



SECRETARY

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 7, 2019

The Honorable Rick Perry  
Secretary of Energy  
U.S. Department of Energy  
Washington, D.C. 20585

Dear Secretary Perry:

On behalf of the U.S. Nuclear Regulatory Commission, I am acknowledging receipt of your letter of October 23, 2019, addressed to Congresswoman Deb Haaland and copied to Chairman Svinicki regarding the license application from Holtec International for a consolidated interim storage facility (CISF) in New Mexico.

Because your letter relates to subjects raised during adjudication of the application, some of which are currently before the Commission on appeal, a copy of your letter and this acknowledgment will be served on the parties in the Holtec CISF adjudication.

Sincerely,

A handwritten signature in blue ink that reads "Rochelle C. Bavor".

Rochelle C. Bavor  
Acting Secretary



**The Secretary of Energy**  
**Washington, DC 20585**

October 23, 2019

The Honorable Deb Haaland  
U.S. House of Representatives  
Washington, DC 20515

Dear Congresswoman Haaland:

Thank you for your June 19 letter expressing your opposition to the proposed consolidated interim storage facility for spent nuclear fuel (SNF) that Holtec International (Holtec) seeks to construct in New Mexico. As you noted in your letter, the Nuclear Regulatory Commission (NRC) is evaluating Holtec's license application to construct and operate that facility.

I want to reaffirm the Department of Energy's (DOE) commitment to breaking the gridlock that has left SNF stranded at temporary sites across the country. Yet, DOE does not play a role in the licensing of private SNF storage sites. Such licensing is solely in the hands of the NRC. Moreover, even if NRC were to license a private SNF interim storage facility, DOE has no authority to contract for SNF storage services with Holtec or any other private storage provider. This restriction was recently recognized by the NRC's Atomic Safety and Licensing Board in a May 7, 2019, Memorandum and Order issued in the Holtec proceeding. Therefore, I encourage you to continue sharing your concerns with the NRC through participation in the NRC licensing process.

I hope that once progress is made towards developing a permanent repository, states will consider providing their consent to hosting consolidated interim storage.

Sincerely,

A handwritten signature in black ink that reads "Rick Perry". The signature is written in a cursive, slightly stylized font.

Rick Perry

cc:

The Honorable Kristine Svinicki, NRC



In the Matter of

HOLTEC INTERNATIONAL

(HI-STORE Consolidated Interim Storage Facility)

Docket No. 72-1051-ISFSI

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Letter from NRC Acting Secretary, Rochelle Baval, to Secretary Rick Perry, Dept. of Energy**, have been served upon the following persons by Electronic Information Exchange (EIE).

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Docket No. 72-1051-ISFSI

**Letter from NRC Acting Secretary, Rochelle Baval, to Secretary Rick Perry, Dept. of Energy**

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Docket No. 72-1051-ISFSI

**Letter from NRC Acting Secretary, Rochelle Baval, to Secretary Rick Perry, Dept. of Energy**

Eddy County, NM\*  
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Carlsbad, NM

~~Rick Rudometkin~~

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\* Eddy County not served due to no representative for the County assigned at the time of Mr. Rudometkin's departure.

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[Original signed by Herald M. Speiser ]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 7<sup>th</sup> day of November, 2019