

Holtec-CISFEISCEM Resource

From: Kevin Kamps <kevin@beyondnuclear.org>
Sent: Thursday, May 31, 2018 8:14 PM
To: Holtec-CISFEIS Resource
Subject: [External_Sender] Fwd: Mr. Cuadrado and Ms. Caverly, please post these two sets of public comments at the www.regulations.gov, Docket ID NRC-2018-0052, as well as elsewhere on the official public comment record for Docket ID NRC-2018-0052
Attachments: 4 25 18 PDF NRC HQ mtg.pdf; 4 30 18 Roswell comments.pdf

----- Forwarded message -----

From: **Kevin Kamps** <kevin@beyondnuclear.org>
Date: Thu, May 31, 2018 at 8:11 PM
Subject: Mr. Cuadrado and Ms. Caverly, please post these two sets of public comments at the www.regulations.gov, Docket ID NRC-2018-0052, as well as elsewhere on the official public comment record for Docket ID NRC-2018-0052
To: "Caverly, Jill" <jill.caverly@nrc.gov>, Jose.cuadrado-caraballo@nrc.gov, jose.cuadrado-caravallo@nrc.gov, jose.cuadrado@nrc.gov
Cc: Jessie.Quintero@nrc.gov

Dear Mr. Cuadrado and Ms. Caverly,

Please post the attached two sets of public comments, as official public comments at the www.regulations.gov Docket ID NRC-2018-0052, as well as everywhere else on the official public comment record for this proceeding.

As you'll see attached below, these public comments include:

1. Public comments that **Beyond Nuclear presented verbally at NRC's HQ meeting** on Wed., April 25th in Rockville, MD. They are entitled "**When It Comes to Highly Radioactive Waste Transportation Risks, We All Live in New Mexico!**" They call for NRC public comment meetings to be held in dozens of states across the U.S. that will be significantly impacted by many thousands of "Mobile Chernobyl" train, truck, and/or barge shipments on rails, roads, and/or waterways, under this scheme. These comments run to four pages in length. See the PDF format version, attached.

2. PUBLIC COMMENTS PREPARED AND SUBMITTED BY KEVIN KAMPS, RADIOACTIVE WASTE SPECIALIST, BEYOND NUCLEAR, IN OPPOSITION TO THE HOLTEC INTERNATIONAL/EDDY-LEA ENERGY ALLIANCE APPLICATION TO CONSTRUCT AND OPERATE A CENTRALIZED INTERIM STORAGE FACILITY FOR 173,600 METRIC TONS OF HIGHLY RADIOACTIVE IRRADIATED NUCLEAR FUEL IN SOUTHEAST NEW MEXICO: Much of the following was delivered verbally at the public comment microphone, albeit in segments due to short 4 to 5 minute time limits, at the NRC environmental scoping meetings held in Roswell (Mon., April 30, 2018), Hobbs (Tues., May 1), and Carlsbad (Thurs., May 3), New Mexico. See the PDF format version, attached.

The reason I am asking you to do this is because your www.regulations.gov site, re: "Docket ID NRC-2018-0052," has not worked for me since around 2:20pm Eastern time on May 18, 2018. I have tried to submit these additional sets of comments nearly a dozen times since, but the system has given back the following error message every single time:

An unexpected error has occurred, please try your operation again. If you are still having problems, please contact us.

[Per my May 22nd email to you:

Dear Ms. Caverly and Mr. Cuadrado,

I would like to call to your attention a problem with www.regulations.gov, re: Docket ID NRC-2018-0052. I have tried for the past four days, since May 18, 2018, to submit comments online via this website. Every single time over the past several days, including about a half-hour ago, when I hit the submit button to submit my comments, I got the following error message back:

An unexpected error has occurred, please try your operation again. If you are still having problems, please contact us.

I have not had the time, due to other responsibilities, to contact www.regulations.gov. I was hoping that you could see to alerting the folks at www.regulations.gov of the need to fix this problem as soon as possible.

I would humbly request that NRC add as many days onto the July 30, 2018 deadline, to compensate the public for the inaccessibility of the www.regulations.gov site re: Docket ID NRC-2018-0052.

Thank you for addressing this problem as soon as possible. It is most unfortunate that at such a critical time -- the currently final scheduled NRC meetings for environmental scoping public comment -- that one of the major ways for the public to submit comments (via www.regulations.gov) is not even working.

As Susan Schuurman of the Albuquerque Center for Peace and Justice commented at the Carlsbad, NM NRC public meeting, how is the public supposed to be able to trust NRC to ensure highly radioactive waste is contained, safeguarded and secured indefinitely into the future, when the agency cannot even ensure the air conditioning is working properly in the meeting room?!

I would make the same point regarding the current, prolonged inaccessibility of the www.regulations.gov site, re: Docket ID NRC-2018-0052.

Given this inaccessibility presently, please forward this email as official public comment for the record re: Docket ID NRC-2018-0052, however that can happen.]

Thank you for posting these two sets of public comments not only at the www.regulations.gov Docket ID NRC-2018-0052 site, but also everywhere else on the official public comment record for this proceeding.

Please acknowledge receipt of this email. And please provide a receipt that my comments have been posted at the www.regulations.gov Docket ID NRC-2018-0052 site, and also everywhere else on the official public comment record for this proceeding.

Sincerely,

Kevin Kamps, Radioactive Waste Specialist, Beyond Nuclear

--

Kevin Kamps
Radioactive Waste Specialist
Beyond Nuclear
6930 Carroll Avenue, Suite 400
Takoma Park, Maryland 20912

Cell: (240) 462-3216

Fax: (301) 270-4000

kevin@beyondnuclear.org

www.beyondnuclear.org

Beyond Nuclear aims to educate and activate the public about the connections between nuclear power and nuclear weapons and the need to abolish both to safeguard our future. Beyond Nuclear advocates for an energy future that is sustainable, benign and democratic.

Federal Register Notice: 83FR13802
Comment Number: 92

Mail Envelope Properties (CAFNCop66Te2Dv+4zdJi+MQcYvoCze9C3Sbex0agPE1smWOhf-w)

Subject: [External_Sender] Fwd: Mr. Cuadrado and Ms. Caverly, please post these two sets of public comments at the www.regulations.gov, Docket ID NRC-2018-0052, as well as elsewhere on the official public comment record for Docket ID NRC-2018-0052

Sent Date: 5/31/2018 8:13:58 PM

Received Date: 5/31/2018 8:14:03 PM

From: Kevin Kamps

Created By: kevin@beyondnuclear.org

Recipients:

Post Office: mail.gmail.com

Files	Size	Date & Time
MESSAGE	6201	5/31/2018 8:14:03 PM
4 25 18 PDF NRC HQ mtg.pdf		61033
4 30 18 Roswell comments.pdf		68496

Options

Priority: Standard

Return Notification: No

Reply Requested: No

Sensitivity: Normal

Expiration Date:

Recipients Received:

Kevin Kamps
Radioactive Waste Specialist
Beyond Nuclear

Public comments to NRC
Meeting on Holtec/ELEA CISF environmental scoping
NRC HQ
Rockville, MD

April 25, 2018

**When it comes to highly radioactive waste transportation,
we all live in New Mexico!**

Regarding the U.S. Nuclear Regulatory Commission's (NRC) evaluation of the environmental impacts of building and operating a Centralized or Consolidated Interim Storage Facility (CISF) at the proposed site in Southeast New Mexico, may I point out that very high-risk shipping of the irradiated nuclear fuel out there in the first place is an unavoidable aspect, with LARGE impact, that is part and parcel of this Holtec/ELEA scheme.

The routes, modes, and shipment numbers should be clearly mapped, spelled out, and provided, as shown and done in the U.S. Department of Energy's (DOE) Yucca Mountain, Nevada Final Environmental Impact Statement (FEIS) in Feb. 2002, and its supplements, as in 2008.

Of course, if the CISF is in truth interim or temporary, then the transport risks will be doubled at the very least, as the irradiated nuclear fuel is shipped a second time, from S.E. NM, to the final so-called deep geologic repository – which is yet to be named or located. (Yucca Mountain, Nevada is certainly not scientifically suitable, nor so from an environmental justice perspective, nor from a legal one – given the Western Shoshone Indian Nation's 1863 "peace and friendship" Treaty of Ruby Valley with the U.S. government. Besides, the Western Shoshone, as well as the State of NV, do not consent.)

In fact, the highly radioactive wastes could be shipped right back in the same direction from which they came in the first place. This would double those transport risks for the very same communities through which the shipments had already passed en route to NM.

Thus, we demand public comment meetings in places besides Rockville, Maryland, and S.E. NM, where Holtec/ELEA CISF-bound trucks, trains, and/or barges would travel through, and put countless millions of Americans at risk.

The risks include large-scale releases of hazardous radioactivity, as due to severe transport accidents or intentional attacks. Such transport risks are the reason why

critics have long referred to these shipments as potential “Mobile Chernobyls.” Please note that tomorrow, April 26th, 2018, is the 32nd annual commemoration of the beginning of the still ongoing Chernobyl nuclear catastrophe, epi-centered in Ukraine, on the border with Belarus.

But these risks also include “Mobile X-ray Machine That Can’t Be Turned Off” impacts on human health, from hazardous gamma- and neutron-radiation emissions, even during incident-free, routine shipments. Such risks will be greatly exacerbated by externally contaminated casks – scores of such incidents have already occurred in the U.S.; many hundreds of such externally contaminated shipments have occurred in France.

As a resident of Mount Rainier, MD, with an office in Takoma Park, MD, I myself, and my neighbors, face these risks. The CSX railway, that passes through these towns -- including directly through the Takoma Metro Station on the CSX freight train tracks, immediately adjacent to the station platform on the Red Line -- would carry irradiated nuclear fuel bound for this proposed CISF in NM.

During its DEIS (Draft Environmental Impact Statement) public comment proceeding on the Yucca Mountain, NV permanent burial dump proposal back in the year 2000-era, DOE originally had scheduled a dozen public comment meetings across the country – not just in Washington D.C. and Nevada, but in ten additional states that would be impacted by very large numbers of “Mobile Chernobyls” bound for Yucca.

But environmental groups in many additional states, such as Illinois as one example, demanded their own public comment meetings. Under such intense public pressure, as by the environmental watchdog group Nuclear Energy Information Service, DOE scheduled another dozen meetings across the country, including one in Chicago, thus doubling the original count.

NRC even held a Nuclear Waste “Con Game” (Nuclear Waste Confidence Generic EIS and Rule, later renamed Continued Storage of Spent Nuclear Fuel) public comment meeting in Chicago in 2013 – so why not a Holtec/ELEA CISF one now?

DOE even held a “Consent-Based Siting” public comment meeting in Chicago in 2016 – so why not a Holtec/ELEA CISF one now?

Why is it that NRC has scheduled only four meetings, when DOE scheduled six times as many during the Yucca proceeding? Why has NRC scheduled meetings in only two states, when DOE scheduled meetings in nearly two-dozen states?

Even DOE’s two-dozen meetings were not adequate. After all, Yucca-bound shipments of highly radioactive waste are projected to travel through 44 states plus the District of Columbia. Few states in the Lower 48 would be spared the very high risks of such truck, train, and/or barge shipments bound for Nevada.

But the Holtec/ELEA proposal is significantly larger than even the Yucca scheme. Yucca was and is limited by law to a grand total of 70,000 metric tons of highly radioactive waste. Only 63,000 metric tons of that figure (90% of the overall limit) could be commercial irradiated nuclear fuel. (The other 10% would be DOE irradiated nuclear fuel and high-level radioactive waste, as from research and overseas reactors, and vitrified military reprocessing wastes.)

But Holtec/ELEA has proposed 100,000+ metric tons of commercial irradiated nuclear fuel. Holtec/ELEA used to cite the figure of 120,000 metric tons. But in fact, if you multiply the first phase of 8,680 metric tons of uranium -- as described in NRC's March 30, 2018 Federal Register Notice -- by 20 phases, over 20 years, as Holtec proposes, that would mean not 100,000, nor 120,000, but rather 173,000 metric tons of commercial irradiated nuclear fuel!

Clearly, Holtec/ELEA's CISF plans are much bigger than even the amount of highly radioactive waste targeted at Nevada for permanent burial. Thus, the shipping impacts would also be significantly larger. Instead of 12,145 trucks and trains bound for Nevada through 44 states plus Washington, D.C., a significantly greater number bound for NM can be expected, if Holtec/ELEA gets its way.

For this reason, NRC must hold public comment meetings in at least as many states as DOE did for its Yucca scheme. Major cities that can expect NM-bound road and/or rail shipments would include: Atlanta; Boston; Chicago; Cleveland; Dallas/Forth Worth; Detroit; Houston; Kansas City; Los Angeles; Miami; Minneapolis/Saint Paul; Nashville; New York/Newark; Omaha; Philadelphia; Pittsburgh; Saint Louis; and Tampa.

Why isn't NRC holding meetings in these cities, given such transport risk impacts?

Why isn't NRC holding meetings in the following additional port cities, given the potential for first leg barge shipments that could be required, prior to cask transfer onto rail, for export to NM: Baltimore, MD; Norfolk, VA; Wilmington, DE; New Haven, CT; Jersey City, NJ; Milwaukee, WI; Muskegon, MI; Vicksburg, MS; Florence, AL; Oxnard, CA; and Fort Lauderdale, FL.

And last but not least, why isn't NRC holding meetings in communities where heavy haul truck first leg shipments could be required, prior to transfer of casks onto trains? As but one such example, a location in northern MI, near the Big Rock Point reactor, or the Gaylord railhead, is in order.

In addition to all this, what about the potential for LWT (Legal Weight Truck) shipments of irradiated nuclear fuel to Holtec/ELEA's CISF in S.E. NM? After all, Holtec/ELEA brags in its license application documents such as the ER (Environmental Report) that it could accommodate any and all NRC-certified casks for shipping and/or storing irradiated nuclear fuel. This would include shipping

casks for LWT transport, which can contain only 4 Pressurized Water Reactor (PWR) irradiated nuclear fuel assemblies, as compared to 24 or even 37 PWR assemblies in rail-sized casks on trains, barges, or heavy haul trucks. If LWT shipments are in fact to be a part of the Holtec/ELEA CISF transport scheme, then communities along interstate highways in most states in the Lower 48 should also be extended public comment meetings, like the one you are holding this evening, and the three you have scheduled for S.E. NM at the end of April and beginning of May.

Thank you.

PUBLIC COMMENTS PREPARED AND SUBMITTED BY KEVIN KAMPS, RADIOACTIVE WASTE SPECIALIST, BEYOND NUCLEAR, IN OPPOSITION TO THE HOLTEC INTERNATIONAL/EDDY-LEA ENERGY ALLIANCE APPLICATION TO CONSTRUCT AND OPERATE A CENTRALIZED INTERIM STORAGE FACILITY FOR 173,600 METRIC TONS OF HIGHLY RADIOACTIVE IRRADIATED NUCLEAR FUEL IN SOUTHEAST NEW MEXICO:

Much of the following was delivered verbally at the public comment microphone, albeit in segments due to short 4 to 5 minute time limits, at the NRC environmental scoping meetings held in Roswell (Mon., April 30, 2018), Hobbs (Tues., May 1), and Carlsbad (Thurs., May 3), New Mexico:

On our Beyond Nuclear info. table in back, as well as posted online, I have a number of sets of comments available. You are welcome to use them in any way you see fit to help you prepare your own, for either verbal or written comment submissions to the U.S. Nuclear Regulatory Commission (NRC). Instructions are provided on both the hardcopies, as well as the online posts at www.beyondnuclear.org, in the Centralized Storage website section, as to how to submit your comments to NRC – either online at regulations.gov, or by snail mail, by the May 29th deadline.

The sets of comments I've already prepared, and will be submitting to NRC on behalf of our members and supporters in New Mexico, and across the U.S., include the following.

The first set of comments is on the risks of transporting highly radioactive irradiated nuclear fuel, whether by train, truck, or barge, on rails, roads, or waterways. Risks include the release of disastrous amounts of hazardous radioactivity, whether due to severe accidents, or intentional attacks. Severe accidents could include high-speed crashes into immovable objects, like bridge abutments; high-temperature, long-duration fires; long-duration, underwater submersions; etc. Intentional attacks, as by anti-tanks missiles or shaped charges, could also breach shipping containers, and release their contents into the environment. For these reasons, critics have long called such shipments potential "Mobile Chernobyls," "Dirty Bombs on Wheels," and "Floating Fukushimas." As Holtec/ELEA has claimed in its license application that any and all NRC-certified canisters can be accommodated, not only rail-sized shipping containers must be worried about, but so too Legal Weight Truck casks, which would travel on interstate highways. Thus, whether by truck, train, or barge, on roads, rails, or waterways, the "Mobile Chernobyl" risks of Holtec/ELEA's scheme must be addressed.

A second set of comments addresses another aspect of shipping risks: the risks of so-called "routine," or "incident-free," shipments nonetheless being like "mobile X-ray machines that can't be turned off," a phrase coined by Loren Olson more than 20 years ago. This is due to the gamma- and neutron-radiation being emitted from the highly radioactive irradiated nuclear fuel. To shield it all would require radiation

shielding so thick that containers would be extraordinarily expensive to construct, but also so heavy as to be difficult or impossible to move. So NRC has allowed a certain amount of gamma- and neutron-radiation to be emitted. Granted, this radioactivity dissipates quickly with distance. But at six feet away from the container's exterior surface, a dose rate of 10 milli-Rem per hour is allowed by NRC. That's about one to two chest X-rays worth, per hour. At the exterior surface of the container, the allowable dose rate increases dramatically, to 200 milli-Rem per hour – 20 to 40 chest X-rays worth. Workers, such as truck drivers, locomotive engineers, inspectors, security guards, etc., who come in very close physical proximity to the shipping container, would be exposed to the highest radiation dose rates. But even innocent passers by, and bystanders, in the general public would also be exposed. This includes those who live close to transport routes, exposed to large numbers of shipments going by over time. Some people, such as pregnant women, should not be exposed to any radiation dose that can be avoided, due to the high risk of harm caused to the fetus in the womb. Of course, shipments externally contaminated with radioactivity would emit even worse radiation dose rates. The State of Nevada Agency for Nuclear Projects, based on federal government data, has documented 49 incidents of accidental surface contamination on highly radioactive irradiated nuclear fuel shipments, between the years of 1949 and 1996. In France, Areva Corporation (recently renamed Orano) had many hundreds of externally contaminated shipments – a full one-quarter to one-third of all shipments bound for the La Hague reprocessing facility. On average, they emitted 500 times the allowable radiation dose rates; one emitted 3,300 times the allowable dose rate. "Allowable" does not mean safe. Any exposure to ionizing radioactivity carries a health risk, and these risks accumulate over a lifetime.

As Holtec/ELEA would be so much bigger than the Yucca dump in Nevada – 173,000 metric tons, versus 70,000 metric tons – the transport risks and impacts would be significantly larger as well. Holtec/ELEA has stated that 100,000 metric tons would mean 10,000 cask shipments. Thus, 173,000 metric tons would mean 17,000 cask shipments. Compare that to the 12,145 cask shipments predicted for the Yucca dump. In terms of radioactive Russian roulette rolls of the dice on the roads, rails, and waterways, Holtec/ELEA's facility would be significantly more risky than even the highly controversial, high-risk Yucca dump scheme.

A third set of comments is about the risk of so-called centralized or consolidated "interim" storage facilities becoming de facto permanent, surface storage, "parking lot dumps." Holtec/ELEA have applied for a permit to NRC to store irradiated nuclear fuel in southeast New Mexico for 40 years. But this time period could be extended to 120 years, they admit. But in a contractor report prepared by Holtec for the U.S. Department of Energy some years ago, Holtec urged DOE to acknowledge a service life for "interim" storage to last 300 years. How even 40 years can be called "temporary" is beyond me, let alone 300 – longer than the United States has been a country. The first federal government commissioned report on the disposal of highly radioactive irradiated nuclear fuel was published in 1957, the same year as the first so-called civilian atomic reactor began operations in the U.S., at Shippingport, PA.

But in 61 years since, a geologic repository has not opened in this country. DOE said five years ago that one could not now be opened till 2048 at the earliest, 30 years from now. Even that date is likely very optimistic. As geologic disposal is so elusive, any claims of “interim” or “temporary” storage must be met with deep skepticism. And once 173,000+ metric tons of highly radioactive irradiated nuclear fuel are “parked” in southeast New Mexico, there is a good chance it will never leave again. For one thing, it would be one member of the U.S. House of Representatives versus 434 others, who would likely say, it’s fine where it’s at; likewise in the U.S. Senate, by a vote of 98 to 2.

A fourth set of comments follows, regarding the risks of loss of institutional control if *de facto* permanent surface storage “parking lot dumps” are abandoned, containers fail, and release catastrophic amounts of hazardous radioactivity into the environment. Institutional control is guaranteed to take place over a long enough period of time. No society can last forever. In fact, the very oldest human institutions are at most a few to several thousand years old, such as Roman Catholicism, Tibetan Buddhism, and Judaism, to name a few examples. But highly radioactive irradiated nuclear fuel is hazardous for a million years. Deadly forevermore, in other words. The U.S. Environmental Protection Agency (EPA) was forced to acknowledge that by court order a decade ago. EPA had wanted to cut off regulations at Yucca Mountain, Nevada, the proposed national burial dump, after just 10,000 years. But a coalition of environmental groups, including NIRS and Public Citizen, as well as the State of Nevada, challenged EPA in court. Even a million years of hazard is a huge underestimate. Artificial Iodine-129, a reactor product, is present in irradiated nuclear fuel. I-129 has a 15.7 million year half-life, and 157 million years, or more, of hazardous persistence. DOE, in its Feb. 2002 Yucca Mountain Final Environmental Impact Statement, warned that irradiated nuclear fuel, abandoned at reactor sites with loss of institutional control, would eventually leak catastrophic amounts of radioactivity into the environment over time, as dry casks containing it failed, as due to corrosion, exposure to the elements, etc. But the same of course would be true at an abandoned centralized or consolidated interim storage facility, such as Holtec/ELEA want to open in southeast New Mexico. Up to 173,000 metric tons of highly radioactive waste leaking into the environment from shallowly sub-grade storage here, over time, would truly be catastrophic. The forever deadly radioactive wastes would blow with the wind, and flow with the water, harming people and other living things downwind, downstream, up the food chain, and down the generations, forevermore. “Forevermore” happens to be the title of a 1986 book by Barlett and Steele, subtitled “Nuclear Waste in America.” The book contains a compelling chapter about the Waste Isolation Pilot Plant (WIPP), located so close to the targeted Holtec/ELEA site. WIPP made claims about “start clean, stay clean,” and the impossibility of leaks over 10,000 years, or even 200,000 years – but it leaked after only 15 years. Holtec/ELEA have made similar claims about centralized interim storage. Fool me once, shame on you; fool me twice, shame on me.

A fifth set of comments asks, “Why Are All These High Risks Being Taken in the First Place?!” The answer is, to expedite the transfer of title, and liability, for the highly

radioactive irradiated nuclear fuel, from the utilities that generated it, to DOE – which means federal taxpayers – ASAP. That’s not a very good or wise reason to ship 173,000 metric tons of irradiated nuclear fuel to southeast New Mexico for “temporary” storage. DOE – that is, federal taxpayers – are already on the hook for permanent disposal of these wastes, an unprecedented subsidy in any industry, which will inevitably cost federal taxpayers many tens of billions of dollars, if not more. But interim storage is supposed to be the utilities’ responsibility. This open secret – that Holtec/ELEA are looking to DOE to shoulder all liability if something goes wrong, and to pay all costs, at taxpayer expense – actually makes this NRC licensing proceeding inappropriate, illegal. Private, away from reactor, centralized storage would be legal, but the utilities would have to retain liability – it could only be transferred to DOE at a permanent repository, under current law. That’s why lobbyists from Holtec/ELEA, as well as Waste Control Specialists, Texas, and other nuclear power industry lobbyists, are trying to get the law changed, to allow such title and liability transfer to be accelerated by decades, further burdening federal taxpayers with interim storage too, in addition to permanent disposal costs.

A final set of current comments is entitled "We Do NOT Consent!" Due to all the risks already mentioned, and many more, that about sums it up -- we do NOT consent!

Thank you for taking my comments into consideration.