

## Holtec-CISFEISCEM Resource

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July 30, 2018

RE: Docket ID NRC-2018-0052 17-1051 and CAC No. L25211

### **Comments of the Council on Intelligent Energy & Conservation Policy (CIECP) and Promoting Health and Sustainable Energy (PHASE) on Holtec International HI-STORE Consolidated Interim Storage Facility (CISF) Project**

#### **PRELIMINARY STATEMENT**

We urge the Nuclear Regulatory Commission (NRC) to soundly **reject** the application of Holtec International (Holtec) for a high level nuclear waste (a/k/a spent fuel) Consolidated Interim Storage Facility (CISF). This scheme is ill-conceived and extraordinarily reckless.

It also represents a patently improper effort to circumvent legislative process and federal law. This project would create a new and staggeringly massive public subsidy of the nuclear industry. Stripped down to its foundation, this scheme is an uncapped tax.

The CISF scheme, as presented, is an audacious form of corporate welfare, and one most certainly contrary to any conception of proper free market operation. Facilitation of this poorly considered enterprise appears a naked effort to promote the financial interest of one group in the energy sector at the expense of all others, who (unlike nuclear) have legal obligation to pay for disposition of their own waste products and are liable for failure to do so. It further advances the interests of a small component of the national economy over the economic interests of nearly all others industries writ large; i.e., those beyond the energy industry.

Not only would the CISF expand and expedite unloading of the costs, risks, and liabilities for high level nuclear waste from the nuclear utilities onto the shoulder of the American public, it would open the floodgates to creation of an even larger nuclear waste production – and disposition – hazard.

It doesn't solve a problem. It creates a new one.

Most egregiously, the CIST scheme incentivizes moral hazard and places at risk the health, safety and security interests of the nation at large. Approval of this scheme, literally, puts America at risk.

We share and here add our voice to those of the many public interest, public health, environmental, and environmental justice groups and individual citizens who have expressed grave concern about the ethics of creating a large interim nuclear waste dump, stressing the toxicity of spent fuel. Permitting the nuclear industry to expose millions of Americans to excess levels of radioactivity along the many routes of transport is morally indefensible, pure and simple. As experts, including those of the National Academies have noted, women, adolescents, children, girls, pregnant women, infants, and babies *in utero* are particularly vulnerable to the effects of radioactivity. Families living near transport routes will be exposed to excess radioactivity as a matter of ordinary course. The elevated risk of cancer, developmental disorders, immune system injury, and other radiation dose exposure-linked health effects is likely to be consequential at a population level. Low income populations are likewise vulnerable, as the members of those communities endure elevated levels of toxic

exposures overall, suffer greater health impairment, and have less access to care than others in the general population.

In this docket and related proceedings, many public commenters have stressed the grossly unethical nature of turning areas of the southwest – here notably the environs of Lea County, New Mexico – into nuclear “sacrifice zones.” We very much share these concerns, and want to emphasize the added immorality of constantly targeting Native American lands and communities of color as sites for the continual dumping of harmful and dangerous materials.

Given the abundant expression of concern raised by others regarding the above, and in consideration of the limited time resources of NRC staff, in these Comments we will focus on a danger which is broad, but has patently been given no considered evaluation by either Holtec or the NRC: the untenable national security risk.

## **NATIONAL SECURITY RISK**

The 9/11 Commission observed that said that the 2001 terror attack on the United States revealed four kinds of failures: in imagination, policy, capabilities, and management. Of these failures, the Commission stressed imagination was the most important. “It is therefore crucial to find a way of routinizing, even bureaucratizing the exercise of imagination.”

The failure evident in record of the CIST proposal – indeed in the entire conceptualization of interim high level nuclear waste sites distal from the points of origin all over the United States – exceeds the level of “failure of imagination” and enters the dimension of willful blindness.

### **Example Scenario: Gas Pipeline Explosion Near High Level Nuclear Waste**

Detailing the vast array of safety and security risks apparent in the scheme would fill volumes. Accordingly, we offer simply one type of scenario as an example: a gas pipeline explosion proximate to spent fuel transport route(s) or to the proposed CISF.

We do not proffer an analysis of this risk. We simply posit the following four assertions: (1) Gas pipeline explosions are not rare and the possibility of one being initiated or exploited by malevolent actors is plausible, especially in view of the fact the risk will continue into the latter part of this century, and likely persist for much longer. (2) The potential severe-consequence nature of this risk is self-evident. (3) Common sense dictates this risk be thoroughly evaluated by multidisciplinary experts. (4) There is no evidence on the record that any sort of serious evaluation of this risk has been conducted, despite the fact several pipelines carrying natural gas and hazardous liquids are noted to be in the vicinity of the HI-STORE CISF.

As is well known from our nation’s even recent history with gas pipeline explosions, the simple safety risk is substantial. For instance, On September 9, 2010, a 30 inch Pacific Gas and Electric Company pipeline ruptured in San Bruno, California. The blast began as an eruption of swirling vapors, but then the gas hit a high-tension wire blocks away that sparked and became a flamethrower that caused a superhot fire. It took crews nearly an hour to even figure out that the explosion was from a gas pipeline. Area residents, first responders and media first suspected it was a plane crash or an earthquake. (In fact the U.S. Geological Survey registered the explosion and shock wave as a 1.1 magnitude quake.) The explosion compromised a water main and excavated an asymmetric crater 167’ X 26’ X 26’. It took Pacific Gas and Electric Company workers 60 to 90 minutes to shut off the gas. The fire, which ignited almost immediately upon the 6:11 pm explosion, was fanned by winds and only 50% contained by 10 pm. The blaze was not fully extinguished until 11:40 am on September 10, 2010. What is particularly relevant about gas pipeline explosions, is that firefighters cannot act until all the gas has been turned off. Even then, fires can rage for extended periods.

Rupture and fire ignition hazard risk is elevated in both gas pipelines and nuclear waste canisters experiencing extended superhot ambient conditions, especially in regions of the U.S., (like New Mexico) which are

increasingly subject to longer and hotter summers and drought, where fires are even more difficult to control. As these comments are being filed, tens of thousands of firefighters are fighting massive wildfires fueled by dry vegetation and driven by winds in California, including a “firenado”- an increasingly prevalent fire phenomenon enabled by extremely high ambient heat. (As the NRC staff has noted, the thermal analyses for the which include ambient temperatures for the thermal model’s boundary conditions are problematic. Specifically, the NRC staff notes, in the FLUENT model provided for the HI-STORE SAR, the inlet boundary temperature for the normal conditions model was 62°F, a parameter which fails to consider that during 3 months of the year (June, July and August), the average monthly maximum ranges from 92.57°F to 93.62°F. One must presume, if climate science models are accurate, that temperatures in the CIST and other regions of the nation will go even higher over the ensuing decades.

Nineteen men armed with only knives and box cutters were able to transform the instruments of our statistically *safest* form of transportation into missiles which successfully attacked New York City and the Pentagon. What level of complacency, denial or hubris does it take to contend that far more resourced malevolent actors, armed with cyberattack capability and detailed knowledge of our nation’s deteriorated transportation and gas pipeline infrastructure would not be able to initiate, or at least exploit, the dirty bombs this CIST enterprise is advancing? .

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