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Holtec International HI-STORE Consolidated Interim Storage Facility Project

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Holtec International HI-STORE Consolidated Interim Storage Facility Project

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General Comment

Current law requires a final disposal repository to be constructed and operating (not just licensed by NRC), before DOE can take title and liability for commercial highly radioactive irradiated nuclear fuel wastes, and start paying for such costs as transportation to that permanent dumpsite.

DOE cannot pay federal taxpayer dollars for privately-owned and operated CISFs, absent an operating permanent geological repository including both Holtec/ELEAs scheme in NM, and WCSs scheme, 38 miles away in TX. This is not legal under the Nuclear Waste Policy Act, as Amended, a.k.a. current law.

WCS is seeking an end run around this legal constraint. And so too is Holtec/ELEA, although they may be too savvy to come right out and say it in their license application documents.

This is very risky for U.S. federal taxpayers, and/or nuclear electricity ratepayers. The linkage between an operating final disposal repository, and a centralized interim storage facility (CISF), in the Nuclear Waste Policy Act, as Amended, is to guard against centralized interim storage from becoming a de facto permanent, surface storage, parking lot dump, the costs, liabilities and risks of which, the U.S. federal taxpayer, and/or nuclear electricity ratepayers, may get stuck with, indefinitely, or forevermore.

This end run around the precautionary linkage between an operating repository, and one or more centralized interim storage facilities, that WCS seeks, and very likely Holtec/ELEA also seeks, would be a huge boon to the nuclear power industry. It would expedite the transfer of all costs, risks, and liabilities for irradiated nuclear fuel, from the nuclear utilities that profited from its generation, onto the backs of U.S. federal taxpayers, and/or nuclear utility ratepayers, sooner rather than later -- even before a repository is operating. Long before, actually: the DOEs most recent estimate, as to when a repository can be opened, is 2048! That is

very likely an overly optimistic opening date!

Such a significantly accelerated transfer of the costs, risks, and liabilities for forever deadly, highly radioactive, irradiated nuclear fuel, means the nuclear utilities can walk away from the mess they've made all the sooner many decades sooner than would otherwise be the case under current law, removing those lingering liabilities and risks from their own ledgers, once and for all.

WCS is clear about those costs, risks, and liabilities. WCS has been careful, making it a licensing condition, that all those costs, risks, and liabilities for the irradiated nuclear fuel would be solely on DOE that is, on U.S. federal taxpayers (and/or, if it can be finagled, nuclear electricity ratepayers, via accessing the Nuclear Waste Fund). WCS will accept none of those costs, risks, or liabilities. This of course sets up a moral hazard with a highly radioactive twist. WCS, a private, for-profit company, will have every incentive to cut corners, and take short cuts on safety, in order to save money, and boost its own profits. After all, DOE U.S. federal taxpayers will be shouldering all costs, risks, and liabilities. If anything goes wrong, it won't be WCS's problem it'll be the taxpayers problem!

In its licensing application documents, Holtec/ELEA has been more savvy, and less blatant, about off-loading costs, risks, and liabilities on taxpayers and/or ratepayers. But if this is truly the case, why then doesn't Holtec/ELEA utilize the PFS license NRC rubber-stamped in UT? The reason is, neither Holtec/ELEA, nor the nuclear power industry, want to retain that title, and those consequent risks and liabilities, let alone pay all those costs, associated with CISFs!