

## WCS\_CISFEISCEm Resource

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**From:** Jan Boudart <janboudart1@gmail.com>  
**Sent:** Friday, November 16, 2018 2:45 PM  
**To:** WCS\_CISFEIS Resource  
**Subject:** [External\_Sender] ATTN: Docket ID NRC 2016-0231 by attachment of 2 documents.  
**Attachments:** WCS-EISCommentJan's.pdf; CarlsbadStory.pdf

### **Please see attached (2 documents)**

May Ma  
Office of Administration  
Mail Stop: TWFN-7-A60M  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Via email: [WCS\\_CISF\\_EIS@nrc.gov](mailto:WCS_CISF_EIS@nrc.gov)  
ATTN: Docket ID NRC 2016-0231

James Park, Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 301-415-6954; [James.Park@nrc.gov](mailto:James.Park@nrc.gov).

Jan Boudart, Nuclear Energy Information Service  
Scoping Comments on: Interim Storage Partners/ Waste Control Specialists/ Orano (WCS) & Consolidated Interim Spent Fuel Storage Facility Project

Docket No. 72-1050; NRC-2016-0231  
Waste Control Specialists LLC's / ISP's  
Consolidated Interim Spent Fuel Storage Facility Project

To the Nuclear Regulatory Commission:

Thank you for the opportunity to comment on the license application and Environmental Impact Statement associated with Interim Storage Partners/ Waste Control Specialists/ Orano (WCS) & Consolidated Interim Spent Fuel Storage Facility Project. Also, I appreciate you having extended the comment period for requesting to intervene and for holding public hearings.

**My comment by attachment.**

**Federal Register Notice:** 83FR44922  
**Comment Number:** 23988

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| CarlsbadStory.pdf       | 385143      |                        |

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May Ma  
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**Here are my comments.**

No law authorizes interim storage facilities for HLRW (high-level radioactive waste); therefore, the NRC is illegally processing the applications for Consolidated or Centralized Interim Storage facilities. I feel I have a right to have these issues addressed. Clearly the NRC is processing applications for CIS in the absence of any law or regulatory agency specifically for HLRW in above-ground interim storage.

But since this is going forward, and the area where the facilities are projected has many Spanish-speaking inhabitants I earnestly request that the application be provided in Spanish, as well as English. The Spanish document is important for public scoping meetings in TX and other transport corridor communities across the US. Please be alert for other languages where a translation should be supplied.

The ISP/WCS/Orano application to store up to 40,000 metric tonnes (MTU) of irradiated nuclear fuel/HLRW (quite probably including Greater than Class C waste) from nuclear power reactors around the country in Andrews County, TX will cause thousands of unnecessary nuclear waste shipments across the US, possibly twice.

The Environmental Impact Statement (EIS) must include the risks of transportation from NPPs (nuclear power plants) all along the routes and local transport in the vicinity

of the proposed site. Be sure to include transportation methods, specific routes, and all their potential impacts in the EIS.

Because consolidation of irradiated fuel increases the likelihood of reprocessing, the EIS must present the risks pertaining to reprocessing, including the history of previous reprocessing failures and successes and the reasons for the known outcomes.

Another necessity for the EIS is an analysis of the strong possibility that the site will become permanent by default.

The Environmental Impact Statement (EIS) for Waste Control Specialists' license application should include:

1. A designation of national and local transportation routes and modes of transport TO and FROM WCS's Andrews, Texas site and the array of potential impacts of accidents or malicious attacks that could occur along those routes, including the legally allowed routine radioactive emissions from transport and storage casks.

2. The EIS should address the impacts of above-ground "interim storage" becoming a dangerous permanent de facto disposal. The waste may never be disposed of in a scientifically viable, geologic repository using a reliable isolation system.

3. Currently there is no way to re-containerize the waste if and when needed. The EIS must analyze and explain how WCS will do this now and how they will guarantee it can be done in perpetuity in the very likely event that the waste will be stored at this location "in perpetuity". The EIS must cover the millions of years (DK: should I say 100,000 years instead of "millions"?) the waste will stay dangerous. Consider the future. There is NO GUARANTEE in the license that the waste will ever leave.

4. The statement should include how radioactive waste from a cracked and leaking canister would be handled, as it appears there would be no wet pool or hot cell at the WCS site. [A hot cell has not yet been invented. Fuel pools present the only (and it is barely feasible) way to transfer fuel assemblies from a cracked or faulty cask to a better one.] It appears that no one knows yet how to transfer waste from dry cask to dry cask. WCS and the EIS should outline how this would be accomplished ahead of time and identify the facilities and equipment that will be available to carry out such re-containerization work. A major consideration when dealing with fuel transfer: the safety of the workers. There is much to be done to make sure the workers are safe and worker safety must be taken into account and explained.

5. Assess health threats to the biological cycle of life. Since there is hazardous and mixed waste at the WCS site, the EIS must review the multiple, additive, cumulative and synergistic effects of radioactivity and hazardous waste on workers, residents, people of all ages with varying susceptibilities to radiation: animals, plants, microbes, water, soil, etc. Please clarify the physical impacts of hazardous materials on WCS's many sites and nearby facilities (including the Urenco uranium facility, immediately next door to the proposed storage area) on people (especially the most vulnerable stages of our human life cycle: the fetus, females, babies and youth), on all animals, endangered species, plants, the ecosystem, air and water, environment, cultural and social institutions and communities, etc. (See point 9 below.)

6. Assess the economic threats to the industries and businesses that drive the economic engines of the communities, including oil and gas, farming, ranching, TOURISM, dairy and others. In particular, because of the similarities between what WCS is proposing and what happened to another desert community a study should be done of the effect WIPP has had on the livelihood of those involved in the tourism industry

around Carlsbad, New Mexico. (please see attachment) What are the tourist attractions around Andrews, Texas; whose lives are involved with tourism, and how would their livelihood be affected? Tourists seek unusual sights, clean air, nice beds and good food.

7. Above-ground casks would be exposed to the weathering effects of temperature extremes, and potential wildfires, tornadoes, and earthquakes. The EIS should address these issues and answer the following questions: At what point could the waste go critical? What contact with other radioactive waste and hazardous materials at the WCS site could occur? What are the cumulative impacts of waste at this site and nearby sites on workers, local people and the environment, and how could natural disasters add to/multiply impacts?

Global Warming may affect WCS's ability to control the temperature of the casks. Please include an analysis of how high temperatures in the desert may impact heat control of HLRW casks.

8. The EIS should independently review the risk of groundwater contamination at the site, especially since all of the technical and administrative reviewers at the Texas Commission on Environmental Quality (TCEQ) recommended denying the license for "low-level" radioactive waste at the Waste Control Specialists site due to the inability to guarantee protection of groundwater.

9. In-depth research should examine radiation monitoring and cumulative impacts of multiple facilities near the WCS site, site security, engineering adequacy of the storage pad and seismic stresses, the adequacy and continued maintenance of the crane that would move radioactive waste.

If the license be approved, deadly waste would be transported through communities, farmland, sensitive natural areas, and watersheds throughout the country for 24 years. Even one small accident would be too many. Despite assurances that accident damage would be minimal, real life disasters, especially those involving radiation and reactor fuel, have been known to exceed the worst anticipated scenarios.

**I do not consent to the creation of a "temporary" national radioactive waste dumping ground.**

And I support local communities that do not consent to becoming a radioactive-waste dumping ground. We should not have to risk contamination of our land, aquifers, air or the health of plants, wildlife and livestock. Biological organisms', including humans', exposure to high-level radioactive waste can lead to life-long ill health, acute sickness and death. This is especially true for the yet-to-be-born, children and adolescents, and women.

10. The EIS should reveal who will pay in cases of contamination. Homeowners' insurance doesn't cover radioactive contamination. A single rail car could haul waste containing as much plutonium as the bomb dropped on Nagasaki. There have been serious train accidents throughout the country in recent years, including near the WCS site. Two trains collided head-on in West Texas last year at 65 mph. The casks on the market today have never been tested, cannot be inspected for cracks and are not designed to meet real road, barge, or rail conditions that they would inevitably encounter in transit.

The EIS should address these potential dangers and worst case scenario. Consider the potential impacts from accidents or radioactive waste-related acts of malice along

transport routes and at the site, including impacts to people, land, air, crops, animals and water.

Reject the Proposal to consolidate irradiated fuel because it is **ILLEGAL UNDER FEDERAL LAW** until there is a permanent repository operating, a project whose completion is 40+ years in the future.

Public meetings are essential — but none are now planned — in communities and along all the potential routes especially in Texas and the communities contiguous with the NPPs whose waste is being considered for the WCS project. Extend the time for commenting until such meetings can be planned, advertised, held, and the resulting input analyzed and considered.

### **SYNERGISTIC EFFECTS**

At the proposed site WCS already has hazardous, radioactive and mixed waste and continues to bring in more. There is a uranium enrichment facility close by. The EIS must evaluate the effects of multiple hazards and impacts of accidents, releases, and explosions from its neighboring facilities.

Another synergistic effect would involve chemical pollution from other activities in the environment. For example, poisons might be used to control animals and plants in the surrounds. The effect on workers of the synergism between chemical pollution and radiation must be investigated and evaluated.

### **EARTHQUAKES**

The area is potentially seismically active and there are large amounts of fracking and other extraction in proximity to the site, possibly even beneath the site! (Please note that when WIPP was established, it was illegal to drill [frack] closer than a mile; but that law has been breached without consequences.)

### **SEVERE WEATHER and CLIMATIC CONDITIONS**

The site of the proposed CIS facility in Andrews County, Texas is subject to severe weather and climatic conditions that could endanger nuclear waste containers. Extreme temperatures, wind and sand storms, wildfires, lightning strikes and storms, floods, and tornadoes can all impact the site.

### **PROXIMITY TO WATER--**

WCS is seeking a permit to release radioactive and hazardous water to the New Mexico side of its property. There is water at the site and there are nearby major aquifer formations.

### **ACTS OF MALICE and OTHER DELIBERATE SABOTAGE**

en route to and at the proposed site must be considered, including potential drone attacks.

### **STORAGE CONTAINER SYSTEMS**

The period of storage of irradiated fuel at WCS could exceed the expected life of the dry cask containers in which it is stored. NRC must consider the industry's present inability to re-containerize nuclear waste when casks fail, the absence of a facility at the

proposed WCS site to perform such operations, and the amount and source of funds to pay for it.

**ENVIRONMENTAL and ECONOMIC JUSTICE--**

The proposed area has valuable industries and interests that would be threatened by the site. Even some of the hazardous and extractive industries that are a big part of the economy oppose the dump. West Texans have experienced environmental racism for decades. People of Color continue to be disproportionately impacted by hazardous and toxic wastes.

**TRANSPORT DANGERS--**

None of today's certified waste containers are designed for real world transport conditions (temperatures, crash speeds, submersion in water) and have not been physically tested despite dump-promoters' misuse of 40 year-old crash-test videos on totally different casks. The storage containers cannot be monitored for potential cracks and leaks, inspected, repaired or replaced even though we know the waste will be dangerous longer than they will last. The technology is in the "future" according to NRC staff. Tell the Nuclear Regulatory Commission (NRC) to prevent thousands of shipments of the most deadly radioactive waste in super-heavy, inadequate containers over the nation's railroad tracks, roads and bridges.

Respectfully Submitted,

\_\_\_\_\_/S/\_\_\_\_

This is a story about what happens to tourism when radioactive waste comes to town. The writer ID'd their self as 1k1066 in a response to the article "Radiation Leak at New Mexico Nuclear Waste Storage Site Highlights Problems" by Dahr Jamail.

Date article created: Monday, 24 March 2014 09:30.

### **Here's what 1k1066 had to say:**

I grew up in Carlsbad, and was one of the people who objected to building WIPP there when it was proposed in the 1970's...The fact that there are problems there is no surprise to me---we were concerned about the impacts of the nuclear material on groundwater and other resources even before there was seismic activity from fracking and they just laughed at us. Groundwater in the area supplied our public water supplies, and was often used for irrigation after the winter snowmelts had gone down the Pecos River into Texas...The WIPP site is half way in-between, and on the road from Carlsbad to the Carlsbad Caverns National Park. The road used to be filled with signs for motels and tourist items, but now any tourist exploring the area runs into WIPP before they get to town, which is reason enough to keep moving.... The caverns were formed by the same Permian basin as the oil and gas and the salt flats, and there were still formations then that were wet from groundwater as well as pools of water all through the cave....all the same water we thought would be threatened by radiation...The threat of radiation to the water, the cave, and the public concerned everybody except Sen. Pete Domenici, our pro-nuclear US senator at the time.

WIPP was the last nail in the coffin for the town and it's economy. The jobs it provided were mostly for nuclear engineers who were brought in to build and run it.

We were told that any leaks would be sealed by the salt, and the tanks holding the wastes should last around 100 years anyway, and the powers-in-charge didn't think it was reasonable to discuss anything past that time...I remember saying at a public meeting that people had lived in the area for centuries, and that 100 years isn't a long time....(there are cave drawings that date back as far as the Mayan period in Mexico in the Caverns...The town, which was a fertile river valley, had enough people that there is still a Spanish mission church in town, etc. DOE wasn't concerned about contaminating a national park, about contaminating our water supply, about nearby natural resources, which included huge deposits of potash and oil and gas...We also brought up that there was a geological fault in the area, but we got the same hogwash---if there was ever an earthquake, which there hadn't been to date, the waste would still be locked up in the salt bed....That was the answer to everything---the salt bed would protect everything.... (Being on the edge of the same oil and gas deposits as west Texas, the area has had oil and gas wells forever, and during the planning of this, there were still lots of productive natural gas wells in the area. There was no effort to avoid resource-rich areas--that's just a lie...Shortly after 2000, they started fracking deeper gas, and after the first well was fracked, the first recorded significant earthquake hit Carlsbad---it cracked the walls in my childhood house, bent the frame of a huge heavy glass door so that it no longer opened...onto the patio that was also separated by the quake from the foundation of the house....I remember reading in a west Texas news site several years ago that there had been something like a dozen measurable earthquakes in the area in the decade since fracking started, all within 30-60 days of a new well being fracked....I'm sure there

have been more, and it amazes me that fracking was allowed in an area with a geological fault and a nuclear waste dump---but remember, the U.S. government does not control the oil and gas industry; the industry controls the government and industry says that fracking is harmless, so it must be true....not....

My parents have both died, my sisters and I live in 3 different states, and I can count on one hand people I knew who still live in Carlsbad.....The last time I was there, about the only signs of life came from the federal workers at the WIPP...and money DOE had spent on Carlsbad to make it "nicer". (It was nicer when there were people with union jobs that didn't create radiation and earthquakes, along with world-wide tourism and agriculture.)

Tourism is mostly dead courtesy of discover of other caves, the final route for I-10 which skippered SE NM completely by 200 miles, and finally having WIPP on the road to the cave; the mines are mostly mined out, but they pretty much stopped supporting the town when the unions were broken; the conventional wells are mostly gone while fracked wells are already being abandoned (they don't produce that long--they cause permanent damage then sputter), what water there is mostly has to be sent to Texas because of a bad water deal negotiated over a century ago that NM never had the power to fix, and even the little self-sustaining retail downtown pretty much went out of business when WalMart came to town.....

Carlsbad is "living" proof of what happens when all the things that are happening in this country happen in one place--the powers--corporate and government--act without thinking about the consequences. It's not that bad consequences are "unintended", it's that they are not even considered...This is certainly the case with WIPP.

In the decline of Carlsbad, first I saw the unions die and watched formerly middle-class families of friends in high school and whole neighborhoods slip into poverty; the path of the Interstate highway system took what had been a stopping point along the southern US border off the map (did they ever think about what would happen to towns when all the U.S. highways that linked them to the rest of the world were abandoned?); WIPP drove away both residents and remaining tourists while Walmart help bankrupt even wealthy local merchants, and finally, corporate control with it's short-term profit driven agenda took over federal environmental and resource policy and resulted in earthquakes, overuse of scarce water, smelly air....and radiation.

