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SUNSI Review Complete

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COMMENT (188)

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Subject: Scoping Comments on the EIS for a Proposed Consolidated Interim Storage Facility for Spent Nuclear Fuel in Lea County, New Mexico  
Docket I.D. NRC-2018-0052

To Whom It Concerns:

I would like to thank the Nuclear Regulatory Commission (NRC) for altering their public scoping process to include additional scoping meetings in Gallup and Albuquerque, New Mexico, for the subject environmental impact statement (EIS). As you saw from the high attendance at these meetings, this project has the attention of the broader public in New Mexico and is of state-wide concern, not just regional concern.

I found the exhibits provided at the Albuquerque meeting to be informative, and the NRC staff present at each poster did a good job of answering my questions, very patiently in some instances. Based on the information provided during the "open house" portion of the meeting, as well as the questions and concerns expressed by the public, I offer the following comments regarding the environmental review process:

### **In General**

- 1) Because of the extensive concerns displayed through public scoping, and knowing that many people reading the EIS would not be able to research previous analyses located in other documents, do not rely on "incorporation by reference". Provide the information and data in this document, or at the very least, include it in appendices.
- 2) There are no peripheral issues; there are no insignificant issues.
- 3) Please keep in mind that most of the readers of this document will be people who do not have much knowledge regarding the subject matter (i.e., nuclear fuel and storage) nor have experience reading National Environmental Policy Act (NEPA) documentation. You will need to be thorough in your explanations, fully answering the questions of who, what, where, when, and how. Remember that other than the Decision Maker, your audience is the public. They really are the purpose for which the document is intended. Err on the side of wordiness, otherwise you will be besieged with public hearing comments that you didn't prepare a document for the public, and that you are obviously trying to hide something.

### **Proposed Action and Alternatives**

4) There need to be alternatives analyzed. Because the public is concerned with the amount of spent nuclear fuel being stored and the duration of that storage, applicable alternatives that would be reasonable and feasible should be developed that alter the possible total number of canisters, total amount of waste, and the possible maximum storage duration.

5) Be very clear when describing what is being considered under the Proposed Action and each alternative, in particular the number of canisters and storage duration for the initial license, and what is possible for expansion (amount and duration) in the future. Emphasize the limits that Holtec will be held to, and how they will be held to them.

6) Be very clear when describing the "chain of custody" for the waste: who "owns" it and who is responsible for it at each stage starting with when it is being placed into the canisters at the generation plant, through transportation, to placement and storage at the proposed facility.

7) The Proposed Action and alternatives need to address all stages of the Proposed Action and alternatives, including when the waste finally is removed to be placed in a permanent repository. This means the analysis for each resource area should include packaging at the generation plant, transportation from the generation plant to the proposed facility, construction of the proposed facility, operation of the proposed facility, and finally, reclamation of the proposed facility.

8) Don't forget to have a thorough analysis of the No Action alternative. A couple of sentences is not going to be enough for this document.

### **Resources to be Analyzed**

9) The transportation of the spent nuclear fuel is a major concern for the public. The transportation of the spent nuclear fuel is a major part of the Proposed Action and alternatives, and to avoid segmentation, needs to be analyzed from the point of origin to the proposed facility. At the very least, the analysis should be on par with that conducted for the proposed Yucca Mountain repository.

10) In the Southwest, water is usually the most contentious resource analyzed, and it is one of the most important for this proposed project. Be sure your analysis is thorough and built upon good data. There are many studies of water throughout the state that can act as

examples for the NRC to follow. Don't skimp on this. There are plenty of experts in federal and state agencies in New Mexico who can lead you to the good data. I would also suggest forming a water working group comprised of other federal and state agency experts who would be willing to help you in addressing this resource area. Let the public know you are forming the water group – in addition to assisting the NRC in developing a good analysis, it would likely have the added benefit of reducing the number of comments received from those agencies and from the public.

11) Socioeconomics is one of the hot-button issues for this project. Like water, be sure you have good data on which to build your analysis. I suggest getting an independent, stand-alone study prepared, perhaps by the University of New Mexico's Bureau of Business and Economic Research (BBER). The analysis needs to be beyond the usual "construction will have this many jobs and operation this many jobs" level seen in many EISs. Using data generated by Holtec's staff or consultants will not hold up to scrutiny. A focus of this analysis needs to be the impact on existing New Mexico industries, in particular, tourism and dairy.

12) Accidents is of particular concern for this proposed project. The accidents analysis needs to be thorough, address all stages of the project (see comment #7 above), and be based on real-world scenarios.

13) I recommend adding an analysis of the impact on community resources, perhaps in the socioeconomics discussion. This would, of course, need to address the resources impacted at the local, county, and state levels. We are a poor state – having this facility will strain these resources, and your analysis needs to address this.

### **Mitigation**

14) Be sure to have a thorough discussion of mitigation measures and how the NRC will ensure they are implemented appropriately by Holtec. Be very clear on how these measures will reduce or avoid the impacts.

### **Cumulative Effects**

15) Because Holtec has disclosed its intention to apply for up to 20 phases at this facility, the Cumulative Effects analysis needs to be very thorough, not the usual paragraph for each resource area that is seen for most EISs. In this document and for this application, the future expansion of the facility is very important aspect (one could argue that it should be part of the Proposed Action to avoid segmentation), and thus the analysis of cumulative

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effects is as important as the analysis of the impacts of the Proposed Action. Be very specific in your description of exactly what your cumulative effects analysis is addressing and be very thorough in that analysis.

**Review of Draft EIS**

16) The public review period for the Draft EIS should be a minimum of 60 days.

17) Public hearings, at a minimum, should be held at the same locations. You may want to consider expanding some of those meetings to two consecutive nights, or having them on a weekend day, so that there is enough time for more people to have their comments heard.

Thank you for the opportunity to provide these comments on the scope of the EIS.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathleen J. Roxlau".

Kathy Roxlau  
408 Bryn Mawr Drive SE  
Albuquerque, New Mexico 87106