



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

May 1, 2020

Mr. Terry J. Lodge, Esq.  
316 N. Michigan St., Ste. 520  
Toledo, OH 43604-5627

SUBJECT: REQUEST FOR EXTENSION OF PUBLIC COMMENT PERIOD ON DRAFT ENVIRONMENTAL IMPACT STATEMENT AND CONVENING OF ADDITIONAL PUBLIC HEARINGS AT MULTIPLE SITES (HOLTEC INTERNATIONAL'S APPLICATION FOR CONSOLIDATED INTERIM STORAGE FACILITY LICENSE IN LEA COUNTY, NEW MEXICO, DOCKET NO. 72-1051)

Dear Mr. Lodge:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated March 25, 2020. In your letter, you requested that NRC indefinitely extend, for the duration of the COVID-19 pandemic emergency, the public comment period on the draft Environmental Impact Statement (EIS) for Holtec International's proposed Consolidated Interim Storage Facility (CISF) in Lea County, New Mexico. You also requested that this public comment period be extended for an additional 199 days when the national emergency is terminated, and that NRC hold an additional 18 public hearings at various locations throughout the United States, in addition to any meetings that may be held in New Mexico.

The current 60-day comment period on the draft EIS was scheduled to close on May 22, 2020. Given recent events associated with the COVID-19 public health emergency, and the corresponding actions taken by Federal and State governments to mitigate its spread, the NRC staff has extended the public comment period for an additional 60 days. A notice of this extension was published in the *Federal Register* on April 27, 2020 (85 FR 23382).

The NRC staff plans to hold a nationwide webinar and five public meetings in New Mexico during the public comment period to present the staff's preliminary findings and receive public comments. As the COVID-19 public health emergency evolves, the NRC staff will continue to re-evaluate these plans for engaging the public, and will consider whether additional extensions to the comment period are warranted.

Regarding your request for 18 additional meetings, the staff believes that a draft EIS public comment process, similar to the scoping process, will provide ample opportunity for members of the public to participate and submit comments. During its scoping process, NRC staff held five in-person public meetings in New Mexico and one public meeting with a conference line at NRC Headquarters in Maryland, as well as providing multiple options—including a public website, email address, and physical mail address—for members of the public to express their views and submit comments. During this process, NRC staff successfully received, reviewed, and considered over 6,600 public comments. We believe that providing the same opportunities and

T. Lodge

2

options for submitting comments will once again provide for a substantial and engaging public comment period. Therefore, the staff does not plan to conduct an additional 18 public meetings.

If you would like to discuss any of these matters, please contact John McKirgan, Chief of the Storage and Transportation Licensing Branch, at (301) 415-5722, or Cinthya Román-Cuevas, Chief of the Environmental Review Materials Branch, at (301) 415-7093.

Sincerely,

Andrea L. Kock, Director  
Division of Fuel Management  
Office of Nuclear Materials  
Safety and Safeguards

Docket No.: 72-1051

cc: Email Distribution List

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DATED: May 1, 2020

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