CHAIRMAN Resource

From: Erika Grandrimo <E.Grandrimo@holtec.com>
Sent: Thursday, August 09, 2018 4:52 PM
To: Erika Grandrimo
Cc: Joy Russell
Subject: [External_Sender] 5025034 Letter to Chairman Svinicki RHWC Signed Resolution August 9, 2018
Attachments: ELEA-Holtec RHMC NRC Resolution rev v (003).pdf; 5025034 Letter to Chairman Svinicki RHWC Signed Resolution August 9 2018.pdf

Ms. Svinicki:

The attached correspondence is being sent to you on behalf of Joy Russell, Chief Communications Officer.

Best regards,
Erika

Erika Grandrimo, Sr. Executive Assistant & Administrative Coordinator
Krishna P. Singh Technology Campus | 1 Holtec Boulevard | Camden, NJ | 08104
856.797.0900 x 3920 office | 727.599.4665 mobile
e.grandrimo@holtec.com

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Holtec Center, One Holtec Drive, Marlton, NJ 08053
Telephone (856) 797-0900
Fax (856) 797-0909

August 9, 2018

Kristine L. Svinicki, Chairwoman
U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

chairman@nrc.gov

Re: HI-STORE CIS; NRC Docket #1051

Subject: Resolution of Voting Members of The New Mexico Legislature Radioactive And Hazardous Materials Interim Committee

Dear Chairwoman Svinicki:

We would like to bring to the NRC's attention the attached Resolution of Voting Members of The New Mexico Legislature Radioactive and Hazardous Materials Interim Committee signed by 7 of the 12 voting members of the committee. The committee members signed this Resolution to demonstrate their strong support of the development of the HI-STORE CISF in southeast New Mexico and conveyed their desire that the Nuclear Regulatory Commission continue its technical review of the HI-STORE CISF application.

The Radioactive and Hazardous Materials Interim Committee is charged with the responsibility for overseeing the health, safety and operations of the various federal nuclear facilities within the State of New Mexico as well as private operations and evaluating other operations that may be coming into the state. New Mexico is home to Sandia National Laboratory, Los Alamos National Laboratory, the Waste Isolation Pilot Plant (WIPP) and URENCO. The committee has now held two fact finding hearings related to the newly proposed HI-STORE CISF to understand the facility design, construction and operation. The committee has reviewed the transportation cask and understands the rail system to be used for transporting the used fuel from the storage sites across the country. The Committee understands that the subsurface HI-STORE CIS facility is a concrete monolith for temporary storage of used nuclear fuel that is an impregnable fortress against the most horrible potential natural disasters including earthquakes, floods, tornados, as

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Krishna P. Singh Technology Campus, 1 Holtec Blvd., Camden, NJ 08104
Telephone (856) 797-0900
Fax (856) 797-0909

well as being able to repel plane crashes and terrorist attacks. The committee is confident that the Holtec fleet of transportation casks will provide maximum protection for the used nuclear fuel.

We provide this information to the NRC as additional evidence of the overwhelming support for the HI-STORE CISF facility in the local host communities in New Mexico.

Sincerely,

HOLTEC INTERNATIONAL

Joy R Russell

By: _____
Joy Russell, Chief Communications Officer

Attachment: Resolution of Voting Members of The New Mexico Legislature Radioactive and Hazardous Materials Interim Committee

cc: See Attached List

Document No. 5025034

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Krishna P. Singh Technology Campus, 1 Holtec Blvd., Camden, NJ 08104
Telephone (856) 797-0900
Fax (856) 797-0909

CC:

Commissioner Jeff Baran
U.S. Nuclear Regulatory Commission
Mail Stop O-4F00
Washington, DC 20555-0001
Email: CMRBARAN@nrc.gov

Commissioner Stephen G. Burns
U.S. Nuclear Regulatory Commission
Mail Stop O-4F00
Washington, DC 20555-0001
Email: CMRBURNS@nrc.gov

Commissioner Annie Caputo
U.S. Nuclear Regulatory Commission
Mail Stop O16-B33
Washington DC 20555-0001
Email: CMRCaputo@nrc.gov

Commissioner David Wright
U.S. Nuclear Regulatory Commission
Mail Stop O-4F00
Washington, DC 20555-0001
Email: CMRWright@nrc.gov

Margaret Doane, Executive Director for Operations
U.S. Nuclear Regulatory Commission
Mail Stop O16-E15
Washington, DC 20555-0001
Email: Margaret.doane@nrc.gov

Marc Dapas
Director of the Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Mail Stop T4-A12
Washington, DC 20555-0001
Email: marc.dapas@nrc.gov

Michael Layton
Director of the Division of Spent Fuel Management
U.S. Nuclear Regulatory Commission
Mail Stop T4-B34
Washington, DC 20555-0001
Email: Michael.Layton@nrc.gov

Jose Cuadrado
DSFM Project Manager – Licensing Branch
U.S. Nuclear Regulatory Commission
Mail Stop T4-B34
Washington, DC 20555-0001
Email: jose.cuadrado-caraballo@nrc.gov

Jill Caverly, Environmental Project Manager
U.S. Nuclear Regulatory Commission
Mail Stop T4-B16
Washington, DC 20555-0001
Jill.caverly@nrc.gov

HOLTEC INTERNATIONAL

Krishna P. Singh Technology Campus, 1 Holtec Blvd., Camden, NJ 08104
Telephone (856) 797-0900
Fax (856) 797-0909

Mayor Sam Cobb
Eddy-Lea Energy Alliance, Chairman
200 E. Broadway St.
Hobbs, NM 88240
scobb@hobbsnm.org

Mr. John Heaton
Eddy-Lea Energy Alliance, Vice-Chairman
102 South Canyon
Carlsbad, NM 88220
jaheaton1@gmail.com

Commissioner. Rebecca Long
Eddy-Lea Energy Alliance, Treasurer
Lea County Commissioners
100 N. Main Avenue, Suite 4
Lovington, NM 88260
rlong@leacounty.net

Commissioner. Susan Crockett
Eddy-Lea Energy Alliance, Secretary
Eddy County Commissioners, Chairman
101 W Greene Street
Carlsbad, NM 88220
scrockett@co.eddy.nm.us

Commissioner Ronald Black
Eddy-Lea Energy Alliance Member
Lea County Commissioners, Chairman
100 N. Main Avenue, Suite 4
Lovington, NM 88260
ronrblack@leacounty.net

Mr. Jack Volpato
Eddy-Lea Energy Alliance Member & Eddy County Commissioner
1526 Muscatel Avenue
Carlsbad, NM 88220
jackvolpato@hotmail.com

Mr. Garry Buie
Eddy-Lea Energy Alliance Member &
President & CEO of PEMCO
PO Box 428
Hobbs, NM 88241
gabuie52@hotmail.com

HUG Membership

RESOLUTION
OF VOTING MEMBERS OF
THE NEW MEXICO LEGISLATURE
RADIOACTIVE AND HAZARDOUS MATERIALS INTERIM COMMITTEE

The committee is charged with the responsibility for overseeing the health, safety and operations of the various federal nuclear facilities within the State of New Mexico as well as private operations and evaluating other operations that may be coming into the state. New Mexico is home to Sandia National Laboratory, Los Alamos National Laboratory, the Waste Isolation Pilot Plant (WIPP) and URENCO. The committee has now held two fact finding hearings related to the newly proposed Consolidated Interim Storage Facility (CISF) in southeast New Mexico to understand the facility design, construction and operation. The committee has reviewed the transportation cask and understands the rail system to be used for transporting the used fuel from the storage sites across the country.

WHEREAS, in accordance with the Nuclear Waste Policy Act of 1982 (NWPA), the Department of Energy (DOE) entered into more than 68 Standard Contracts with utilities in which, in return for payment of fees into the Nuclear Waste Fund (NWF), the Department agreed to begin disposal of spent nuclear fuel (SNF) by January 31, 1998. Because the Department has no facility available to receive SNF under the NWPA, it has been unable to begin disposal of the utilities' SNF as required by the contracts. Significant litigation claiming damages for partial breach of contract has ensued as a result of this delay; and,

WHEREAS, the nuclear utilities have sued the U.S. Government for partial breach of contract for not removing their SNF beginning in 1998. The DOE FY2017 Financial Report states that the Federal Court has adjudicated in the utilities' favor, and the utilities have been reimbursed over $6.9 billion from the Judgment Fund as of September 30, 2017 with an expected payment to be over $27.2 billion; and,

WHEREAS, the court finding in favor of the utilities confirms the responsibility of the U.S. government's responsibility for final disposition of used nuclear fuel; and,

WHEREAS, the Secretary of Energy was directed to establish the Blue Ribbon Commission on America's Nuclear Future to evaluate alternative approaches for meeting the Federal Government's responsibility. The Commission submitted a final report in January 2012. Subsequently, the Department of Energy issued the "Strategy for the Management and Disposal of SNF and High-Level Waste" on January 11, 2013. One major alternative approach is Consolidated Interim Storage (CIS) of SNF; and

WHEREAS, the HI-STORE CIS facility fulfils a recommendation by the Blue Ribbon Commission. The subsurface HI-STORE CIS facility is a concrete monolith for temporary storage of SNF that is a fortress against the most horrible potential natural disasters including earthquakes, floods, tornados, as well as being able to repel plane crashes and terrorist attacks; and,

WHEREAS, the Holtec fleet of transportation casks includes the strongest and most robust cask ever licensed by the NRC providing maximum protection for the SNF while in transport with more than a 15 inch thick wall of steel and lead. The Holtec fleet has been validated by the NRC's rigorous testing methods representing the most severe transportation accident scenarios with no failure; and,

WHEREAS, the SNF has four distinct layers of protection preventing release of contamination thus providing the utmost safety. SNF is a solid ceramic pellet the size of a pencil eraser which are stacked in approximately 12 foot zirconium metal tubes called fuel rods. The fuel rods are grouped to form an assembly which are then seal welded in a stainless steel canister that is then placed into the transportation cask; and,

WHEREAS, the proposed site in Southeastern New Mexico is dry desert, elevated, geologically stable, remote, 35 miles from the nearest population center, well characterized, does not interfere with oil and gas, has no impact on any aquifer, is supported by Eddy and Lea Counties and the cities of Carlsbad and Hobbs and other cities in these counties, has a robust nuclear workforce in the area and the project will provide a major capital investment in the area as well as 215 well paid jobs; and,

THEREFORE, being as the committee has not taken a formal vote, we the undersigned voting members are a super-majority of the voting members of the

Radioactive and Hazardous Committee, having had two meetings of the committee devoted to the proposed CIS Facility in southeast New Mexico where we were presented with the facts about the facility as well as the transportation casks and regulatory oversight of the transportation process are convinced of the safety and security of the facility as well as the transportation casks and do hereby strongly support the development of a CIS Facility in southeast New Mexico; and,

FURTHERMORE, we, the undersigned, recognize we are members of one of the few policy making bodies who have heard complete presentations, studied the project and we strongly recommend to the Nuclear Regulatory Commission continue its technical review of the HI-STORE CIS Facility application in accordance with the schedule published in the Federal Register on July 16, 2018.

Sen. Gay Kernan

Sen. Carroll Leavell

Rep. Cathrynn Brown

Rep. David Gallegos

Rep. Larry Scott

Sen. Richard Martinez

Sen. Ron Griggs