

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
Before the Atomic Safety and Licensing Board**

|                                     |   |                    |
|-------------------------------------|---|--------------------|
| In the Matter of                    | ) | Docket No. 72-1050 |
|                                     | ) | NRC-2016-0231      |
| WCS Consolidated Interim Spent Fuel | ) |                    |
| Storage Facility                    | ) | October 29, 2018   |
|                                     | ) |                    |
|                                     | ) |                    |

\* \* \* \* \*

**INDIVIDUAL MEMBER DECLARATIONS OF PUBLIC CITIZEN, INC.**

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Citizens for Alternatives to Chemical Contamination, Nuclear Energy  
Information Service, Public Citizen, Inc., San Luis Obispo Mothers for  
Peace, Sustainable Energy and Economic Development Coalition, and  
Leona Morgan, Petitioners

## DECLARATION OF CEMELLI DE AZTLAN

I, **Cemelli de Aztlan**, am the Declarant herein, and I hereby make the following statements under the penalty of perjury:

1) I am an adult citizen of the United States, am not under disability, and make the following statements voluntarily.

2) I am Mexican American and Native American, my 8 year daughter, Ameyalli de Aztlan, lives with me, and my residence address is **75 N Eucalyptus St., El Paso, Texas 79901-1936**.

3) I have conducted some investigation into the pending licensing case where the Nuclear Regulatory Commission is considering granting a license to Interim Storage Partners for the construction and operation of WCS Consolidated Interim Spent Fuel Storage Facility in Andrews County, Texas on the Texas side of the Texas/New Mexico border. This radioactive waste dump will be developed for the purpose of storing up to 40,000 tons of high-level nuclear waste in the form of spent nuclear fuel (SNF), and greater-than-Class-C (GTCC) wastes for at least 80 years, and possibly for centuries. The facility will be stocked by delivery over hundreds or thousands of miles of at least 3,000 shipments of SNF-filled or GTCC waste-filled casks to the WCS facility. These dangerous radioactive wastes will be transported by truck, barge and/or rail to WCS. I understand that deliveries to WCS will take place over 20 years and that most of the waste will come from nuclear plant fuel pool or dry cask storage locations in the eastern United States.

4) I also have learned that all or nearly all of the planned deliveries of SNF and GTCC waste to WCS are presently planned to be via railroad. Some may involve barge shipment and highway transport over earlier stages of shipment. I have studied the Rail Lines Map that appears at p. 2-71 of Revision 2 of the WCS Environmental Report, and Department of Energy maps of rail and highway transportation routes identified for the Yucca Mountain geological repository case, and note that one or more rail trackage/highway transport routes are within one (1) block of my (home/place of work/place of recreation) and believe it is likely that such route will likely be used to transport many cargoes of SNF and/or GTCC wastes to the WCS facility.

5) I am concerned for my personal safety and that of others who live in my household from radiation exposure in the event of a serious transport accident, vandalism or a terrorist attack on a shipment. I believe that if there are airborne or waterborne emissions from a breached cask during transport that those in my household and I might be exposed to radiation and suffer health consequences and serious property damage. I disagree with the rosy projections of error-free transport predicted by ISP in the Environmental Report (ER) and other documents compiled as part of the proposal.

6) I have reviewed the ER and note that there is no planned public health impact assessment of the effects of the expected 20+ years of transports of SNF and GTCC waste, and only a superficial analysis of the risks from unbreached casks in transport.

7) I note that in the ER, WCS states that it will strictly follow a “start clean/stay clean” policy, where if a cask is delivered to the facility with a radiation leakage problem, it will supposedly be wiped down and the cask will be moved to a storage platform at the site for indefinite storage. I have found no parts of the WCS proposal documents that explain what will happen to casks with serious exterior radioactive contamination, leakage, structural damage or structural failure upon their arrival at WCS. I am concerned that actively-leaking or damaged casks or casks with damaged spent fuel in them will travel close to my home, place of employment and/or places where I seek recreation. I believe that the risks of a radiation accident from leaking or damaged or contaminated casks will be increased during such shipments. I note that the WCS application documents contain no analysis of the potential scenarios involving a breached cask in transit. Further, there is no analysis in them that addresses the potential contamination of land, water and property resources or the threat to public health and the environment from such a practice.

8) I understand the casks, once set on rail cars, will be extremely heavy and concentrated loads on the tracks or on specially-built truck trailers used to transport them on highways. I am concerned that scenarios not contemplated by ISP/WCS in its application documents could occur, such as a radioactive cask being so overweight that it derails or the truck trailer collapses and the cask sits for a length time in the area where I live/work/recreate.

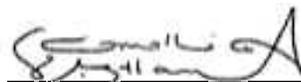
9) The potential of my being stuck in traffic at a rail crossing or on a parallel highway near a cask containing SNF or GTCC causes me concern for my health and safety and that of people and animals in my household. Thousands of transports suggests that there may be cumulative radiation effects on people, plants and property from even normal transports of SNF and GTCC wastes along the proposed rail and highway routes.

10) The U.S. federal government or private industry should not have the right to make transportation decisions that put at risk our public health and the environment with only spotty and incomplete investigation and analysis.

11) I hereby designate Public Citizen, Inc., a nonprofit consumer advocacy organization that champions the public interest, of which I am a member, which is located at 1600 20th Street NW, Washington, D.C. 20009, to represent my interests in a petition to intervene against granting an NRC license to ISP/WCS Consolidated Interim Storage Facility. I request that Public Citizen, Inc. be accorded standing to proceed on my behalf. My interests will not be adequately represented unless Public Citizen, Inc. is allowed to participate as a full party on my behalf.

12) Further, Declarant saith naught.

October 22, 2018  
Date



\_\_\_\_\_  
(Signature) Declarant

**Cemelli de Aztlan**  
\_\_\_\_\_  
Printed name

## DECLARATION OF JAMES L. CALDWELL

I, **Reverend James L. Caldwell**, am the Declarant herein, and I hereby make the following statements under the penalty of perjury:

1) I am an adult citizen of the United States, am not under disability, and make the following statements voluntarily.

2) I am African American and my residence address is **2424 Sakowitz St., Suite B203, Houston, Texas 77020**.

3) I have conducted some investigation into the pending licensing case where the Nuclear Regulatory Commission is considering granting a license to Interim Storage Partners for the construction and operation of WCS Consolidated Interim Spent Fuel Storage Facility in Andrews County, Texas on the Texas side of the Texas/New Mexico border. This radioactive waste dump will be developed for the purpose of storing up to 40,000 tons of high-level nuclear waste in the form of spent nuclear fuel (SNF), and greater-than-Class-C (GTCC) wastes for at least 80 years, and possibly for centuries. The facility will be stocked by delivery over hundreds or thousands of miles of at least 3,000 shipments of SNF-filled or GTCC waste-filled casks to the WCS facility. These dangerous radioactive wastes will be transported by truck, barge and/or rail to WCS. I understand that deliveries to WCS will take place over 20 years and that most of the waste will come from nuclear plant fuel pool or dry cask storage locations in the eastern United States.

4) I also have learned that all or nearly all of the planned deliveries of SNF and GTCC waste to WCS are presently planned to be via railroad. Some may involve barge shipment and highway transport over earlier stages of shipment. I have studied the Rail Lines Map that appears at p. 2-71 of Revision 2 of the WCS Environmental Report, and Department of Energy maps of rail and highway transportation routes identified for the Yucca Mountain geological repository case, and note that one or more rail trackage/highway transport routes are within one (1) mile of my (home/place of work/place of recreation) and believe it is likely that such route will likely be used to transport many cargoes of SNF and/or GTCC wastes to the WCS facility.

5) I am concerned for my personal safety and that of others who live in my household from radiation exposure in the event of a serious transport accident, vandalism or a terrorist attack on a shipment. I believe that if there are airborne or waterborne emissions from a breached cask during transport that those in my household and I might be exposed to radiation and suffer health consequences and serious property damage. I disagree with the rosy projections of error-free transport predicted by ISP in the Environmental Report (ER) and other documents compiled as part of the proposal.

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8) I understand the casks, once set on rail cars, will be extremely heavy and concentrated loads on the tracks or on specially-built truck trailers used to transport them on highways. I am concerned that scenarios not contemplated by ISP/WCS in its application documents could occur, such as a radioactive cask being so overweight that it derails or the truck trailer collapses and the cask sits for a length time in the area where I live/work/recreate.

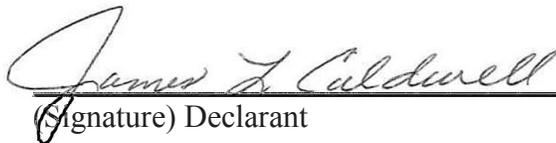
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10) The U.S. federal government or private industry should not have the right to make transportation decisions that put at risk our public health and the environment with only spotty and incomplete investigation and analysis.

11) I hereby designate Public Citizen, Inc., a nonprofit consumer advocacy organization that champions the public interest, of which I am a member, which is located at 1600 20th Street NW, Washington, D.C. 20009, to represent my interests in a petition to intervene against granting an NRC license to ISP/WCS Consolidated Interim Storage Facility. I request that Public Citizen, Inc. be accorded standing to proceed on my behalf. My interests will not be adequately represented unless Public Citizen, Inc. is allowed to participate as a full party on my behalf.

12) Further, Declarant saith naught.

October 22, 2018  
Date

  
(Signature) Declarant

**Reverend James L. Caldwell**  
Printed name

## DECLARATION OF PETUUCHE GILBERT

I, **Petuuche Gilbert**, am the Declarant herein, and I hereby make the following statements under the penalty of perjury:

1) I am an adult citizen of the United States, am not under disability, and make the following statements voluntarily.

2) I am from an indigenous community called Acoma (Haakuu) in New Mexico. I retired from the Acoma tribal government and where I served for ten years as a tribal councilman. I have participated in indigenous events, including the UNDRIP at the United Nations since 1986 and, also, attended meetings with the Organization of American States work on the Inter-American Declaration on the Rights of Indigenous Peoples. I am president of Indigenous World Association, an UNESCO NGO, and Vice President for the Laguna Acoma Coalition for a Safe Environment. I am a member of the Multicultural Alliance for a Safe Environment in the Grants Mining (Uranium) District and remain engaged with the Acoma on community and environmental concerns. I am also on the Advisory Council for Native Organizers Alliance. I am a Native American and my residence address is **12 Cottonwood Road, Pueblo of Acoma, NM 87034**.

3) I have conducted some investigation into the pending licensing case where the Nuclear Regulatory Commission is considering granting a license to Interim Storage Partners for the construction and operation of WCS Consolidated Interim Spent Fuel Storage Facility in Andrews County, Texas on the Texas side of the Texas/New Mexico border. This radioactive waste dump will be developed for the purpose of storing up to 40,000 tons of high-level nuclear waste in the form of spent nuclear fuel (SNF), and greater-than-Class-C (GTCC) wastes for at least 80 years, and possibly for centuries. The facility will be stocked by delivery over hundreds or thousands of miles of at least 3,000 shipments of SNF-filled or GTCC waste-filled casks to the WCS facility. These dangerous radioactive wastes will be transported by truck, barge and/or rail to WCS. I understand that deliveries to WCS will take place over 20 years and that most of the waste will come from nuclear plant fuel pool or dry cask storage locations in the eastern United States.

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12) Further, Declarant saith naught.

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**Petuuche Gilbert**  
Printed name