was open, the fuel is too
8 hot to put in it for about 150 years. So, in the near
9 future, we're going to be stuck with leaving this on
10 the surface.

11 So my suggestion is that we take what we
12 put, this petition that we put forward, I'm going to
13 be submitting that as a formal comment into this
14 docket. And then maybe we can coordinate between
15 those.

16 And I hope that, I had talked to Holtec
17 briefly about this and they said they didn't have a
18 problem trying to make these safer. I think it's
19 going to help the public accept the idea of
20 transporting the waste from a facility that, to
21 another one, if it's safer in the next location and
22 not just sending one problem from one place to another
23 location.

24 Again, I'm Ray Lutz with Citizens
25 Oversight, and on our website, you can find more

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1 information about HELMS as well as make a comment in
2 the NRC docket, which is open right now until about
3 June 6th. So I'll be submitting that in writing.
4 Thanks a lot for letting me comment.

5 MR. CAMERON: Okay, thank you for that
6 information on the petition for rulemaking. And we're
7 going to go to Dan Hancock. Can you press *1 and join
8 us.

9 OPERATOR: Don, your line is open.

10 MR. HANCOCK: Okay, thank you. On this
11 theme of the reliability of the Holtec application
12 that I ask about, an answer to an earlier question, I
13 believe it was John that said that private fuel
14 storage was licensed in 2006.

15 However, the Holtec application states,
16 the PFS facility was never licensed or constructed.
17 So I'm concerned about a series of statements in the
18 Holtec environmental report that are inaccurate, and
19 it creates a difficult situation for the public to
20 comment.

21 We can spend a lot of time commenting
22 about the inaccuracies of the Holtec document, but
23 fundamentally it under minds, in my mind and I think
24 other people in the public's mind, the reliability of
25 the document.

1 So, NRC is going to have an awful lot of
2 cleanup to do in terms of not relying on the
3 environmental report that's been submitted, but rather
4 having to do a further analysis.

5 Among the things that need to be analyzed
6 is, Holtec ER also states there are only two
7 reasonable alternatives, doing what they say or doing
8 nothing. That's obviously absurd since as has already
9 been suggested, there is already another licensed
10 consolidated storage site that clearly has to be a
11 reasonable alternative, it's been licensed.

12 I also want to know, and believe that NRC
13 needs to analyze, why any or all of the 70 commercial
14 nuclear power sites that already have ISFSI licenses,
15 are not alternatives for consolidated storage.

16 These go to the alternatives discussion.
17 I think in the public's mind, and in my mind, I think
18 they also go to this safety question that we need.

19 Another very important piece of
20 information that I have not been able to find in
21 either the environmental or the safety analysis report
22 are, what are the maximum and medium amounts of
23 radioactivity in each canister?

24 I don't understand why that is not
25 included in the Holtec documents. That's a key fact

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1 to understand what environmental impacts might be and
2 what risks and what impacts would come from these
3 canisters, either in transportation or storage. So
4 that's a fundamentally important key thing that needs
5 to be known.

6 The Holtec environmental report also
7 states, the road and railroad spur would necessarily
8 cross BLM land, Bureau of Land Management land, and
9 would require BLM to issue rights-of-way authorization
10 to construct and operate the road and railroad spur.

11 So my question, and I believe one of the
12 things that needs to be analyzed is, does such a
13 right-of-way authorization have to be given before a
14 license is issued or does NRC not care about that
15 issue?

16 The Holtec environmental report also
17 states, "There are no chemical plants in the area that
18 would spew aggressive species into the environment, as
19 a result, the ambient air is not aggressive and a long
20 service life of the storage stainless steel canister
21 can be predicted with confidence."

22 How can Holtec assure that there will be
23 no chemical plants in the area for 120 years, which is
24 the time frame they say that they expect to operate,
25 who would be responsible for preventing a chemical

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1 plant, what's the number of jobs and economic impact
2 that chemical plant would provide that would be
3 foregone?

4 So, while Holtec wants to say the impacts
5 of chemical plants are not part of the environmental
6 review, I believe it does have to be part of the
7 environmental review.

8 The Holtec environmental report also
9 states, "There is no Air Force Base or a major
10 civilian airport in the vicinity of the site and the
11 area is offensively not used for any aerial training
12 exercise by the U.S. Military."

13 MR. CAMERON: And, Don, I'm just going to
14 ask you to sum now too.

15 MR. HANCOCK: Okay. So the question is,
16 how can Holtec assure that, and NRC, despite what
17 Holtec is trying to say in the environmental report,
18 NRC must consider the impacts of Military flights and
19 airplane crashes for the next 120 years.

20 MR. CAMERON: Okay, thank you very much.
21 Thank you, Don.

22 And we have a few others that we're going
23 to try to get to before we go to freeform, and one
24 we've heard from before in the question period. Karen
25 Hadden, can you hit *1 and join us? Karen, are you

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1 still on with us?

2 OPERATOR: My apologies, Karen's line is
3 now open.

4 MR. CAMERON: Okay, Smitty? Tom Smith.

5 MS. HADDEN: No, I'm here. I'm here.
6 This is Karen.

7 MR. CAMERON: Oh, Karen's here. Okay, go
8 ahead, Karen.

9 MS. HADDEN: Hi, this is Karen Hadden. I
10 have a number of concerns about this project and
11 they're very wide ranging.

12 I share the concerns that have been raised
13 by Don Hancock. I think that the environmental report
14 leaves a lot to be desired. It does not have a lot of
15 the information that it needs to have. And I'm sure
16 that there's going to be a lot of fine tooth combing
17 over it to look at the incredible details.

18 I am concerned about whether there has
19 been adequate analysis of the thin steel canisters,
20 about metal fatigue, stress cracks, the possibilities
21 of accidents and terrorism.

22 When I read the environmental report, I
23 keep reading statements that say, oh, there's nothing
24 that can go wrong. That just does not seem very
25 possible.

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1 And I think that there's not enough
2 information provided to the public about what testing
3 has been done. What I have seen, when I've looked at
4 that, is that a lot of the testing has been done by
5 computer analysis.

6 Very, very little full-scale testing and
7 some scale model testing. That does not necessarily
8 model what can happen in the real world.

9 We've already seen train accidents in West
10 Texas that were 65 mile-per-hour head on trains, which
11 is more than any testing or analysis that's been done
12 for a train accident with this waste.

13 I'm concerned that there are existing
14 businesses in the area. There are dairies, oil and
15 gas facilities, pecan farms and there's tourism in
16 this state.

17 And what will happen if the entire nations
18 radioactive waste or waste from around the whole
19 country, goes to this one area in New Mexico? That
20 could have huge damage.

21 Both in terms of contamination and
22 economic problems with remediation, but also hurt and
23 damage existing industries, either directly or through
24 reputation. Because who's going to want milk coming
25 from an area that has potential contamination.

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1 Mike often carries contamination when
2 there's radiation releases, so this is a huge risk to
3 the whole region and to the whole state.

4 For those of us in Texas, we're concerned
5 because there would be huge amounts of shipments
6 coming through Texas. Through Dallas-Fort Worth,
7 through Houston, through San Antonio, El Paso,
8 Midland.

9 So, we have a lot of concerns about what
10 this means in terms of an incredible number of
11 transport, shipments. And the fact that there's
12 routine radiation releases with those railcars.

13 And the NRC acknowledges that. That is of
14 great concern. And while we are told, oh, this is
15 small.

16 What about the times when someone's stuck
17 next to a train. And this is not radiation impacts
18 that people have asked for, this is not an x-ray that
19 somebody ordered, this is involuntary exposure.

20 And I'm very concerned about a pregnant
21 woman that's next to a train. What happens, what are
22 the impacts to a developing child?

23 Lastly, I would like to say that there's
24 a huge concern here with why New Mexico, and Texas,
25 why this border region is being targeted by the whole

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1 nation.

2 I don't think that most people on the east
3 coast or west coast want this waste in their backyard,
4 and I don't blame them, but why has this region been
5 targeted?

6 And it's a region that has a high
7 population of people of color. It's not an extremely
8 wealthy region, but there is so many reasons why it is
9 not a good site for radioactive waste, but this simply
10 cannot be justified.

11 And the lives in one part of the country
12 should not be valued less than the lives on the east
13 coast or the west coast or in wealthy communities.

14 So, those are a few of the comments I have
15 for tonight, thank you.

16 MR. CAMERON: Okay, thank you. Thank you
17 very much, Karen. Smitty, can we get you on *1? And
18 Matthew, the court reporter, this is Tom Smith that
19 will be coming up.

20 OPERATOR: One moment please while we
21 wait. Open your line, please press * then 1. Un-mute
22 your phone and record your name. One moment please.
23 Tom, your line is open now.

24 MR. T. SMITH: Great, thank you very much.
25 Again, for the record my name is Tom Smith, I am

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1 better known as Smitty, and I am with Public Citizen.
2 Let me make a number of comments fairly quickly.

3 Again, I think we believe that this site
4 is, processing the application for this site is
5 illegal since there is no final repository.

6 And part of the concern that Congress had
7 at the time that they did the Radioactive Waste Policy
8 Act was that if there was no final repository and
9 interim storage sites were to be created they would be
10 by de facto become the final repository for this waste
11 and facilities that were never designed to handle this
12 waste for a million years or more, and, frankly, the
13 federal government and Congress has a long history of
14 broken promises when it comes to radioactive waste.

15 We still don't have a repository some 35
16 years after the promise was made that we would find
17 one, and that the federal government has failed to
18 appropriate, or Congress, enough money to adequately
19 clean up the messes they have made around the country
20 with the low level radioactive waste and the military
21 waste that has been left behind in our headlong desire
22 to be able to promote radioactive materials.

23 And so it is our belief that the wrong
24 standard is being used and if this is to be an interim
25 storage site we really ought to be looking at it more

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1 as the likely site for perpetual storage and the casks
2 and the strategies being used are the wrong standards
3 in that case.

4 Now to make this point even clearer over
5 the time limit of 40 years or 120 years, which is
6 being proposed here, it's likely that there will be
7 some cracks or some leakage or that there will be
8 damage in transport, yet there are no provisions for
9 a hot cell or a fuel pool to repackage this and absent
10 that kind of provision in the license it's impossible
11 to evaluate whether or not reasonably foreseeable
12 circumstances like a leaking or a broken cask can be
13 handled onsite, and with that it doesn't make any
14 sense.

15 Now even before these leaks, San Onofre
16 we're discovering that the shims which are designed to
17 handle, to provide enough space to allow the cooling
18 system, which is an integral part of the radiation
19 safety program that is being designed here to keep
20 this waste cool, are falling out of place.

21 And Holtec's analysis is, oh, don't worry,
22 we'll use the old casks, but do you trust that? And
23 before we have a plan to put this waste underground we
24 ought to have a plan to make sure we know that the
25 shims are in place.

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1 To go to the transportation issue for a
2 moment here, we have yet to designate the
3 transportation route so you can only look at the rail
4 maps that are around there and begin to analyze the
5 safety of that transportation.

6 There have been seven accidents in the
7 last three years in New Mexico. There has been a
8 derailment just outside of Roswell, there has been a
9 truck and train crash in Carlsbad.

10 The weight of these casks are somewhere
11 between 180-something tons and 212 tons but the rails
12 themselves are only designed to handle 143 tons
13 according to the railway union workers who work on
14 these every day and almost every bridge they cross in
15 New Mexico is going to have to be rebuilt and yet
16 there is no plan.

17 Now to make this worse, Carlsbad has a
18 sinkhole right adjacent to the rail tracks that is
19 twice the size of the state capitol and they don't
20 know if it has quit growing yet.

21 And yet there is no mention in the
22 environmental plan, and we would certainly hope that
23 the NRC has in their plans to do an analysis of how
24 fast this sinkhole is going to grow and what to do if
25 it continues to grow.

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1 Do you fill it with sand and hope that
2 works and it doesn't continue to grow? We really need
3 to have a plan and think this through before we permit
4 a site that is going to be adjacent to a sinkhole.
5 Radioactive waste over a sinkhole just doesn't make
6 sense.

7 MR. CAMERON: And, Smitty, could you --
8 Could you sum up for us, too, Smitty?

9 MR. T. SMITH: I can. Then there are
10 legislative questions. The Chairman of the New Mexico
11 interim committee on such things, radioactive waste
12 and toxic materials, and other legislators have
13 written you and said please delay this process until
14 such time as we have some interim studies and can
15 actually analyze some of the questions that have been
16 raised.

17 And your response to them was, well, don't
18 worry, we'll look at that later. But the process that
19 we all know well is that very few changes are ever
20 made from the time the draft permit is written and the
21 final permit because the legal standards are high to
22 make those changes.

23 And so we are asking you, both on behalf
24 of Texans and the people we are working with in New
25 Mexico, is to push the pause button on this permit

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1 until such time as critical questions about routing,
2 forever storage, the sinkhole, and the answers are
3 given to the legislature from their various state
4 agencies that will ultimately be responsible for
5 cleaning up the mess that is left behind and to
6 somehow protect the New Mexicans should this waste
7 never be moved to a final repository and the federal
8 government failed its promises to clean up the messes
9 they make. Thank you all very much for listening.

10 MR. CAMERON: Okay, thank you. Thank you,
11 Smitty. We are going to go to two more specific
12 people on the phone and then we're going to come back
13 in the room and then we are going to go to the phone
14 again.

15 Maureen Headington? Maureen, are you on
16 the line and can you hit Star 1 and unmute your phone?

17 OPERATOR: Star then 1. I believe she is
18 getting in line, just one moment. Ms. Headington,
19 your line is open.

20 MS. HEADINGTON: Okay. I live in Illinois
21 but I am as concerned about this as if I had lived in
22 New Mexico. It is not about my backyard or your
23 backyard.

24 I know that the transport routes will
25 bring much, if not most of that, through our state.

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1 We happen to be an agricultural state so certainly any
2 accidents that occur in transport could decimate a
3 state that is already struggling financially in terms
4 of tainted product.

5 And the inability to truly remediate land
6 I think, you know, listening to all of these excellent
7 comments I guess a part of me feels that someone is
8 looking at a crystal ball here and in effect there is
9 no crystal ball.

10 The NRC doesn't have all the answers. I
11 doubt that you would claim that you do, nor does DOE,
12 nor do we who are environmentalists or people who just
13 happen to live along the route or care about this
14 issue, which everyone should care about, but you
15 can't, there is no certainty in any of this and that's
16 the really difficult part of it.

17 And I feel that as long as there is no
18 certainty you have to pay greater attention to the
19 potential risks. I can't imagine transporting low
20 level waste, high level waste, any waste, given the
21 terrible, terrible state of our infrastructure.

22 It seems like although that was supposed
23 to be something attended to it will take years to
24 attend to the state of our highways, bridges,
25 railways.

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1 Many of the accidents that occur are
2 because of poor infrastructure. So the mere act of
3 transporting these very, very heavy casks sets you up
4 for problems and sets you up for accidents.

5 So I just feel that looking at the safety
6 end of this the infrastructure concern is a huge one
7 and to me it's a no-brainer and nothing should happen
8 until we have the kind of infrastructure that would
9 safely allow transport, if there is such a thing as
10 safe, but in the age of terrorism, I, again, the
11 crystal ball, I can't tell you.

12 I think, you know, bottom line when things
13 go wrong to say you're sorry isn't enough and I just
14 wish that there was some way for those in government
15 making these decisions with our tax dollars could
16 somehow take off their blinders and maybe put on
17 thinking man's glasses or whatever it takes to
18 consider yourself at the top of a Wall Street firm
19 making a decision about Wall Street money and your
20 investors' money, because Wall Street wants no part of
21 this. That should tell you something.

22 I do also find that there is a lot of
23 discrepancy. This 5-mile radius that I have heard
24 about in terms of what an actual sacrifice zone is and
25 what becomes of a sacrifice zone, I think five miles

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1 is laughable.

2 The concept of sacrifice zone, this was
3 first discussed during the Cold War, of the likely
4 result of nuclear fallout and the fact is that
5 radiation travels great distances. To say five miles
6 is absurd.

7 I have seen on some of the NRC websites
8 they use ten miles as a determinant in terms of
9 discussing whether to dispense potassium iodide, but
10 I also found on another site quoting NRC at 20 miles.

11 So I am wondering what actually if there
12 is a standard, I don't think that there truly is
13 anything safe about being even 100 miles away because
14 when Fukushima happened they picked up radiation 150
15 miles away in Tokyo.

16 But is the government planning on for that
17 aspect consideration of potassium iodide in emergency
18 planning and to what extent are they willing to go?
19 I know that Walgreens has some little deal where if
20 you show them if you live within, I think it's maybe
21 ten miles of a reactor that they will give you a
22 couple of potassium iodide pills, which wouldn't be
23 enough.

24 What measures has the government taken?
25 I can't imagine you going forward with a project like

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1 this and not having something in place that the public
2 can rely on. And, again, I would like you take off
3 your government hats for this because the government
4 has made too many mistakes.

5 We still have so many sites that were
6 supposed to be remediated --

7 MR. CAMERON: And, Karen, could you please
8 sum up for us?

9 MS. HEADINGTON: Yes, this is Moe. And I
10 would like some answers in terms of the emergency
11 planning and also what consideration is being given to
12 the transport given the unsafe situations we find
13 ourselves in with infrastructure. Thank you.

14 MR. CAMERON: Okay, thank you. Thank you
15 very much. That was Maureen, Maureen Headington.
16 Next we are going to go to Karen Howard-Winters.
17 Karen, if you are on the line can you hit Star 1 and
18 unmute your phone and I think Fran will help you?

19 OPERATOR: I think she is on the way, one
20 moment. Karen Howard-Winters, your line is open.

21 MS. HOWARD-WINTERS: Thank you so much for
22 the opportunity to speak to you all this evening. I
23 live 50 miles from Andrews and the site of Waste
24 Control Specialists, or Urenco as it is now, and have
25 been closely watching this issue turn into something

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1 that is my worst nightmare.

2 I cannot even fathom what this plan is to
3 move this high level radioactive waste from all over
4 the country to my backyard. How they plan to do this
5 by railcar, what is going to be in the railcar?

6 I t doesn't seem as though that this is
7 thought out at all for the gravity of the stakes that
8 are involved considering that we are going to be
9 moving this deadly material past schools, homes,
10 military bases, water that people get their fish out
11 of, water for their homes, what we bathe in, what we
12 drink, the possibility of contamination, radioactive
13 contaminating the earth that we grow our food,
14 unnecessarily we don't know the strengths of the
15 rails.

16 I mean we are talking about the -- When I
17 am taking a look at the map that we're going to move
18 this material, this highly radioactive waste material,
19 along these, going through all these states past all
20 of these people's homes and businesses it just boggles
21 the mind.

22 How could anybody possibly think of doing
23 this? This is just a nightmare waiting to happen. I
24 mean and then you've got the site itself, well we are
25 talking about a temporary repository, not even a

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1 permanent repository, that's sat on a slab with cement
2 casks that are now, that I have read a couple of
3 articles, leaking, that some of the, that there are
4 some shims or something that are, you know, that are
5 leaking.

6 I mean, you know, this is not planned out
7 well at all. And then drones, you know, you can run
8 a drone over the top of it, it can be seen on GPS, I
9 am thinking terrorist attacks, I mean there's not a
10 lot of people maybe that live in this area, but there
11 are people that live in this area of the country and
12 I am one of them.

13 And, you know, I just don't -- We count,
14 too. There are lives of people that are out here, too
15 and livestock, and a lifestyle that, you know, I don't
16 believe that we count any less than any one of any of
17 the people in this country and this is just a really,
18 a really bad not thought through move at all.

19 And I was listening to Mr. Smitty talk
20 about these sinkholes and, as a matter of fact, there
21 was a lady, Ms. Kelsey Bradshaw, on March 22nd that
22 published an article in mySA online that did an
23 article about another sinkhole.

24 So we are talking about a karst topography
25 where this whole area is a karst topography and you

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1 are talking about putting this highly radioactive
2 material from all over the country in one area where
3 we've got karst topography for sure in this area where
4 the Ogallala Aquifer is, regardless of whether or not
5 it sits directly on top of the WCS, or Urenco site --

6 (Simultaneous speaking.)

7 MR. CAMERON: And, Karen, could you sum up
8 for us, please?

9 MS. HOWARD-WINTERS: Yes, I will wrap up,
10 and thank you so much. It is close enough to it that
11 this just really is just not a good site for this to
12 happen.

13 And, again, I thank you so very much for
14 the opportunity to address the Nuclear Regulatory
15 Commission and I really do hope that you are going to
16 take our comments into your thoughts and your
17 consideration. Thank you again.

18 MR. CAMERON: Okay, thank you, Karen. And
19 we are going to go to one more person on the phone and
20 then we are going to come back in the room and I'm
21 going to see if Diane D'Arrigo wants to talk to us.

22 The one final person on the phone right
23 now, but we'll be back to you on the phones, is Ace
24 Hoffman. Ace, if you are on the line can you press
25 Star 1 and unmute your phone?

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1 OPERATOR: One moment, please. Ace
2 Hoffman, your line is open.

3 MR. HOFFMAN: Okay, thank you. Hi, thanks
4 for the opportunity to speak. I will try to keep it
5 to five minutes.

6 The idea that the NRC is assuming that the
7 nuclear high level waste will remain in New Mexico for
8 only 120 years, that's the number that I heard, is
9 absurd because there is no place to put it.

10 And why is the application for only 40
11 years and why is the application for only 500 of the
12 10,000 canisters that are expected to be stored in
13 Carlsbad, New Mexico?

14 Is the chance of a transport accident too
15 high if you have to do it 20 times more often? Is it
16 mathematically too high? Is the chance of terrorism
17 or an airplane strike too great if the area of the
18 impact zone is 20 times greater and the perimeter
19 significantly larger, the time period greatly
20 extended?

21 And why only 10,000 canisters since at the
22 rate we are using nuclear reactors that will barely
23 suffice for what already exists and will be woefully
24 inadequate for the waste produced over the next 40
25 years let alone 120 years.

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1 But even after 40 years the thin wall of
2 the canisters, the maximum wall thickness is about 5/8
3 of an inch, will be so weakened from the extremely
4 high levels of radiation and from normal corrosion
5 effects regardless of whether there is a chemical
6 plant nearby or not.

7 But by moving them it will be an extreme
8 additional risk because you will be moving them twice.
9 Moving them at all is very, very risky, and there
10 still will undoubtedly be no permanent repository.

11 Yucca Mountain was a last resort but had
12 numerous unsolvable technical problems, such as being
13 in a volcanic area and water flow into California,
14 where I live.

15 The canisters are only guaranteed by the
16 manufacturer to last for 20 years and many of them are
17 already approaching that age. If they are so safe why
18 aren't they guaranteed for longer and does anyone
19 expect them to be safely moved a second time in 40 or
20 140 years, that's the 20 plus the 120?

21 Furthermore, opening this repository is
22 legally impossible under current federal regulations
23 and the most significant changes from the point of
24 view of the utilities that produce the waste is they
25 want to be released from all liability for the waste

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1 the instant it leaves their property.

2 So transportation accidents would be paid
3 for by the victims as will any accidents at the
4 interim storage site. The private corporation,
5 Holtec, that plans to manage the facility won't take
6 on any of the liability, as if they could afford to
7 pay for an accident anyway.

8 But worst of all is that if this site
9 opens reactors all over the country will be getting a
10 green light, an unearned, an inappropriate green light
11 to continue making more nuclear waste even when there
12 is not real solution to the waste problem at all, just
13 a stalling measure.

14 Spent nuclear fuel is about 10 million
15 times more toxic than unused so-called fresh nuclear
16 fuel, even the enriched kind. And, in fact, and
17 that's what most reactors are using now, enriched
18 fuel, and the enriched fuel is, in fact, far more
19 toxic because there is so much more radioactivity in
20 it when it has been used.

21 And fuel is surely the most dangerous
22 substance humans have ever created. Most of New
23 Mexico would have to be abandoned, El Paso, if there
24 were a spent fuel fire, a terrorist attack, or an
25 airplane strike on this huge facility, intentional or

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1 accidental, or if any of a thousand other "beyond
2 design basis accidents," that's the NRC's technical
3 term for stuff they can't or won't protect against.

4 I am almost done here. In rocketry, there
5 is a phrase that says when you launch a rocket "a
6 thousand different things can happen and only one of
7 them is good."

8 Well, storing nuclear waste has the same
9 problem but instead of losing seven brave astronauts
10 hundreds of thousands of people could be affected, or
11 even a million, for hundreds of thousands of years.

12 The only safe solution is to stop making
13 more nuclear waste and I utterly oppose this project.
14 Thank you very much and it's good to talk to you,
15 Chip.

16 MR. CAMERON: Okay, thanks, Ace. And we
17 are going to go to the room now and Ms. Diane D'Arrigo
18 is our next speaker. Diane?

19 MS. D'ARRIGO: Hi. I am Diane D'Arrigo
20 with Nuclear Information and Resource Service. Our
21 organization has been on record opposing this so-
22 called interim storage for decades.

23 Over the decades there have been various
24 versions of this same idea of supposedly interim
25 consolidating or centralizing the materials. Back

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1 when I was first starting to pay attention to nuclear
2 issues my community in Western New York, West Valley,
3 was one of three that were targeted for AFR, away from
4 reactor storage.

5 It was clear and open then that the idea
6 was to bring it there and to reprocess it. The site
7 in New Mexico was originally considered, under the
8 GNET plan it was intended for reprocessing.

9 The application here doesn't mention
10 reprocessing that I have seen, but it has been, it is
11 a first step towards reprocessing. The thing that is
12 of most concern, one of the major concerns with having
13 a private industry come in with this very long-lasting
14 waste is that eventually the company will leave.

15 They cannot possibly make enough profit to
16 stay there as long as the waste remains hazardous. So
17 they are a vehicle to get this stuff moving away from
18 the country and very potentially into a reprocessing
19 center.

20 The public then bears the liability, bears
21 the burden, of the federal taxpayers. Our community
22 in Western New York every year has to go to the
23 Department of Energy and grovel for money to try to
24 keep the site from becoming worse, from leaking more
25 than it is already leaking.

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1 And so a caution that I put forth, a
2 concern with this whole application process is the
3 shortsighted and the narrow-sightedness of giving an
4 application for 40 years for allowing canisters with
5 20 to 50 year certifications to be approved without
6 any long term plan for what's going to happen.

7 For this site there should be, if this
8 really is intended to be a supposedly interim site
9 then the plan should be to transport the material
10 there and to transport it away.

11 You don't know where it's going to get
12 transported to but it should be an integral part of
13 the plan to consider the safety and the environmental
14 implications of transport not only to this site but
15 away from this site.

16 And I didn't see that in the reviews I
17 have done so far of the environmental reports and the
18 safety reports, that is just completely not addressed
19 to the best of my review.

20 The Nuclear Regulatory Commission has
21 historically been very good at segmenting, and not
22 just the NRC, but the Atomic Energy Commission before
23 you, and the nuclear weapons and power industries are
24 very good at segmenting pieces of the problem to
25 pretend that each little piece of it is okay and not

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1 looking at the larger picture.

2 I ask you to please look at the whole
3 picture of what this is and what real solution, this
4 is the illusion or delusion of a solution to nuclear
5 waste.

6 It's another way to buy the impression
7 that something is being done, telling reactor
8 communities, okay, you don't have to worry, we're
9 going to get it out of here. It's true, it's not safe
10 at those reactor sites, it's not safe anywhere.

11 This material should not be created. But
12 to add a new sacrifice area, a new site, and put the
13 entire country at risk along the way, the reviews that
14 you are doing need to look at this larger picture,
15 need to evaluate and to honestly look at what these
16 risks are.

17 I know that you have got numbers on how
18 much the dose could maximum be and that's an
19 acceptable amount, but it's not. I mean the amount of
20 radioactivity that is going to now routinely be moving
21 back and forth across the country, other commenters
22 have mentioned on the dangers of transport, on the
23 dangers of the bad infrastructure.

24 You will be hearing more if you haven't
25 already on the inadequacy of the casks. You've got

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1 separate segmented processes whereby the Holtec
2 containers are being certified and that's not a major
3 part of the overall review.

4 So I am saying we need to have a more
5 comprehensive review, and that's your responsibility
6 as human beings allowing this really big mistake to be
7 made. You are facilitating a major mistake for this
8 country and for humanity and it's a really important
9 thing.

10 Put your brilliance and your energy into
11 really helping to solve this, and by pretending that
12 you are solving it by shipping it back and forth is
13 not doing it.

14 So I'll just point out that the history of
15 this is that in the '70s and '80s it was called away
16 from reactor storage, that was stopped. In the 1987
17 Nuclear Waste Policy Amendment Act the monitored
18 retrievable storage was what was to be considered for
19 three years targeting Native American Indian tribes
20 and others that would volunteer, that did not work,
21 and now we are at this same thing again under the new
22 acronym of CIS, or centralized interim storage.

23 All of these are iffies, they are not
24 ISFSIs, they are iffies. It is very iffy what's going
25 to happen with the material.

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1 MR. CAMERON: And could you sum up for us,
2 Diane?

3 MS. D'ARRIGO: Okay. I support the
4 request that there be a 60 to 90-day extension on this
5 comment period. I support the concern. I oppose the
6 copyright on those pages.

7 When you are reading this is it is
8 intimidating. The redactions are very distracting and
9 preventing the public from really having the full
10 story.

11 The document, the EIS that you are
12 preparing, needs to consider the full danger and
13 longevity of the waste, the fact that you are not
14 fully evaluating what's going to happen with it.

15 You can't pretend in your decommissioning
16 or your closure plan that it is going to be okay.
17 It's assuming and relying that the federal taxpayers
18 are going to be responsible for it while private
19 companies make some amount of profit in the middle.

20 So transport dangers both to and from, the
21 consideration of the casks, I know that the NRC is
22 licensing or certifying the casks, but consider the
23 potential dangers of the casks, and the long term
24 impact on the community and impacts on other
25 industries and from other industries, oil and gas

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1 fracking, that would impact and also be impacted by
2 the project.

3 MR. CAMERON: Okay, thank you. Thank you,
4 Diane.

5 MS. D'ARRIGO: You're welcome.

6 MR. CAMERON: Is there anybody else here
7 in the room who wants to comment?

8 (No audible response.)

9 MR. CAMERON: Okay. Fran, we're going to
10 go back to the phones, and I'm just going to let you
11 do your thing and, you know, whomever you put forward
12 we're going to listen to their comments, so I'm
13 turning it back to you.

14 OPERATOR: Thank you very much. Our first
15 open line is with Leona Morgan. Ma'am, your line is
16 open.

17 MS. MORGAN: Hi. Can you hear me?

18 MR. CAMERON: Yes.

19 MS. MORGAN: Thank you. I am an
20 indigenous person from the Northwest side of New
21 Mexico, and there is a couple of issues I wanted to
22 point out.

23 The letter to the tribe I think is, I
24 don't know if this is the only communication that you
25 have had with the tribes, I would like to ask a

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1 question if you could respond later if anyone has
2 actually reached out to each of these indigenous
3 nations that you sent this letter to.

4 And in this letter it's a little bit
5 unclear as well, in the first paragraph it says that
6 there is a request that NRC has taken a license
7 application to store up to 500 canisters or up to
8 8,680 metric tons, and then it says and eventually
9 store up to 10,000 canisters, and this is the first
10 time I have seen this number which amounts to 173,600
11 metric tons.

12 So those are a couple of questions if you
13 could clarify if there has been other outreach to the
14 tribe and why this huge number wasn't spelled out in
15 this first paragraph.

16 Also, my tribe, the Navajo Nation, I know
17 the President is not the best to respond to these, I
18 think you need to send it to the Historical
19 Preservation Office and probably cc it to the Navajo
20 EPA and the Navajo DOJ because we have a law against
21 the transport of radioactive materials and I
22 understand the tribe has already informed me that we
23 don't have jurisdiction over the railroads, however,
24 if there is any impact to the area that the railroads
25 go through there will be significant cultural impacts

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1 along the rail lines.

2 But this is difficult to understand and it
3 would be imperative for the NRC to look into and
4 study, specifically for my nation, the Navajo Nation,
5 it runs, the rail line runs across a wide expanse of
6 our nation and if there was any spill or accidents
7 that would have a lot of impacts not just to the
8 environment and the cultural resources but then the
9 people and how we use the land and eventually the
10 groundwater.

11 And so there is several issues in not
12 knowing what the transport routes will be, and so it's
13 incredibly difficult to comment on some of these
14 issues of transport when the routes have not been
15 identified.

16 So for my tribe we do have a law outlawing
17 the transport of radioactive materials and regardless
18 that this a railroad issue and the federal government
19 may supersede our sovereignty, however, the reason we
20 have this law is because we have already had many
21 impacts from radioactive contamination from uranium
22 mining.

23 And so this would also pass by the Mount
24 Taylor Traditional Cultural Property and it would be
25 good I think if that was also something considered

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1 here.

2 It's probably not within the boundaries
3 but there are several sacred sites that probably do
4 not have traditional cultural property status across
5 the country, and so I don't understand how you all can
6 send a letter to the tribe requesting them to talk to
7 you when there has already been several formal
8 announcements and designations of traditional cultural
9 properties and sites of significant cultural
10 importance.

11 So this is something I think that needs to
12 be considered in the transportation, the route, that
13 you all need to consider all of the sacred sites of
14 all of the indigenous nations where this waste could
15 possibly go through.

16 Because we don't know the routes then it
17 is necessary for NRC to look at all of the routes and
18 all of the impacts to every cultural site that has
19 been publically identified by any indigenous nation.

20 And just to reiterate a little bit what
21 was said before by Smitty about the rail lines, the
22 other issue just in response to public safety, the
23 same thing needs to occur, is that NRC needs to study
24 and see what the impacts would be for the weight of
25 this waste coming through all of the possible rail

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1 lines because we know that they are not fit to carry
2 this type of load and the weight alone is an issue and
3 some of these rail lines are going through small
4 communities, some of them run right along schools,
5 some of them are close to surface water and could be
6 impacting the groundwater, and so this needs to be
7 considered in the EIS to see what the impacts are from
8 all the rail transport across the nation to other --

9 (Simultaneous speaking.)

10 MR. CAMERON: And, Fiona, could you sum up
11 for us?

12 MS. MORGAN: Yes, the -- basically what I
13 am saying is that in the EIS there needs to be very
14 extensive research on all of the impacts from the
15 transportation to cultural sites to -- and then, also,
16 how would this impact the different indigenous nations
17 that have identified sacred places? And also cultural
18 resources, such as plants and animals? And then also,
19 a study on all of the routes and how this is going to
20 impact -- well, first of all, the quality of all of
21 the routes of the rail lines and then the possible
22 impact to water sources. So, thank you.

23 MR. CAMERON: Okay, thank you, Leona. We
24 are ready, Fran, for the next commenter.

25 OPERATOR: Gail Seidel, your line is open

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1 now.

2 MS. SEIDEL: Hello, can you hear me?

3 MR. CAMERON: Yes.

4 MS. SEIDEL: Great, thank you so much for
5 this opportunity. I am here in Albuquerque, New
6 Mexico -- south of Albuquerque, about a mile and a
7 quarter from the rail lines. And I -- there's been a
8 lot of discussions of transportation issues. And I
9 agree with Leona, the previous speaker, that we must
10 identify those transportation routes. And then, I
11 would like to just speak briefly to the NRC process.
12 And that is, I know that our two senators have
13 requested more hearings because all of us along
14 transportation routes throughout the nation will be
15 impacted should an accident occur. And I know, Holtec
16 is saying -- and the NRC often says that it's
17 perfectly safe, you can trust us, there's not going to
18 be any problems -- no accidents, no leaks. But they
19 said that same thing about the WIPP site and promised
20 us it would be safe for 10,000 years and we've already
21 had a release of radiation -- radioactive materials.
22 So I would say in your process, you must have hearings
23 all along the transportation routes. They must be
24 identified with primary routes, secondary and
25 alternative routes, and your hearings before you grant

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1 any licenses must take into consideration the consent
2 of the communities along the railroad lines. If this
3 is truly to be a consent process, you must take the
4 consent and you must inform people and allow them to
5 speak to the issues.

6 I would also like to say that, as a person
7 who ran a small agricultural business and also worked
8 at a local natural foods and agricultural products
9 company, you are put the risks -- at risks on major
10 industry in New Mexico. Our dairy, our pecan in that
11 region, but also our chili and all of the food
12 products that are produced here. Many, many hundreds'
13 of millions of dollars' worth of products here in New
14 Mexico. And Holtec promises 135 jobs -- ongoing jobs
15 after construction at their site. Our little food
16 coop, right -- it's a small little food coop --
17 already provides 300 jobs in the retail sector and
18 works with another 300 farmers state-wide and into
19 southern Colorado to provide income and economic
20 development in a broader way than this 135 jobs that
21 we're promised. And I think the ROI, the return on
22 investment, in granting this license application needs
23 to be addressed because it's putting so much at risk
24 for really so little return in our community here in
25 New Mexico. And, I want to say very clearly, I do not

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1 give my consent on any level to this project. It is
2 -- seems not well thought out, as many have said
3 before me. I am not as versed in the technical
4 aspects of this project as others who have spoken, but
5 just from the little I know, it is not well thought
6 out. It is not safe on any level. And New Mexico
7 does not want to become the de facto permanent
8 repository for the nation's hi-level spent fuel rods.
9 Thank you for the opportunity.

10 MR. CAMERON: Okay, thank you. Thank you
11 very much, Gail. And we're ready for the next
12 commenter, Fran.

13 OPERATOR: Thank you. Then George Taylor,
14 your line is open.

15 MR. TAYLOR: Can you hear me? Hello?

16 MR. CAMERON: Yes, we can. We can hear
17 you.

18 MR. TAYLOR: Okay. I have been kind of
19 interested in what I am hearing. There were -- been
20 a -- very good geological studies done prior to the
21 licensing of WIPP. And they concluded that there
22 would be leaks and, you know, but now they know that
23 there is based on, you know, what we know about
24 geology in New Mexico. And so now we would just be --
25 we would end up having, I don't know if you call that

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1 WIPP-squared, or WIPP-quadrupled, or whatever, with
2 all that high-level waste -- and the fact that the
3 geology hasn't changed, unless Holtec is telling us
4 that Sir Isaac Newton got all the laws of physics
5 wrong. And -- and so, you know, is there going to be
6 leaks? Of course there is. And they're in the same
7 general area because we've already done the studies
8 once. So it sounds like Holtec is saying, oh, no, no.
9 And that's like asking Enron if they could ever have
10 an oil leak from one of their tankers. You know, of
11 course they're not going to tell you that. So, you
12 know, this whole things seems just ludicrous to me --
13 that anybody would even consider it. Sure, Holtec is
14 out to make lots of money. Good for them. But, you
15 know, to pollute, you know, New Mexico to the extent
16 that it -- turning into downwinders much of the
17 population of New Mexico -- or worse.

18 I mean, one of the problems with Yucca
19 Mountain was that radiation that had gone in the upper
20 atmosphere from the tests in Bikini Atoll back in the
21 '50s is still raining down and has filtered all the
22 way down through the desert floor, and down into that
23 compartment -- or whatever it is properly called. And
24 would that be happening here? Sure, of course, it's
25 happening now. And, you know, so that I -- I would

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1 say, as a suggestion, to tell Holtec that they should
2 first cure the cancers in the people, you know, that
3 are the down-winders before they should ask for a
4 license to create more of them. Thank you for your
5 attention.

6 MR. CAMERON: Okay, thank you. Thank you,
7 George. And we're ready for someone else, Fran.

8 OPERATOR: Our next comment from Michelle
9 Lee. Your line is open.

10 MS. LEE: Hello? Can you hear me?

11 MR. CAMERON: Yes.

12 MS. LEE: Okay, thank you. I will try to
13 be fast. I know the hour is late. I am very
14 perplexed, given the fact that this was supposedly a
15 environmental analysis, why crucial environmental
16 issues were completely ignored. And let's just talk
17 about a few. One is the current understanding of
18 climate change and the effects -- which is, I -- of
19 course, in some dispute in our government, but is
20 basically recognized by consensus of international
21 scientists, including U.S. scientists. Two, a fact
22 which is not disputed by any governmental body and is
23 in fact well substantiated, is the greater increase of
24 size and extreme nature of wildfires, megafires, and
25 this is anticipated to be particularly hard hit in

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1 areas where they are looking at these interim storage
2 sites. Three, the -- frankly, the effects of other
3 extreme conditions, such as flooding and drought and
4 the -- things such as mudslides and so forth along
5 transportation routes. I won't belabor the points
6 made by others on infrastructure that would need to be
7 relied on for the entire transportation system, but I
8 would identify a few things that nobody else has
9 mentioned.

10 One is cyber risk, which is -- from what
11 I can tell, is not being analyzed. Or, if it is, it
12 is not being forthright in its discussions in the
13 public. And two, is the risk of -- you know, frankly,
14 lack of money in government. We -- as -- you know,
15 we've had several government shutdowns. There's no
16 guarantee that funding will be available to -- to
17 maintaining infrastructure, which is already outdated
18 and under-resourced. And my final point is that any
19 valid analysis by its -- by the -- by its very nature
20 must identify uncertainties and try to quantify
21 uncertainties. That has not been done and the -- I
22 would urge the NRC in any analysis to be very honest
23 and identify for the public what the uncertainties
24 are, including what the risks are, including what the
25 potential public health hazards are. Thank you.

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1 MR. CAMERON: Thank you, Michelle. And
2 Fran, we are ready.

3 OPERATOR: Brendan Shaughnessy, your line
4 is open now.

5 MR. SHAUGHNESSY: Thank you. I would like
6 to request that we add public hearings here in
7 Albuquerque. Thank you very much.

8 MR. CAMERON: Okay, thank you for that
9 suggestion, Brendan. And we will go to the next
10 person, Fran.

11 OPERATOR: Thank you, Eileen Shaughnessy,
12 your line is open now.

13 MS. SHAUGHNESSY: Hello there, thank you.
14 My name is Eileen Shaughnessy. I live here in
15 Albuquerque, New Mexico and I am under the age of 35.
16 And I am also a member of a group of inter-
17 generational people who are really concerned about
18 nuclear issues, including a lot of young people. And
19 I just want to point out that I have not heard a lot
20 of young voices on this phone call. And yet, the
21 people who are going to be most impacted, arguably, by
22 this waste in the future are the ones who are young
23 now. So -- I -- this is the first time that I have
24 been a part of the -- an NRC process like this, and I
25 can't help but notice how extremely inaccessible and

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1 convoluted it is. And I am really, really
2 disappointed in the NRC and in Holtec in the way that
3 you are going about not sharing this information in a
4 transparent way. For example, this phone call -- I am
5 really concerned about how many people are not going
6 to get to comment. I would like to know how many
7 people are on this phone call and who are in the room
8 in Maryland because I didn't have a sense of that.
9 And I -- I want to be sure that everyone who wants to
10 comment can comment. And I am concerned that this is
11 the only hearing that is including people outside of
12 New Mexico. It's important and good that you have
13 three meetings in New Mexico. But, as has been said
14 multiple times, the transport routes impact almost
15 everyone in the country. So really, you should be
16 having hearings, scoping meetings, in every state.
17 And I echo what was just said about having a meeting
18 in Albuquerque.

19 I just want to say, for context for both
20 the NRC and Holtec, that New Mexico has been dumped on
21 far too much already. We have been marked the
22 sacrifice zone by the nuclear weapons industry and the
23 nuclear energy industry already. And we have the only
24 deep geologic repository for weapons waste already.
25 And so, citing a spot a little over 12 miles north of

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1 the WIPP site for high-level nuclear waste is
2 absolutely an environmental injustice. And so I just
3 want to make a few quick points. I know there have
4 been many great points that have been brought up
5 already.

6 But this Mescalero Apache land and I would
7 ask the NRC and Holtec to reach out to the Mescalero
8 Apache people for permission to even begin this
9 conversation because, as I just said, this is an
10 absolute environmental justice issue. I would also
11 make a point that today -- today, April 25th, 2018 --
12 there was an extreme fire danger alert in Carlsbad and
13 including the area -- the site where this spot is
14 supposed to be. So, Holtec and NRC, how will you
15 assure us, the public, that you can handle a wildfire
16 that is out of control when you have 100,000 metric
17 tons of nuclear fuel -- spent nuclear fuel? And for
18 100 years in the era of climate change?

19 I also just want to bring up the point
20 about the real need to study the full impact to
21 wildlife in this area, specifically mule deer, cougar,
22 spotted skunk, black bear -- and also the flora and
23 fauna. I want to see detailed reports as to how each
24 one of those living, sentient beings is impacted by
25 high-level spent nuclear fuel. I also have a question

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1 as to the 20,000 metric tons extra that you have
2 allotted to hold in this -- in this state. Will you
3 be accepting international waste? Is this -- is this
4 just going to be U.S.-produced waste? I want to know
5 about that.

6 And then, lastly, I know it's been stated
7 that this site would not be open to reprocessing, but
8 I am not convinced that that's not the larger plan
9 here. And if it is, I want you to be transparent --
10 unlike your redacted documents. I want you to tell us
11 -- I want you to promise us that you will not make New
12 Mexico into a one-stop bomb shop by starting the
13 extremely dirty, dangerous and toxic process of
14 reprocessing. And I look forward to seeing you all in
15 the meetings in Carlsbad. Thank you.

16 MR. CAMERON: Okay, thank you Eileen. And
17 we're going to try to get to everyone who wants to
18 comment on the phone tonight. But there is another
19 many opportunities for people who won't be able to
20 make it to the southeastern New Mexico meetings -- the
21 three of them -- to comment in writing or by email.
22 And that slide is up now. But thank you very much for
23 your -- your comments. And Fran, I want to see if we
24 can get Donna Gilmore on the phone now. I think she
25 did sign up in advance. And if we could get Donna

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1 Gilmore to -- to press star 1 and unmute her line and
2 get her here in the room.

3 OPERATOR: I do have her line. Donna,
4 your line is open.

5 MS. GILMORE: Okay, thank you. Can you
6 hear me?

7 MR. CAMERON: Yes.

8 MS. GILMORE: Yes, okay. Thank you for
9 doing that. I want to mention that the Nuclear Waste
10 Technical Review Board completed a report in December
11 2017 regarding a management of spent nuclear fuel --
12 a report to Congress. And they said that the fuel and
13 its containment needs to be monitored in order to
14 prevent hydrogen gas explosions. Now these current
15 containers that -- Holtec containers and the other
16 thin-wall containers are not designed for that. And
17 the Nuclear Waste Policy Act also requires that. So
18 I think this is an urgent issue that needs to be
19 addressed. And I know the NRC staff is faced with,
20 you know, staff reductions. And really the priority
21 should be on making sure all the existing sites are
22 safe and not just creating another one -- deal with
23 these urgent problems first.

24 And also they -- the Nuclear Waste
25 Technical Review Board recently had a meeting on

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1 permanently geological repositories. And the
2 conclusion there was that they don't even have the
3 technology needed to do a -- a permanent repository in
4 the short term. So I urge people to look at those
5 Nuclear Waste Technical Review Board reports, watch
6 the webinar on the geological and seriously consider
7 reassessing NRC priorities and tell me who I need to
8 talk to to help make that happen. I appreciate the
9 work that the NRC technical staff does. And I know a
10 lot of challenges you face. But now is not the time.
11 We are running out of time. We have canisters. We
12 don't know their cracking because you have no way to
13 find cracks. You have no way to measure crack depth.
14 And we're all sitting here vulnerable. And I urge you
15 to re-analyze your priorities. Thank you.

16 MR. CAMERON: Thanks a lot, Donna. And
17 Fran, let's go back to -- to the rest of the people
18 who might want to comment tonight.

19 OPERATOR: Again, if you have a comment,
20 please press star then 1 and unmute your phone. We
21 have a few in line now. Our first opening line goes
22 to Don Safer. Sir, your line is open.

23 MR. SAFER: Okay. Can you hear me?

24 MR. CAMERON: Yes.

25 MR. SAFER: Thank you. Thank you for this

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1 opportunity to speak. And I will echo the comments
2 about transparency and -- and one of the issues that's
3 come up in this -- and I have tried to get in the
4 queue -- or, I did get in the queue but I was too late
5 to address this during the previous question period.
6 But I find it interesting, and you can -- can't
7 correct me now because I guess you won't answer my
8 questions any more -- that there are no public
9 hearings for the safety review aspect. I certainly
10 didn't see that on slide 9 or slide 10. And the fact
11 that the only -- I assume the only reason that you
12 have these meetings is because of the NEPA rules. And
13 I appreciate that, but it -- it's incumbent upon the
14 NRC to create confidence in the systems --
15 particularly this system of dealing with this
16 extremely dangerous and long-lasting waste. And so
17 you -- you can do something that's not required by
18 federal law to make this system work better for
19 citizens who are wanting to engage and make sure that
20 we can head off a potential disaster, such as the
21 people in Japan are dealing with about Fukushima and
22 the people in the Ukraine and Belarus are still
23 dealing with about Chernobyl, because an accident with
24 this material is going to be decades if not centuries
25 of dealing with it. And we are just trying to -- to

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1 head -- head these possibilities off.

2 In terms of the Environmental Impact
3 Statement, I think it's significant that we don't
4 really know enough to start addressing these issues
5 about high-burnup fuel and the way it's going to
6 behave inside the canisters over time. And even over
7 decades, not just centuries and eons. And the studies
8 that have been done to date are computer studies.
9 There is one study going on now in Oak Ridge, and I am
10 in Nashville, Tennessee, and in Oak Ridge they are
11 doing a study on -- on high-burnup fuel rods and how
12 the cladding is going to hold together and the
13 stresses that the cladding goes under. But that study
14 just started last year. And it's easily 10 years
15 before they're going to have any information. And
16 that will only be good for 10 years of analysis on how
17 these materials hold up over time. So it -- it's kind
18 of -- the cart is way before the horse here in terms
19 of going to this sort of a solution before we even
20 know what these materials are going to do. So the --
21 somewhere in some of your studies, the actual physical
22 changes of high-burnup fuel in its cladding and its
23 internal components and the actual uranium dioxide
24 ceramic pellets -- how that's going to behave over
25 time physically is germane -- is central to how safe

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1 this material is going to be to be stored. And the --
2 the kind of heat that we're looking at is an issue
3 that was mentioned by an earlier caller. And I think
4 that's important.

5 And other environmental impact studies
6 I've read from the NRC have always basically gotten
7 around the -- the realities of the worst-case scenario
8 accidents by saying the chances of that are so slight
9 that we don't have to even consider it. And I believe
10 that's a copout of the highest level and that this
11 environmental impact statement should include a
12 detailed analysis of what will happen should any one
13 of these canisters develop a leak, explode and -- and
14 its contents be released to the atmosphere and to the
15 aquifer. And that analysis should include any
16 possible weather events that can cause the material to
17 be spread further and wider. And we -- we really need
18 to have that kind of information in the environmental
19 impact statement.

20 MR. CAMERON: And Don, can I get you to
21 sum up for us, please?

22 MR. SAFER: I thought I got five minutes?

23 MR. CAMERON: Yes, well I have you on at
24 five minutes already. So I am giving you a six-minute
25 sum-up.

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1 MR. SAFER: Well, okay. Time flies when
2 you're having fun, huh Chip?

3 MR. CAMERON: Yes, I know.

4 MR. SAFER: So the -- I guess the -- the
5 last thing I will say is the Environmental Impact
6 Statement should show how the damaged fuel and
7 canisters will be handled. We know now that the
8 damaged fuel, once it's dried, cannot be put back into
9 a fuel pool -- even if there were a fuel pool there,
10 it can't be done. It puts the fuel under too much
11 stress. There is not a hot cell, I don't believe, in
12 the United States that is capable of handling this
13 fuel to change it. There's been talk about one in
14 Idaho, but at -- at San Onofre proceedings, but that
15 thing was torn down years ago. So this material -- we
16 don't even have good ways of dealing with possible,
17 probable on -- you know, beginning accidents and leaks
18 that can really end up threatening a whole region.
19 And once again, I thank you for the opportunity.

20 MR. CAMERON: Okay, thank you. Thank you,
21 Don. And Fran, do we have someone else?

22 OPERATOR: Yes, we do have a few still.
23 Sarah Fields, your line is open.

24 MS. FIELDS: Hello, thank you for the
25 opportunity to comment. I notice -- I had a question.

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1 I noticed in our March 28th -- the NRC issued the
2 first request for additional information to Holtec.
3 And I wonder what NRC's estimate is of the number of
4 RAIs that they anticipate to issue.

5 MR. CAMERON: And Sarah, we're -- the NRC
6 staff is not responding to any comments.

7 MS. FIELDS: To any questions? Okay.

8 MR. CAMERON: Or questions, but -- but -

9 MS. FIELDS: Well that question is -- is
10 out there.

11 MR. CAMERON: Yes, yes. And they have -

12 MS. FIELDS: Okay.

13 MR. CAMERON: They are listening to that.

14 And so the message has gotten through about the
15 question on RAIs. Do you have anything else that you
16 want to bring up?

17 MS. FIELDS: Yes, I do. You can't divorce
18 the storage the waste at the proposed Holtec facility
19 from the original site where they -- the waste will
20 come from, and the transportation routes. And there's
21 been a lot of excellent comments on the need to
22 identify those transportation routes and to look at
23 all the possibly impacts along those routes. One
24 concern I have is about financial responsibility. Who
25 will be legally and financially responsible for the

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1 fuel once it leaves the reactor sites and when the
2 fuel is at the Holtec site? And think this is one of
3 the major unanswered questions. Another question is,
4 who is going to pay for emergency planning on the
5 transportation routes and in the vicinity of the
6 proposed site?

7 I was involved in a proposed nuclear
8 reactor situation in Utah and the company said, oh,
9 they would way for all this emergency planning. But
10 there was no mechanism for them to actually pay for
11 that. And so, any involvement in the local and state
12 governments and entities, that came from the taxpayer
13 payments, not from the individual entity that was
14 proposing the reactor. So that's a big issue.
15 Emergency planning and who is going to pay for it.

16 During a recent NRC meeting, the NRC said
17 that the damaged fuel that was not acceptable for
18 receipt and storage at the Holtec site would be sent
19 back to origin. And Mr. Safer brought up this
20 question because there are issues about not only the
21 safety of transporting this fuel back to its point of
22 origin, but what is going to happen to the fuel once
23 it gets back there? And of course, there's the
24 question of how exactly is Holtec going to inspect the
25 fuel for damage? I mean, what will be the acceptance

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1 criteria? Thank you.

2 MR. CAMERON: Okay, thank you, Sarah. And
3 Fran, we're ready.

4 OPERATOR: Margin Lewis, your line is
5 open.

6 MR. LEWIS: Thank you, can you hear me?

7 MR. CAMERON: Yes.

8 MR. LEWIS: All right. I appreciate all
9 this. I appreciate having an open meeting. I
10 appreciate a public meeting. I appreciate a chance to
11 talk. My problem is this, there are so, so many
12 problems. I agree with many, many of the technical
13 issues brought up tonight. The other ones I'd
14 probably, I'm ignorant of. But there is one that
15 really, really bothers me. And it's not what you
16 would say -- the hardware issue. Namely, it's a
17 financial issue. Recently President Trump signed a
18 tax act. That tax act meant that everybody, including
19 a newborn, is carrying a loan of \$170,000. In other
20 words, you're looking at an eight-pound baby, and
21 there's a -- a loan issue in its diaper of \$170,000.
22 We're up against it. We're facing another 2008 crash
23 -- or maybe it's a 1929 crash. I wasn't around in
24 1929.

25 And anyway, the point is that no matter

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1 how you slice, the promises anywhere in this issue,
2 anywhere in Holtec, anywhere in U.S. government, we
3 may not have enough money -- even with the presses
4 running night and day -- to meet our obligations on
5 anything. Well, that doesn't worry about me about
6 anything. What worries me is about the trains running
7 on -- and -- and traffic on I-95 with the trains right
8 beside it carrying 100 tank cars of Bakken crude and
9 radioactive waste on I-95 from I hate to say how many
10 nuclear power plants around here. And where are we
11 going to go with that? I don't know. I will tell you
12 right now, yes, the city of Philadelphia does its own
13 emergency planning. The last time I went into the
14 Emergency Planning Office and said how in the world
15 are we going to move one-million-plus people out of
16 Philadelphia if we get a problem with radioactivity
17 around here? And I was laughed at. I just wanted you
18 to know how we handle emergency planning in
19 Philadelphia. I think that's enough. I appreciate
20 all of this. I appreciate so many people getting on
21 and trying to explain technical issues that are so
22 difficult to reach. Thank you, bye.

23 MR. CAMERON: Okay, thank you -- thank
24 you, Marvin, for joining us tonight. And Fran, we're
25 ready for the next commenter.

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1 OPERATOR: And that would be from Kevin
2 Kamps. Your line is open.

3 MR. KAMPS: Hello, thank you. This is
4 Kevin Kamps with Beyond Nuclear. So regarding NRC's
5 evaluation of environmental impacts of building and
6 operating a CISF, consolidated interim storage
7 facility, in New Mexico, may I point out that very
8 high-risk shipping of the irradiated nuclear fuel out
9 to there in the first place is an unavoidable aspect
10 and impact that should be part and parcel of this
11 whole scheme in the application documents. The routes
12 and modes and shipment numbers should be clearly
13 mapped, spelled out and provided as shown and done in
14 DOE's final EIS for the Yucca Mountain Repository,
15 published in February 2002. And its supplement says
16 in 2008.

17 Of course, if the CISF is in truth but to
18 be interim or temporary, then the transport risks will
19 be doubled at the very least as the irradiated nuclear
20 fuel is shipped a second time from New Mexico to the
21 final geologic repository, yet to be named or located.
22 And Yucca, of course, is not suitable for that.

23 In fact, the wastes could be shipped right
24 back in the same direction from which they came in the
25 first place, doubling those transportation risks for

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1 the very same communities through which they passed
2 the first time, putting countless millions of
3 Americans at risk. The risks include large-scale
4 radioactivity releases as due to severe transport
5 accidents or intentional attacks. Such transport
6 risks are the reason why critics have long referred to
7 these shipments as potential mobile Chernobyls. And
8 please note that tomorrow, April 26th, is the 32nd
9 anniversary of the beginning of that still-ongoing
10 Chernobyl nuclear catastrophe which is epicentered in
11 Ukraine, on the border with Belarus.

12 But these risks also include mobile x-ray
13 machines that can't be turned off impacts on human
14 health, from gamma and neutron emissions, even during
15 incident-free routine shipments. Such risks will be
16 greatly exacerbated by externally-contaminated casks.
17 Scores of such incidents have already occurred in the
18 United States and many hundreds of such contaminated
19 shipments have occurred in France.

20 As a resident of Mount Rainier, Maryland,
21 with an office in Takoma Park, Maryland, I myself and
22 my neighbors face these risks. The CSX railway that
23 passes through these towns -- including directly
24 through the Takoma Metro Station on the CSX tracks
25 immediately adjacent to the station platform on the

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1 Red Line, would carry irradiated nuclear fuel bound
2 for this proposed site in New Mexico. During its
3 draft environmental impact statement, public comment
4 proceeding on the Yucca Mountain, Nevada proposal back
5 in the year 2000 era, the U.S. Department of Energy
6 originally scheduled a dozen public comment across the
7 country -- not just in Washington D.C. and Nevada, but
8 in ten additional states that would be impacted by
9 very large numbers of mobile Chernobyls bound for
10 Yucca. But environmental groups in many additional
11 states, such as Illinois, for example, demanded their
12 own public comment meetings.

13 Under such intense public pressure, as by
14 the environmental watchdog group, Nuclear Energy
15 Information Service, DOE scheduled another dozen
16 meetings -- including in Chicago -- thus doubling the
17 original count. NRC even held a nuclear waste con
18 game public comment meeting in Chicago in 2013. So
19 why not a Holtec, a Lea one at this time? The
20 Department of Energy even held a consent base siting
21 public comment meeting in Chicago in 2016. So why not
22 one now? Why is it that NRC has scheduled only four
23 meetings when DOE scheduled six times as many during
24 the Yucca proceeding? Why has NRC scheduled meetings
25 in only two states when DOE scheduled meetings in

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1 nearly two dozen states?

2 Even DOE's meetings were not adequate.
3 After all, Yucca-bound shipments of highly radioactive
4 waste are projected to travel through 44 states plus
5 D.C. Few states in the lower 48 would be spared the
6 very high risks of these shipments. But the Holtec
7 proposal is significantly larger than even the Yucca
8 scheme. Yucca was limited to 63,000 metric tons of
9 commercial irradiated nuclear fuel. But Holtec has
10 proposed 100,000-plus metric tons. They used to use
11 the figure 120,000 as Leona Morgan said earlier, if
12 you do the math from the NRC Federal Register Notice
13 on March 30th, it's actually 173,000 metric tons.

14 So clearly, Holtec's plans are much bigger
15 than even the amount of waste targeted at Nevada.
16 Thus, the shipping impacts would also be much larger.
17 Instead of 12,000-some trucks and trains bound for
18 Nevada through 44 states and D.C., a significantly
19 greater number bound for New Mexico can be expected if
20 Holtec gets its way. For this reason, NRC must hold
21 public comment meetings in at least as many places as
22 DOE did back in the year 2000 era. Major cities that
23 can expect New Mexico-bound shipments would include
24 such places as Atlanta, Boston, Chicago, Cleveland,
25 Dallas-Fort Worth, Detroit, Houston, Kansas City,

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1 L.A., Miami, the Twin Cities, Nashville, New York and
2 Newark, Omaha, Philly, Pittsburgh, St. Louis, and
3 Tampa.

4 (Simultaneous speaking.)

5 MR. CAMERON: And Kevin, could I -- could
6 I get you to sum up for us, please?

7 MR. KAMPS: Sure. Additionally, as large
8 shipments are conducted on the first leg of these
9 transports, then the cities of Baltimore; Norfolk;
10 Wilmington; New Haven; Jersey City; Milwaukee;
11 Muskegon, Michigan; Vicksburg, Mississippi; Florence,
12 Alabama; Oxnard, California; and Ft. Lauderdale,
13 Florida could also be impacted. So those are a list
14 of cities that deserve to have environmental scoping
15 comment meetings just like the one being held tonight.
16 Thank you.

17 MR. CAMERON: Thank you, Kevin. Fran,
18 could we have our next commenter, please?

19 OPERATOR: Yes. Cody Slama, your line is
20 open.

21 MR. SLAMA: Hello, my name is Cody Slama.
22 I am in Albuquerque, New Mexico. I am a student and
23 I study mostly sustainability. And what I have
24 learned in sustainability is that environmental
25 justice is a really big issue in America, particularly

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1 in 1987 the United Church of Christ came out with a
2 report -- Waste and Toxic Waste in the U.S. which
3 found that many communities -- mostly communities of
4 color -- are being targeted to be the home of the
5 toxic waste in the U.S. And this is being repeated in
6 this exact issue. New Mexico is being targeted. And
7 there is no doubt that New Mexico has a much larger
8 Hispanic population than the rest of the country.
9 Right now, in the U.S., 17 percent of the population
10 is Hispanic -- particularly in Carlsbad, 40 percent of
11 the population is Hispanic. And this is also true for
12 Hobbs and Eddy and Lea County. They have a
13 significantly higher Hispanic population than the rest
14 of the U.S.

15 So, in this environmental impact
16 statement, it needs to include a section on
17 environmental justice. And what that means is it
18 needs to include how people of color are the decision
19 makers in this, as well as how people are going to be
20 compensated if an accident does occur. Because from
21 my understanding, as well as many other people's
22 understanding -- such as Donna Gilmore's -- is that
23 these casks aren't safe to be transported. They're not
24 safe to be stored and they're very dangerous. If a
25 cask ever did explode, it would greatly impact New

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1 Mexicans.

2 And it needs to -- we need to know exactly
3 how many people are going to be impacted.
4 Particularly here in Albuquerque, I want to know if a
5 cask ever did explode -- if the fallout could come all
6 the way here. From my understanding is that if a cask
7 did explode or something, that it could be similar to
8 that of Chernobyl. So what does that mean? That
9 Carlsbad, Hobbs will have to be evacuated? Artesia,
10 Eunice, New Mexico? Which -- which towns are going to
11 be most at risk and -- this is a national issue. So,
12 really, cities all over the country are going to be
13 impacted. So, this environmental impact statement
14 needs to look at each -- each city and how they could
15 be impacted and the people. And exactly how the issue
16 could be fixed if this ever did happen.

17 Another request is that we have a meeting
18 here in Albuquerque because it's not always that easy
19 to travel. And many people here in Albuquerque are
20 very concerned. Actually, not -- not just many, but
21 hundreds to thousands of people are very concerned.
22 And I know that because I have been at a lot of public
23 meetings lately -- a lot of public meetings and
24 events. And I have been asking people whether they
25 consent and what they think about this issue. And a

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1 lot of the people here in Albuquerque do not consent
2 to this. And they do not want this waste coming to
3 our home.

4 And how -- how will the NRC know this --
5 what the people of Albuquerque are thinking of it if
6 you aren't here? So, you need to come to Albuquerque.
7 You need to go to other cities throughout the nation
8 and hear what people are thinking, because this is a
9 two-hour call. It's gone over. And clearly it should
10 go over because a lot of people have comments, right?
11 So you need to go around the -- the nation and give
12 more of these meetings to allow more public input.

13 (Simultaneous speaking.)

14 MR. CAMERON: Okay. Can I ask you to sum
15 up?

16 MR. SLAMA: Transportation because this --
17 the waste isn't ready to be transported. It -- it
18 needs to be transported. We can't even hold the waste
19 on our rail lines here because it's so heavy. And the
20 sharing of information is another really important
21 thing I needed to be considered in this environmental
22 impact statement. How is the NRC going to share with
23 the public the environmental dangers? Because clearly
24 it is not being done now.

25 MR. CAMERON: Okay, I am going to -- I am

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1 going to have to ask you to sum up.

2 MR. SLAMA: Okay, I could sum up. So it
3 isn't being done now. The information isn't being
4 shared -- or, I talk to people all the time here in
5 Albuquerque who have no idea what's going on. I hear
6 it's the same in Carlsbad and Hobbs. So clearly
7 information isn't being shared now. And so it needs
8 to in the future. And in conclusion I would just like
9 to say that we need to protect our air, water and land
10 and people here in New Mexico because we've already
11 gone through so much through the nuclear age. And we
12 already have sites throughout the state that are
13 contaminated. And I know personally that I have been
14 greatly impacted by nuclear weapons and nuclear waste.
15 And to bring more here would be a huge environmental
16 injustice.

17 MR. CAMERON: Okay. Thank you very much.
18 Thank you.

19 OPERATOR: Thank you very much. Our next
20 from Phillip Valdez. And your line is now open.

21 (No audible response.)

22 OPERATOR: Please check your mute button.
23 Phillip Valdez. Now I have to remove that line. If
24 you have a question, press start 1 and unmute your
25 phone. Our next from David Kraft, your line is open.

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1 MR. KRAFT: Thank you. Hello, Chip.

2 MR. CAMERON: Hello. Hello, Phillip.

3 MR. KRAFT: My name is Dave Kraft and I am
4 director --

5 MR. CAMERON: Oh, I have Dave.

6 MR. KRAFT: Nuclear Energy Information
7 Service in Chicago.

8 MR. CAMERON: Okay, Dave -- Dave it just
9 suddenly -- make sure that everybody knows. We
10 thought we were -- or, I thought we were getting
11 someone named Phillip. But we have David Kraft with
12 us. Sorry to interrupt, David. Go ahead.

13 MR. KRAFT: Okay. Nuclear Energy
14 Information Service is a 37-year-old safe energy
15 nuclear watchdog organization based in Chicago. I
16 have two comments. The first is a quick one. I just
17 wanted to emphasize again the comments that were made
18 by Maureen Headington of Illinois, Eileen Shaughnessy
19 of New Mexico and others -- that transportation must
20 be examined thoroughly as part of this environmental
21 impact. We don't have the Starship Enterprise. You
22 don't have the ability to instantly transport this
23 waste from one place to another. There will be
24 hundreds of communities affected by the decision made
25 on this CIS. And they need to have a voice and a part

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1 in this proceeding.

2 Not only that, but the environment doesn't
3 give two craps about anybody's borders or lines of
4 demarcation or property lines. The air and the water
5 goes everywhere on its own accord. Now, my second
6 comment, I want to address the issue of the Nuclear
7 Regulatory Commission's definition of a nuclear safety
8 culture. I was at a proceeding at the Palisades
9 Reactor on September 12th, 2012 where the NRC was
10 dressing down the Entergy Corporation for its lack of
11 a nuclear safety culture. And the NRC put up a view
12 graph with this quote on it -- that a nuclear safety
13 culture are the core values and behaviors resulting
14 from a collective commitment by leaders and
15 individuals to emphasize safety over competing goals
16 to ensure protection of people and the environment,
17 unquote. Then NRC Region director III, Chuck Casto,
18 embellished that remark by saying that a nuclear
19 safety culture means going beyond what's required.

20 Now, I bring this up because there was a
21 question exchanged at the beginning of this session
22 tonight between Don Hancock and one of the NRC staff
23 which dealt with a clarification on whether this
24 process would include site safety or other
25 alternatives that might be safer. And I really came

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1 away with the feeling that the response -- starting to
2 indicate that we're already going down the slippery
3 slope of this being just a perfunctory check box
4 exercise where NRC does that and nothing more. If
5 that's the case, then we have to point out that the
6 NRC does not have a nuclear safety culture that it's
7 operating from.

8 We are going to be participating in this
9 process. And we will certainly be looking at whether
10 the boxes are checked properly by the NRC staff. But
11 over the next two years, we also expect and will be
12 looking for the NRC to go beyond what is required,
13 according to former Region III Director Casto. And we
14 are going to be looking to see whether the results,
15 and I quote, emphasize the safety of the people of New
16 Mexico, West Texas and the hundreds of communities on
17 the shipping route -- or with the competing financial
18 goals of Holtec's and WCS's and other vested interests
19 that are in this to make money. If we don't see that
20 that's a result, and that the NRC doesn't operate from
21 a nuclear safety culture perspective by its own
22 definition in this process, then perhaps we will take
23 -- have to take that to another process, like the NRC
24 budget allocation before Congress. I just want to
25 conclude by paraphrasing Winston Churchill, to let the

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1 NRC know that you are now entering a period of
2 consequences. Thank you.

3 MR. CAMERON: Okay, thank you David. Nice
4 to hear from you. And we are -- as one of our
5 speakers pointed out, we are over the time that we
6 originally scheduled. And we were hoping to go to
7 10:00. The security people here at NRC -- the
8 building -- want us to be out of here by 10:00 and we
9 need time for the court reporter and others to gather
10 up. So I am just saying that we are going to have to
11 quickly go through the remaining commenters that we
12 can get to because we're probably going to have to
13 close up at ten-minutes-to-ten at the latest. So with
14 that, Fran, who do we have next? And did we -- did we
15 somehow miss Phillip Valdez? Or did I just make that
16 up?

17 OPERATOR: You did not miss him. He -- he
18 didn't have a line -- he was muted on his end. And
19 while I asked him to unmute it, that simply didn't
20 happen.

21 MR. CAMERON: Okay, well -

22 OPERATOR: And we have two more comments in
23 queue presently.

24 MR. CAMERON: Oh, good. I mean, not good,
25 but I think that we'll hear from everybody tonight.

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1 Then that's good.

2 OPERATOR: Excellent. So our next from
3 Patricia Borschman. Ma'am, your line is open.

4 MS. BORSCHMAN: Hello, thank you for
5 opportunity to comment. I am a resident in Southern
6 California in San Diego County. So I echo a lot of
7 the concerns that have been shared by stakeholders in
8 reactor communities near San Onofre. At San Onofre,
9 stakeholders have been extra concerned because of the
10 expensive amount of high-burnup fuels that is stored
11 and is going to be transferred from spent fuel pools
12 to these Holtec casks. We're concerned because a lot
13 of the premises that are the basis of assumptions used
14 in the NRC's safety analyses are based on theoretical
15 models -- computer modeling instead of testing.

16 And I think it's -- that concern is
17 exceedingly important because, say for instance, the
18 steam generators at San Onofre, they were originally
19 expected to last, you know, a minimum of, you know,
20 another 40 years. And one generator blew up in 11
21 months after the steam generators were replaced -- at
22 great public expense. And then the second one was
23 malfunctioned and a radiation leak occurred after only
24 18 months. So even though, you know, the best -- you
25 know, you're NRC's best experts and all the outside

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1 industry's best experts, you know, they projected, you
2 know, some feasibility studies and some forecasting
3 models that were, you know, technical and, you know,
4 the best available modeling, you know, that was
5 possible. You know, they forecast a lifetime services
6 life of those steam generators at 40 years. And they
7 -- they shut down. They now function -- they burned
8 out. They were overused. The plant was red-lined and
9 operated at higher, you know -- it -- you know, there
10 was just a lot of technical problems due to design
11 defects by Southern California Edison Engineers.

12 So there's a lot of skepticism for very
13 good reason here in Southern California about the
14 unreliability about these -- technical forecasts that
15 are prepared by nuclear experts. The Holtec casks,
16 you know, have a -- I think a manufacturer's warranty
17 of maybe 20 years. And I think it's very unlikely,
18 based on, you know, performance and service life that
19 we're finding evidence of it -- say, Diablo Canyon and
20 some of the existing reactors where corrosion, stress
21 cracking, is occurring. And that's another comment is
22 in the original safety analyses that NRC prepared
23 regarding high burnup fuel, at the time those studies
24 were done, there was never even an awareness of the
25 existence of this phenomenon of stress corrosion

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1 cracking in core hydrides. So the -- the premise
2 isn't -- you know, uses -- the use of -- and the
3 supposed certainty that these safety analyses that NRC
4 is relying on is questionable at best. So -- and
5 we're also very concerned about high-burnup fuel. And
6 there is no operating experience to be the basis -- to
7 provide a basis based on real life, real time
8 operating experience -- that these are going to be
9 safe. Thank you.

10 MR. CAMERON: Okay, thank you. Thank you,
11 Patricia. And --

12 OPERATOR: Denise Brown -- do you have
13 time for another?

14 MR. CAMERON: Yes, we do.

15 OPERATOR: Thank you, sir. Denise Brown,
16 your line is open.

17 MS. BROWN: Hello, thank you. My name is
18 Denise Brown. I am from -- originally from Gallup,
19 New Mexico and currently living in Albuquerque, New
20 Mexico. And I am a student here. And I am highly
21 concerned with the issues that many of my colleagues
22 have brought up. Due to time, I just want to point
23 out some certain facts. So I want to state that a
24 large majority of the nuclear reactors in the
25 community are outside of the southwest. And so my

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1 concern is with the transportation routes and how they
2 are unknown and how this is highly problematic. The
3 safety precautions and the plans that you guys will --
4 I am hoping will be implementing, I just want to
5 emphasize that that is a major concern and should be
6 prioritized due to the fact that most of the waste
7 will be transported by rail. A lot of the communities
8 in New Mexico have rail transportation routes through
9 their communities. My -- particularly my communities
10 that I just mentioned -- Gallup and Albuquerque. And
11 so with that I am very concerned with the criteria for
12 evaluating environmental issues and environmental
13 justice. I would have you know that a large
14 percentage of New Mexico State is of minority seeing
15 that they Hispanic and Native American. And I would
16 have you know that the sites where CIS is supposed to
17 be proposed in Hobbs and Carlsbad, both are roughly
18 50-percent Hispanic. So this raises questions about
19 environmental injustice. Within those counties of Lea
20 County and Eddy County, the popular impacts that this
21 waste will have to the groundwater and surface water
22 is highly concerning. As you know, Lea County gets
23 its water mostly from precipitation. And if that
24 waste was to leak or -- an accident set in contact
25 with the water, Lea County and Eddy County will be

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1 affected. And will you address water issues in that
2 part of the region? I will have you know that the
3 groundwater that New Mexico primarily gets its supply
4 from is from the Ogallala aquifer, and those -- that
5 is also -- bodies of water that Lea County also gets
6 their water supply from. I would also like to point
7 out that the specific body of water that will be
8 nearest to this site is the Laguna Plata, and I would
9 want to know how the effects will happen in terms of
10 the ecology and geology -- especially impacting the
11 biodiversity within that space. And so I just want to
12 state that due to all these issues I do not want this
13 waste here, and I hope you take these into
14 consideration. Thank you very much.

15 MR. CAMERON: Okay, thank you. Thank you
16 very much. And Fran, is that our last commenter?

17 OPERATOR: Actually, no. Two more did get
18 in queue.

19 MR. CAMERON: Okay, we are going to have
20 to go through them quickly. But let's go.

21 OPERATOR: Michael Keegan, your line is
22 open.

23 MR. KEEGAN: Thank you. Hello, Mr.
24 Cameron. I would like to point out that what's being
25 contemplated here amounts to crimes against humanity

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1 and that the Nuremberg principles absolutely apply
2 here. As you know, I've reviewed documents for
3 decades. When I go to the dockets for the HI-STORM
4 UMAX, the first docket posted is one -- and now saying
5 that there's a closed meeting between NRC and Holtec.
6 The lack of transparency continues throughout. The
7 documents are heavily redacted. Twenty-five percent
8 of the ER is redacted. It's an incomplete docket.

9 There are documents that I am finding that
10 should be in the docket which are not. Yesterday
11 there was a closed meeting on Amendment No. 3
12 pertaining to the thermal load between a system of 17
13 versus a system of 24 -- closed to the public. There
14 was earlier discussion about well, should we -- should
15 we invite the public? No, we shouldn't invite the
16 public at this time. There is no transparency.

17 I come from a community -- I am with Don't
18 Waste Michigan, and I am co-chair of a coalition
19 that's state-wide. I am particularly concerned about
20 the transfer and transport portion of this project-
21 proposed project. I do not consent to the transport
22 and transfer of waste out of Michigan concerning the
23 systems that are in place. There is a call in the
24 2002 DOE document, and I believe in 2008 again, of 453
25 barge shipments on the Great Lakes of high-level

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1 nuclear waste. There are damaged casks at Palisades.
2 There are damaged casks at Davis-Besse. There are 80,
3 90 corridors at one very near to my home.

4 Dr. Frank von Hippel and Dr. Ed Lyman did
5 a study of what would be the consequences of a spent
6 fuel pool fire. They found that it would be \$2
7 trillion damage at Peach Bottom. Now, a cask on fire
8 runs a near corollary to what has been described as a
9 spent-fuel-pool fire. I see numbers of 173 megatons
10 -- no, I am sorry, metric tons of waste that are
11 earmarked for it. I see references to minimum of 300
12 years that this thing should be -- that the CIS should
13 be able to hold up. What I see is layer upon layer at
14 Holtec. The transfer casks -- the transportation
15 casks are all pending approval.

16 The certificate compliance is not a done
17 deal. There are unresolved -- there are requests for
18 additional information still pending, amendments
19 pending. There's never been destructive testing of
20 this cask. It's all computer modeling. So what you
21 have is a company, Holtec, with layer upon layer of
22 pieces that nothing is approved, yet we are to think
23 -- we are at the end of the project and we need to
24 proceed. I do not consent to this. I have concerns
25 about Amendment 3 on the Docket 1040 and I intend to

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1 challenge these amendments. So this is not a done
2 deal. And again, I remind the NRC that what is being
3 contemplated here amounts to crimes against humanity.
4 And the Nuremberg principles certainly do apply to all
5 the staffers up and down, particularly with the lack
6 of transparency, the lack of democratic process, and
7 the redacted documents. So those are my comments. I
8 do not consent. Do not do it. This is a bad idea.

9 MR. CAMERON: Okay, thank you, Michael.
10 And Fran, our last comment?

11 OPERATOR: The last from Susan Schuurman.
12 Ma'am, your line is open.

13 MS. SCHUURMAN: Thank you so much. Part
14 of the NRC's mandate, if I may remind commissioners,
15 is to quote, address concerns raised by parties. I
16 would argue that there is no way that commissioners
17 can in good conscience approve Holtec International's
18 application because it will be impossible for the NRC
19 to fully and adequately address the literally dozens
20 of concerns that have been raised in just this call
21 alone.

22 If commissioners don't address each and
23 every concern, they will be violating their own
24 mandate, which would be a serious breach of the reason
25 the NRC was created in the first place. I am here

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1 with the NISG, the Nuclear Issues Study Group, we
2 don't want this deadly waste. It should stay in its
3 place.

4 PARTICIPANTS: We don't want this deadly
5 waste, it should stay in its place.

6 MR. CAMERON: Susan, are you still with
7 us?

8 MS. SCHUURMAN: Thank you so much.

9 MR. CAMERON: Okay, thank you. Thank you
10 very much. And Fran, thank you for your -- your
11 assistance tonight. It was very, very helpful.
12 Indispensable.

13 OPERATOR: You're welcome. And thank you
14 very much.

15 MR. CAMERON: And thank all the
16 commenters. Thank you for sharing all that
17 information. We are going to go to the senior NRC
18 official here tonight, Brian Smith, to close out the
19 meeting for us. Brian?

20 MR. B. SMITH: All right, thank you, Chip.
21 Like Chip said, I'd like to thank everyone for
22 attending the meeting tonight. We value all your
23 comments and will consider them as we prepare our
24 draft DIS. Once the draft DIS has been published, I
25 would encourage you all to review the documents and

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1 provide us any comments you may have. Thank you
2 again, and have a good evening.

3 MR. CAMERON: Okay, we are adjourned. And
4 thank you everybody in the room also for being here
5 and commenting.

6 (Whereupon, the above-entitled matter went
7 off the record at 9:49 p.m.)

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