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## Congress of the United States House of Representatives

COMMITTEE ON ARMED SERVICES

SUBCOMMITTEES:

MILITARY PERSONNEL

READINESS

COMMITTEE ON NATURAL RESOURCES,  
VICE-CHAIR

SUBCOMMITTEES:

NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, CHAIR  
INDIGENOUS PEOPLES OF THE UNITED STATES

NATIVE AMERICAN CAUCUS, CO-CHAIR

REGIONAL WHIP

June 19, 2019

The Honorable Rick Perry  
Secretary  
U.S. Department of Energy  
1000 Independence Ave, SW  
Washington, DC 20585

The Honorable Kristine Svinicki  
Chairman  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16B33  
Washington, DC 20555-0001

Dear Secretary Perry and Chairman Svinicki:

I write in opposition to the interim storage of high-level radioactive waste in New Mexico. The Nuclear Regulatory Commission (NRC) is evaluating Holtec International's application for a license to construct and operate a consolidated interim storage facility for commercial spent nuclear fuel in Lea County, New Mexico. I believe such a facility poses too great a risk to the health and safety of New Mexicans, our economy, and our environment.

Operation of this facility would require shipping of high-level radioactive waste along railways and roads throughout our state. Our existing railways were not built to withstand the weight of waste containers and there are no plans for new construction or renovations within this proposal. Cities and counties across New Mexico, as well as the state itself, would be asked to bear the cost of the infrastructure improvements needed for safe transportation, as well as for the emergency response personnel and equipment that will be needed to respond to an incident. The Department of Energy's (DOE) modeling of rail transportation of waste to Yucca Mountain predicted accidents at a rate of 1 in 10,000 shipments, meaning it is essential that such measures be put in place.

The concept of an interim storage facility is inherently flawed, because it will result in waste being moved twice, first to the interim facility and then to a permanent repository. This increases the chances that the waste will be involved in an incident during transportation, the riskiest portion of the process. DOE has found that a severe accident involving one radioactive waste cask releasing only a small amount of waste could contaminate a 42 square mile rural area with cleanup costs exceeding \$620 million, and in an urban area cleanup costs could exceed \$2 billion and take years. And waste shipments emit radiation even during routine transportation. Should an incident occur in the area of the Holtec site, it would wreak havoc on New Mexico's economy, as the agricultural industry in Lea and Eddy Counties, where the facility would be located, contributes \$300 million to our economy annually.

Finally, the lack of a permanent high-level radioactive waste repository means that any interim storage facility will serve as a de-facto permanent repository that will not meet the technical requirements for permanent waste isolation. As a result, the waste stored at an interim facility will require repackaging over time, which will increase the risk of accidents and endanger the health of New Mexicans. Rather than wasting time and money on an interim storage facility that increases the risk posed by nuclear waste, we should be focusing storing the waste more securely at the sites where it currently resides while we develop a permanent repository. The Nuclear Waste Policy Act of 1982, as amended, recognizes the folly in this and prohibits DOE from taking title to spent nuclear fuel if a permanent repository is not operating.

Based on the risks that an interim storage facility for high-level radioactive waste or spent nuclear fuel poses to the state of New Mexico, I am opposed to the Holtec application.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Deb Haaland". The signature is fluid and cursive, with a large initial "D" and "H".

Deb Haaland  
Member of Congress