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Interim Storage Facility

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PUBLIC ONLINE WEBINAR FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE
PROPOSED HOLTEC HI-STORE CONSOLIDATED INTERIM STORAGE FACILITY

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WEDNESDAY,

AUGUST 26, 2020

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TELECONFERENCE

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The Webinar was convened via
Teleconference, at 6:00 p.m. EDT, Chip Cameron,
facilitating.

NRC STAFF PRESENT:

CHIP CAMERON, Facilitator

JOHN TAPPERT, Director, Rulemaking, Environmental
and Financial Support, NRC

JILL CAVERLY, Environmental Review Project Manager,

Environmental Review Branch, NMSS

STACEY IMBODEN, Co-Environmental Review Project
Manager, Environmental Review Branch, NMSS

JOSE CUADRADO, Licensing and Safety Review Project

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P-R-O-C-E-E-D-I-N-G-S

6:01 p.m.

MR. CAMERON: Thank you very much, Sarah, and good afternoon, everyone. My name is Chip Cameron and I'll be serving as your facilitator today and I want to welcome you to the Nuclear Regulatory Commission's virtual public meeting to hear comments from all of you out there in the public on a draft environmental impact statement, an EIS, that the NRC has prepared.

As part of this evaluation of our license application from a company named Holtec International, to build and operate a consolidated interim storage facility for spent fuel in Southeastern New Mexico. This is the NRC's fifth, five, virtual public meeting on this issue. There's one more meeting, public meeting next week, also virtual, on Wednesday, September 2nd, from 11 a.m. Eastern until 2 p.m. Eastern. Tonight's meeting is from 6 p.m. Eastern until 9 p.m. Eastern.

Now this is a draft EIS and it will not be finalized until the NRC staff has evaluated all of the public comments, not only from these virtual meetings, but as well from written and email comments. And Jill Caverly, our environmental project manager, in a few minutes when she gives you a summary of the draft EIS, is going to explain all the various ways that you can comment.

Now there's two pieces to the communications technology for the meeting tonight. And one primary technology is giving the NRC staff your comments by phone. Now we have an operator. Our operator tonight is Sarah and she's going to explain to you in a few minutes

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how to join us to speak to the NRC staff. And it is going to be a first come, first serve. We're not going to be calling on people to try to get them on. First come, first serve.

So when you do get on to speak to the NRC staff, please give your name and affiliation. And I'm going to introduce the NRC staff that's here in the room with me I can see them, as well as those who might be on the phone.

Now the second piece of technology is joining the NRC internet's meeting site through WebEx. And it has the slides of Jill's upcoming presentation that summarizes the draft EIS. The WebEx site also has a chat box where you can alert the NRC to any technology issues. For example, you can't hear the NRC speaker.

So we had a little bit of problems last night with people getting on the WebEx site. So I'm going to ask Jill Caverly at this point to explain how you get on the WebEx site so there's absolutely no confusion.

Jill?

MS. CAVERLY: Okay, so instead of putting your cursor over the event address and clicking on it, I'd like you to go and open up your browser and actually type in the <https://usnrc.webex.com>. So in a brand new browser window if you type that in, you'll be directed to the front door of WebEx for the NRC. And at that point they'll ask you for an event number and tonight's event number 199 278 6216.

The next step is that they'll prompt you for some input including your name and also they'll ask you for a password and that password is HOLTEC, all in capital letters, H-O-L-T-E-C. And so that should get you into the meeting slides. You can also access the same meeting slides which are also the meeting slides that were used for the past several meetings on the Holtec application website for the NRC. You go to that web page and you scroll all the way down to the bottom. There will be an area that says draft environmental impact statement and it will have

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different meetings and links to the presentations in English and Spanish and in the Navajo language today.

MR. CAMERON: And Jill, just one question. Sometimes it gets confusing when people read off the event address as you just did. Is there any way that they since they aren't on WebEx and don't have the slides, are they going to be able to see the https?

MS. CAVERLY: Yes. If you go to the meeting announcement on the NRC website, the WebEx address is there and if you just type in the address that I suggested, <https://usnrc.webex.com> you'll get into WebEx.

MR. CAMERON: And the event number that they'll need to give, could you just read that off to people again. I just want to make sure.

MS. CAVERLY: Sure. It's 199 278 6216.

MR. CAMERON: And then they'll have to enter the password which is all caps HOLTEC, H-O-L-T-E-C.

MS. CAVERLY: That's correct.

MR. CAMERON: And then do they need to give the pass codes also at the bottom?

MS. CAVERLY: So the pass code is for the telephone line.

MR. CAMERON: Okay. Great.

MS. CAVERLY: All audio will be through the telephone line, so you can access the slides either by WebEx or through the NRC website. There are several ways to access the slides.

If you want to make a comment or if you'd just like to listen to the meeting, do it through the telephone line. Dial the telephone number. Enter the pass code and then press #.

MR. CAMERON: Okay. Thank you, Jill. We hope that's clear for

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everybody out there. And we're also taking a transcript tonight. Graham is our court reporter.

And Jill will explain during her presentation how you get access to the transcripts to these virtual public meetings. The transcripts from the meetings that were already done, the first four, right?

MS. CAVERLY: The first two up there.

MR. CAMERON: The first two are on there. But Jill will give you that information.

Now a few final points before I introduce you to the NRC staff and go to John Tappert. John is our Senior NRC Official and he'll give you a welcome.

First of all, speaking time, at our first virtual meeting we had over 80 speakers.

But I had to set a four minute time limit. I would often let people go to five minutes and even with those time limits, we were still all of us, all of you were here for five and a half hours I think.

Last night -- last night's meeting or yesterday afternoon's meeting rather, we didn't have nearly as many speakers so I was able to let each speaker go for six to seven minutes. So you can relax a little about that. We're going to try to do the same thing tonight with the six to seven minutes.

Secondly, how many times can you speak? If we have time, in other words, if it's before 9 o'clock and we've heard from everybody at least once, then we can see if anybody wants to speak a second time. And often this turns into a rebuttal to what someone previously said, but that's fine. That gives more information to the NRC staff.

But a very important point on this, this is something we all agreed on last night, let's all of us be courteous to one another. You can say that what someone said is wrong or that you disagree with them, so let's be kind about how we refer to people on this meeting tonight. And with that, let me just introduce the staff and then we'll go to John Tappert.

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John is the Director of the Rulemaking Environmental and Financial Support Division here at NRC.

We have Jessie Quintero. Jessie is the Acting Branch Chief of the Environmental Review Materials Branch. And that's where Jill Caverly, the Project Manager, works. She works in Jessie Quintero's branch.

We also have Stacey Imboden on the phone. She's the Co-Environmental Project Manager on this draft environmental impact statement.

Kellee Jamerson is our technology expert and she's making sure that WebEx is up and running for us.

We do have Jose Cuadrado who is the Technical Project Manager.

And just let me emphasize there's two main pieces to an NRC evaluation of a license application such as this Holtec application. There's the environmental piece that's in the draft environmental impact statement. And then there's the public health and safety piece. And the environmental piece stems from the National Environmental Policy Act. The technical piece stems from the Atomic Energy Act.

And Jose is in charge of evaluating how well, whether the Holtec license application meets all the public health and safety regulations in the NRC. And he also is Spanish speaking and he's available here for anybody who needs interpretation help in Spanish. And I'm going to turn it over to Jose to say a few words in Spanish for all of you.

Jose?

MR. CUADRADO: Thank you, Chip. As he said, I'm the NRC Project Manager for the safety and security review of the application, so right now I'm going to read a short brief message, in Spanish, for any Spanish speaker today participating in this meeting.

(Speaking in Spanish.)

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MR. CAMERON: Thank you. Thank you very much, Jose.

Some final introductions. I think we might have Angel Moreno on the phone. And Angel is from our Office of Congressional Affairs, if there's any legislators or legislative staff out there.

And we also have Dave McIntyre. And we're going to put up Dave's email contact.

MS. CAVERLY: Kellee, slide, please.

MR. CAMERON: Dave is with our Office of Public Affairs and for any of you who are with the media, paper, print, whatever, you can contact Dave if you need to. It's david.mcintyre@nrc.gov.

And with that, let me turn it over to John Tappert for a welcome.

John?

MR. TAPPERT: Thank you, Chip. I'd just like to say welcome and thank you for attending this webinar. My name is John Tappert. I'm the Director for the Division of Rulemaking, Environmental and Financial Support which is the group responsible for the development of the draft environmental impact statement that is the subject of today's meeting.

The draft EIS is the result of the NRC staff's evaluation of the environmental impacts associated with Holtec International's proposal to construct and operate a consolidated interim storage facility. Tonight, we are asking for your comments on that report.

It's important to note that any comments received in this webinar forum are handled in the same manner as those comments received at an in-person meeting. The comments presented here tonight are recorded and transcribed. My staff will review and analyze them and we'll update the final EIS report as appropriate.

Comments received during this webinar will be available in the transcript of

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tonight's meeting that will be posted to the NRC's Holtec Review website shortly after the meeting.

To keep the meeting on topic, I would just ask that you direct your comments to the Holtec project and draft EIS.

Again, thank you for your time today and I look forward to a civil and productive meeting. I'll now turn it over to Jill to present the NRC staff's draft EIS results.

MS. CAVERLY: Okay, thanks, John. So today, we're here to collect your comments. Thank you, Kellee, for the slide.

So today, we're here to collect your comments on the NRC's draft environmental impact statement. And the majority of our evening is going to be dedicated to that activity. As Chip mentioned, I have a short presentation. I'm going to begin with an overview of the application process, including the differences between the environmental review and the safety review.

Next, I'll move on to an overview of the application submitted to NRC, and then summarize the results of the NRC staff analysis. I'll cover some of the public comments received during the scoping process and the NRC's environmental evaluation and results. I'm going to end with information on how you can access the report and make comments on the draft environmental impact statement.

So as we go through the presentation, I'm going to use the term facility and proposed project interchangeably. The abbreviation CISF stands for consolidated interim storage facility. I may also interchange the applicant and Holtec which is short for Holtec International.

Environmental impact statement will be abbreviated to EIS. And finally, staff and NRC staff will be referred to and that's the staff of the Nuclear Regulatory Commission.

Next slide, please. The purpose of tonight's meeting is to receive your comments on the draft environmental impact statement or the EIS. And that is for a consolidated

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interim storage facility, a CISF.

Tonight, NRC is requesting that you review the draft EIS document and provide comments that are pertinent to the current licensing action and draft EIS report. You have access to this report at the NRC's website where it can be downloaded and read.

There are also three ways to comment, either by email, website, or by regular mail. Information and methods to comment will be summarized at the end of my presentation.

Any comments you make in this forum, as well as through the three other methods, will be recorded and entered into the public record for this licensing action.

Next slide, please. We're going to have a short summary of the NRC's license application process.

Next slide, please. So I'd like to clarify the NRC's role. As an independent regulator, the NRC determines whether the state should build and operate a storage facility at a proposed site in Lea County, New Mexico. The NRC evaluates an application for a facility and determines if a license can be issued.

The NRC does not promote or build nuclear facilities. The NRC doesn't own or operate nuclear facilities. Again, our mission and our regulations are designed to protect the public workers and the environment.

Holtec International, also known as the applicant, has proposed the location for the interim storage facility application.

So in its role as the regulator, NRC staff will perform both a safety evaluation and an environmental review of the application.

Next slide, please. So this slide is from the scoping meetings held in 2018. It's a schematic of the NRC's licensing decision process. It is here to show you that the NRC has concurrent reviews occurring during its evaluation process. You'll see on the slide that the process

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of licensing is based on three foundational activities: the environmental review, the safety review, and the adjudicatory process.

The safety review results in a safety evaluation report and is based on the Atomic Energy Act and regulations in the Code of Federal Regulations. These regulations must be met in order for a license to be granted. The environmental review results in an environmental impact statement, an EIS. This action is taken because issuing a license is considered a federal action under NEPA, the National Environmental Policy Act.

NEPA requires federal agencies to evaluate and disclose environmental impacts of any federal action. Also mentioned is the adjudication process which is also used for disputes.

Next slide, please. So to look a little bit closer at the safety review, this slide shows the areas of the safety review which are required by the NRC to assure that a design can be constructed and operated while protecting human health.

The NRC staff will evaluate the design of the CISF and the characteristics of the construction site to ensure that it will be built and operated safely, that it will be protected from man-made and natural hazards, and that it protect public health and safety.

The NRC staff evaluates the physical security practices to assure that the facility will be protected from intrusion, theft, and sabotage.

The design and construction of the facility is evaluated to verify its integrity and its ability to withstand accidents. Other areas such as financial qualification are reviewed to ensure it meets NRC standards before a facility can be licensed.

The staff will evaluate a facility, that the facility is capable of withstanding external hazards which could include things like extreme temperatures, floods, tornados, and earthquakes. So the safety evaluation determines whether a facility can be constructed and

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operated to protect human health. And you could say that the safety review evaluates how the environment will impact the design and whether the design is capable of providing protection and safely storing spent fuel.

Next slide, please. So on the other hand, or the parallel environmental review, this review evaluates what the project will do to the environment. The environmental review starts with the current environmental conditions at its baseline. In the EIS, we call this the affected environment.

Each of the resources you see listed here will be evaluated for impacts to that baseline. Using the baseline data, the staff will evaluate the changes or impacts to each of the listed resource areas should the facility be constructed and operate. That delta, or that change to the resource is evaluated and that change is what we call the impact to the resource. That's when it's disclosed in the environmental impact statement.

Next slide, please. So in order to quantify the impacts, the NRC uses three definitions for significance levels: small, moderate, and large. You'll see that the scale rises based on the destabilizing influence to the resource. And these definitions are from the NRC staff guidance.

Next slide, please. So the next two slides are just going to be a summary of the application itself.

Next slide, please. The proposed project is located halfway between the towns of Carlsbad and Hobbs, New Mexico. Holtec's project includes the storage facility, related buildings, and a rail line. The portion of the rail line is shown on the diagram on the right. And it's the loop that you see on the east side of the facility. This is the rail line and it continues on this diagram to the south and then turns to the west where it continues for approximately five miles to tie into an existing rail line.

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The area of the rail line not shown in the diagram is on the Bureau of Land Management controlled land. Holtec is seeking a permit for that action, so the Bureau of Land Management, or BLM, is a cooperating agency with the NRC on the development of this EIS, so in addition to the New Mexico Environment Department, works as a cooperating agency with NRC on surface and groundwater resources.

Next slide. So on the left is an artist's rendering of the proposed action and the project diagram is again shown on the right. The picture on the left and the area circled in red on the diagram on the right represents the current licensing action which is to build Phase 1 of a spent fuel storage facility. So Holtec would be granted a license to build and store 500 canisters of spent fuel. The additional support buildings, transfer facilities, and rail lines are all included in the Phase 1 impact analysis.

Holtec has stated its intention to apply for amendments to the license for up to 20 phases, and those phases are represented by the additional rectangles in black in the diagram, so outside the red circle. So at full build out for all 20 phases, the area covered will be about 330 acres.

So the NRC decided that it would perform -- well, let me go back. NRC will perform both the safety and environmental review on any additional amendments. So if Holtec comes in for an amendment request for Phase 2, 3, 4, 5, and so forth, the NRC will perform a safety and environmental review for each one of those amendments.

Okay, next slide, please. So this project would be an in-ground, low-profile design. And so the artist's rendering is on the left. And on the right is a similar design. It's an actual picture of a similar design being used for spent fuel storage. And this is provided to you to give you some perspective.

The proposed project would use the HI-STORE UMAX system for storage of spent fuel and that's -- the HI-STORE UMAX system stands for Holtec International Storage Modular

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Underground Maximum Capacity. Each one of the modules holds one canister of spent fuel.

Next slide, please. So to get the perspective, we're looking at an artist's rendering of Phase 1 or the proposed licensing action. This would include the 500 canisters of spent fuel stored in an underground system using the UMAX canisters. The UMAX canister is an engineered canister designed to passively cool and store spent fuel for long periods of time. It is constructed from stainless steel and has been certified by the NRC for storage of spent fuel at power reactor sites. This means that the manufacturing and design of the canisters are engineered to meet the NRC requirements for safety. This includes structural integrity, material integrity, and longevity.

These canisters contain the spent fuel rods. There is no liquid inside the canisters that could leak into the environment. The thickness and internal characteristics are designed to prevent radioactive materials from escaping under normal and accident scenarios. That is achieved by using redundant welded seals and a robust structural design.

The HI-STORE design which is being proposed in the current license application will store the UMAX canisters for an initial license term of 40 years. That means that the NRC is currently evaluating the drawings of the facility to ensure the facility meets those requirements.

Okay, next slide, please. So I included this slide to help clarify the EIS and the project. As I mentioned earlier, the proposed action is Phase 1 or 500 canisters of spent fuel. As I also mentioned, the applicant has made it known its intention to request up to 19 additional phases in license amendments. And so these are referred to in the EIS as full build out or Phases 2 through 20.

So the staff in its discretion evaluated all 20 phases of the project and its environmental impact. It's important to understand that the NRC is not licensing all 20 phases. The decision to evaluate all 20 phases was made by the staff to provide additional perspectives on the

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environmental impacts.

Finally, the staff evaluated the project in stages, construction, operation, and decommissioning. And this is because these stages have unique environmental impacts.

When appropriate, the staff evaluated the maximum impact for combined stages for different phases of a process. For example, the staff may have evaluated construction stage for Phase 2 in conjunction with the operation phase, the operation stage of Phase 1. And this is because it would represent the peak impact to the resource.

Next slide, please. I'm going to talk a little bit about the scoping comments.

Next slide, Kellee. So about two years ago, a little over two years ago, we came out to New Mexico and held five in-person meetings and one webinar. During that time, March through July, we received 6600 pieces of comment correspondence and 39 unique comments.

And that was all for to determine the scope of our review. That report was compiled and was made available to the public and the address is located on the slide there.

Next slide, please. Some of the main comments we received during the scoping had to do with those listed on the left of the slide: transportation, land use, location, geology, stability, volume of material, socioeconomics.

So on the right side, we also received these comments associated with potential flooding and sink holes. And you will see that the scoping summary report that we called this out of scope. But they were out of scope because as you can see from my presentation that those issues are really addressed under the safety review. And although they're out of scope from an environment impact perspective, our safety reviewers are evaluating the flooding, external hazards, the subsurface, the compatibility of the UMAX system, as well as many other things. So that scoping summary report might have said that your comment was out of scope from an environmental perspective, but the NRC is reviewing it in its safety review.

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Okay, next slide, please. Let's talk about the environmental review and the results.

Next slide. So staff evaluated a 40-year licensing term. So the spent fuel, it would be -- with the understanding that the spent fuel will be removed before any decommissioning stage would begin. The staff's impact evaluation characterized groundwater at the facility and evaluated stormwater overflow and run off to nearby lakes and playas. The overflow is not contaminated.

Next slide, please. So the transportation and accidents, the staff evaluated traffic and road degradation from workers and construction vehicles during all stages and phases of the project. Staff evaluated the movement of the entire 20 phases of material or 10,000 canisters using conservative representative routes.

Radiological doses and health effects to the public and workers along the routes were conservatively estimated and found to be low relative to background radiation and expected baseline cancer risk.

Impacts from transportation accidents, evaluated doses to first responders, workers, and members of the public. NRC rules require spent fuel transportation containers to withstand severe accident conditions. So an assumption of no release during accidents was used in the facility's analysis.

Previous NRC technical analyses involving spent fuel in canisters support there is no release (inaudible). Land use and the location of the facility was also evaluated by the staff. The location of the facility was proposed by the applicant, but the staff evaluated the applicant's site selection process. Land use was also evaluated within a six-mile radius of the facility.

Next slide, please. The environmental justice impact evaluation evaluated

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impacts on human health and the environment using well-known guidance from Council of Environmental Quality, the Federal Interagency Working Group on Environmental Justice, NRC's Guidance and Policy Statement. The region of influence for the analysis included 115 block groups which are geographic areas that include between 600 and 3,000 people within 10 counties that fall completely or partially within the 50-mile radius of the proposed CISF project.

Staff identified potentially affected minority or low-income populations and performed the relevant comparisons to a broader geographical area.

Socioeconomic impacts were evaluated based on workers, tax revenues, and resource availability to the community. Tax revenues and economic growth for the proposed project and from additional workers in the area were evaluated for impacts including use of public services, schools, housing, all due to the increased population in the area.

Next slide, please. The next few slides tabulate the results of the environmental review. And you'll see that it summarizes the proposed actions, Phase 1 or 500 cancers. And separately, it tabulates the impacts for the additional phases which we are referring to as Phases 2 through 20.

On this slide you can see that most of the impacts are small, except for the ecology and if we go to the next slide, Kellee, we can see that the additional resource areas are also identified as small except for waste management.

Okay, on to the next slide, please. So here are your information resources. The draft environmental impact statement is available on the NRC's website. There's also a Reader's Guide in both Spanish and English. It's a 20-page summary of the application and the staff's environmental evaluation. And all of the application material is available on the NRC's project webpage which is located on the last bullet. All of the RAs, request for additional information, responses, and meeting information is located there.

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Okay, next slide, please, Kellee. Okay, so how to comment. So as I mentioned, there's three ways to comment, through the federal rulemaking website which is www.regulations.gov. You need to search for the Holtec CISF docket and at that website, it's NRC-2018-0052. Or you can mail your comments to our Office of Admin. You can also email your comments to Holtec-CISFEIS@nrc.gov. And any comments you make today will be recorded by our court reporter and the transcript will be publicly available in about a week or so.

So I think with that, I'm going to turn it back over to Chip.

MR. CAMERON: Okay. Thank you. Thank you, Jill. Very information.

Sarah, we're ready to go listen to the public and if you could put on the first person who wants to speak to us.

OPERATOR: Absolutely. If you would like to be placed in queue for public comments please press *1 and speak clearly when prompted by the automated system. I will announce your name when your line is open. Again, to make public comments, please press #1.

Our first comment comes from Karen Hadden. Please, go ahead. Your line is open. State your affiliation.

MS. HADDEN: This is Karen Hadden with State Coalition. I want to ask a couple of questions. I don't know if there was a special question period tonight. I think there was last night.

Thank you for your presentations so far, but I am very curious about a couple of things. One is when can the public see an FSAR and when and how can the public comment on the FSER on the safety analysis?

A further question is a technological question about the webinar itself. This is why we can't see the faces of the NRC staff and is everybody all in one room, where are you? And

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how do we know how many participants are on these calls?

MR. CAMERON: Usually, Karen, we have questions about the process posted on the WebEx chat and we try to answer those. But we will address your questions and I'm going to just try to summarize them. She mentioned the FSAR which is the license applicant. And then when is our safety evaluation review? And is there going to be a comment on that?

This is Jose Cuadrado.

MR. CUADRADO: Hello, Karen. This is Jose. So your question about the safety analysis report which part of Holtec's license application, as you know, anyone can access those documents in our NRC webpage for the project and also through ADAMS as well.

When you say final safety analysis report, that is a term that we use after -- if the NRC decides to grant the license application, which we haven't decided that yet, then it will become the final which is, you know, the to be approved version.

So your question -- the other question you had about the safety evaluation report, that is the report that the NRC staff will issue when it completes its evaluation of the safety analysis report that was submitted and all of the references and enclosures in the license application. That report we still haven't published it. NRC regulations will require us to publish a safety evaluation report in draft form, so it will be issued when it is completed in final form at the end of our safety and security review.

MR. CAMERON: Okay, thank you, Jose.

MS. HADDEN: I would like to thank you for that, but I must admit that I'm very confused and I would like to request that you send that to me at my email address which you should have.

MR. CUADRADO: Okay, you said about the response that I just provided to you?

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MS. HADDEN: Yes. I would really love to see that in writing because I'm actually confused by what you were just saying.

MR. CUADRADO: Not a problem.

MS. HADDEN: Thank you.

MR. CAMERON: Okay, and Jill, was there something else that you wanted to add in terms of her question?

MS. CAVERLY: Yes. So I can tell you on the WebEx, you can see the number of participants in the upper box. There's 31 participants in WebEx right now.

And I think, Jose, is it right that anybody can see how many participants are there?

MR. CUADRADO: I'm not really sure whether -- I mean, obviously, we have the administrative right, so maybe we can see the whole number, but right now we're showing 31 participants on the platform.

MS. CAVERLY: And today, I see that we have 69 folks on the telephone.

MR. CAMERON: Okay, Karen, do you have some substantive comments? And Jose will send you that information that he talked about.

There are many parts to this process according to the adjudicatory hearing that Jill mentions on one of her slides. And that's often where the safety evaluation report contentions could be filed by people disputing or questioning any part of the safety evaluation report. They can also file comments on the final environmental impact statement. The burden is stricter with admitting those contentions than it is originally when the contentions come in on the applicant's environmental report. So there is a lot of different parts to this particular process.

Okay, let's go to the next speaker.

OPERATOR: The next comments comes from Cynthia Wheeler. Your line is now open. Please state your affiliation.

MS. WHEELER: Can you hear me?

MR. CAMERON: Yes, we can.

MS. WHEELER: Thank you. I'm Cynthia Wheeler. I live in New Mexico, grew up in Roswell, and I'm making these comments under protest because we're being rushed through a process that should be deliberative, one that should be an exchange of information and it should include corrections when flaws are found.

To this point, I must address a speaker's comments from yesterday. The speaker was John Heaton, CEO of ELEA, a quasi-private, quasi-governmental group. I can't see quite sure what it is that's trying to make this project happen. And this is the group that only allowed one bid to be made and for that bid chose Holtec, a company that has a lot of legal abnormalities that involve several states and countries.

This coupling of ELEA and Holtec turned into what I call a shell game where the two decided to make money not by providing a needed service or improving a situation, but by moving, simply moving this most dangerous of waste. And I mean the most dangerous substances known, moving it from where it safely is now to somewhere else.

Then a few decades later, it would be moved from somewhere else to another somewhere else, not for safety reasons, but for no reason except to make money. And incredibly, our federal agency is going along with this nutty idea.

Mr. Heaton shamed us yesterday for taking this task seriously by saying that we're delaying. No, we're serious and we want to use the safest option in the most responsible way because we're the people at risk.

In reality, this process is important. It involves the most dangerous material

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ever made. It should be worried over, picked over, reworked, every flaw found and corrected, no matter how long it takes.

The DEIS's conclusion that almost every impact the facility will have on the environment and human life as small is laughable or would be laughable if it were something that you could laugh about. And who is supposed to work out things like the transportation issues of moving this waste that the NRC and Holtec refuse to mention them in the DEIS seriously.

Heaton also claims that people from around the country should not be able to speak about a project in New Mexico and my question is how dare he claim that this is a New Mexico issue only. These people will be at risk from every shipment that passes their city every day, every year, every decade, and yes, they must be informed and they must speak.

Finally, Mr. Heaton described us as turning this process into a circus. The glitches that have become common at these meetings make it unclear who the clowns are supposed to be in his circus, but it is not the concerned citizens who hold our health and environment sacred. There is no compelling reason except to accommodate the profits Holtec wants to make for these meetings to be rushed during this pandemic.

The NRC says that the waste can be safely stored at the reactor site for 120 years. There are no contracts that Holtec must honor. I oppose the Holtec plan. I oppose the rush of this process. I oppose it as the Governor of New Mexico does and the Governors of 20 Tribal Nations. Every state in the nation has clearly said no to hosting a storage site for this waste. The people of New Mexico also say no. Thank you.

MR. CAMERON: Thank you. Thank you very much, Cynthia, for those comments and perspectives.

Sarah, who do we have next?

OPERATOR: Our next comment comes from Jan Boudart. Your line is

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now open. Please state your affiliation.

MS. BOUDART: I'm Jan Boudart from Nuclear Energy Information Service. I was attempting to go to the EIS and analyze how you were determining the effect of this project on human health. And the language is so oscillating and the entire feeling about how things are expressed in EIS is very, very dry. And we're talking about how radiation affects human health.

In the first place, your analysis of the amount of radiation that would be given off from the CIS is like will not be any. And I don't know if you realize that gamma rays go through concrete and sand and all these things. And the gamma rays that will be coming from the CIS will be affecting people.

Also, it mentioned that there would be one person in 20,000 who would get cancer from the increased radiation which was analyzed as being extremely small. And one person in 20,000 -- one on 5,000 would have fatal cancers. Well, all cancers can be fatal and many cancers can be fatal if not treated. So there is no assumption as to how sophisticated the treatment for these cancers would be. And the record on treating people who have been irradiated by human caused radiation is not good.

And also, there is no explanation as to how these figures were arrived at except to say they came from and they gave -- I can't locate my notes right now. I'm sorry I'm kind of stumbling around more than I wanted to because -- but anyway, there is no explanation as to how these figures were arrived at. But my assumption was that you used equivalent man. My assumption would be that you did not count men that were inside the radiation zone or small children or pregnant women or women versus men because for every equivalent man that gets a cancer in the radiation zone, there would be five little boys who would get cancer and an unknown number of fetuses. And ten little girls would get cancer.

So these are things that have been elucidated in studies by Mary Olsen and I

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resent the dry language and the lack of clarity as to how your figures on human health are arrived at. I was going to have this ready and it's just so confusing, Section 3.12, I believe, and Section 4.1 and following.

So I expect to be better prepared tomorrow to deal with this because it's the part of the EIS that I think is most cogent to the people who are listening.

And then I had four questions. Number one, on page 17 of the slides, there's a photograph of a CIS. It might be an ISFSI and I wondered where that photograph comes from, what inspiration that is from?

And my second question is on the slide about phases versus stages, the construction phase, what does that include? Constructing the pad and also putting in the canisters?

Or is the construction phase over when the canisters -- before the canisters are put in? You know, the construction phase needs to be explained because the next phase is dismantling and removing.

So operations, the next phase is operations and then it's dismantling and removing and I'd like to know the borderline between the construction phase and the operation phase.

And then I believe Karen asked this question. Are you going to have a similar meeting for the safety review? And it looks like the safety review is not even done until it's a done deal and the license has been granted. That's what I understood from the answer to that question and that doesn't seem right to me, but I have to look into it further.

And then on page 20 of the slides and I can't give the slide number, but the page number, oh, it was the tables explaining that every effect is small or moderate to small. And the air quality effect is registered as small. But I do think that monitoring the top of the canisters has been halted and I don't think the monitoring at the top of the canisters is adequate. And so if you say the air quality effect is small, how are you measuring that smallness? How is the radiation at the

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top of the canister monitored? And if it is not monitored, how do you know the air quality effect is small because there should be a monitor at the top of each canister for the radiation that is coming out into the air and that means 500 monitors, for the first phase of this project.

Basically, I don't like the language and I don't like the dry presentation that is given to us in the EIS.

MR. CAMERON: Okay, Jan, thank you. I'm going to have to ask you to stop at this point. And usually questions like the ones you've posed are answered by the staff in the final EIS, but because some of them, your questions, may affect your ability to comment, can you send an email to Jill Caverly. She will answer your questions or most of your questions. And it's jill.caverly@nrc.gov. But thank you for your comments.

Sarah, we're going to move on to the next speaker.

OPERATOR: Our next comment comes from Dave McCoy. Your line is now open. Please state your affiliation.

MR. McCOY: Yes, hello. My name is Dave McCoy. I'm the Executive Director for Citizen Action New Mexico. We're Albuquerque based.

We are in opposition to the construction of the Holtec facility and thus, we prefer alternative one that's listed in the DEIS.

I would note that at the congressional meeting for appointing Chairwoman Kristine Svinicki to the Nuclear Regulatory Commission Chairwoman's position, there was no addressing of the fact then of the fuel cycle problem. And it's quite obvious that NRC has any overall policy to address this problem and continue operation of nuclear reactors and building modular reactors. So I think what's necessary here is a complete DEIS to be comprehensive.

They're seeking a subsequent license renewal which would operate -- authorize authorization of commercial nuclear power reactors for up to 80 years, so the nuclear waste

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will be at these reactor sites much longer than the 40 year temporary period that's under discussion for Holtec. So what is the justification for rapid approval of the Holtec license? Then you've got the situation of reactors (telephonic interference). Is that going to be considered for Holtec?

So one of the things that is concerning is that there's no NRC decommissioning plan in place, any approved known approved plan. So it's easy to say throughout the DEIS that decommissioning will have a small impact. But you're not assessing the actual long-term potential for operation of this facility and all the things that may occur during that period which could be -- I don't know, the figure 120 years has been talked up, but who knows, it could be a 1,000 years. It could be that you'll never be able to get that stuff out of there.

So there's a lot of assumptions here in your Stage 1, 2, and 3 that are nothing more than assumptions. And you can't know fully the problems that you're going to encounter over a 120-year period. You've never done this type of thing before for this period of longevity and a lot of the management of nuclear waste in this country has been an absolute fiasco.

You don't know if you're going to always have a safe transportation into the facility and then back out of it if a permanent repository hasn't been established. That's been at the top of the mind for lawmakers and the public and there's no adequate response from NRC about that.

In fact, there isn't any current reality to the prospect of a permanent repository at this time.

So I don't know what you're thinking about this wham-bam type of approach to handling the nation's nuclear waste. There's several areas where new regulations might be needed including emergency preparedness, physical security, cybersecurity, drug and alcohol testing, training requirements for certified fuel handlers, decommissioning the trust funds, financial protection requirements, and indemnity agreements.

And what's going to be the role of the state and local governments in the decommissioning process and aging management of the Holtec dump?

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One of the situations that strikes me is that while you've got these states that are operating these nuclear reactors, producing the waste, they're paying into a federal fund for handling the waste.

What is going to be the cost of decommissioning this site? Is New Mexico going to be responsible for it, if the utilities themselves go out of business or go bankrupt or Holtec goes bankrupt?

Who is going to be on the hook for the financial liability of removing this waste if there's a problem or if there are accidents or there's no permanent repository that becomes available? How does this financial liability get handled and when is that going to be calculated when the term of disposal is unclear at present?

Is New Mexico going to have to sue the state to generate its waste for maintenance funds? If New Mexico has to sue Holtec, here's no guarantee it can financially come out of the hole if a bankruptcy is filed by Holtec. So there's no comprehensive program for considering the length of expected operations of the existing reactors, new reactors, the amount of spent fuel that will be generated, the amounts of damaged fuel that cannot meet acceptance criteria and how much nuclear waste will have to be stored by other means.

Now, this is all policy stuff, but it's big and it's being ignored and I understand that the federal government is kind of under the gun from the federal court.

MR. CAMERON: Excuse me, Dave. Dave, I'm going to have to ask you to give us a final comment right now so that we can move on. You posed many, many questions to the staff to think about but do you have a final sentence or two?

MR. McCOY: Yeah. Currently the Department of Energy's failure to establish a permanent nuclear waste depository constituted a partial breach of contract with the nuclear utilities. Might it not be considered a breach of everything that you don't have a permanent

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repository available so why should you come here telling us that we need an interim facility? Might it not be better to go on and figure out where you're going to put a permanent repository.

MR. CAMERON: Okay. Thank you very much, Dave.

Sarah, who do we have next who wants to talk?

OPERATOR: Our next comment comes from Kevin Kamps. Your line is open. Please state your affiliation.

MR. KAMPS: Hello. Thank you. My name is Kevin Kamps and I serve as Radioactive Waste Specialist at Beyond Nuclear and the Board of Director's member at Don't Waste Michigan.

For my comments tonight I just wanted to give a heads up to the NRC staff about some written comments that I'll be submitting. One of them I refer to as Holtec's "Skeletons in the Closet." It's a long annotated bibliography of crookedness associated with the company Holtec.

For one example, Holtec's involvement in a bribery conviction in Alabama at the Browns Ferry Nuclear Power Plant. Then Holtec CEO Kris Singh's false statement regarding that incident on a tax break form to the state of New Jersey. That has led to criminal investigations in the state of New Jersey.

I'll be submitting that. I'll be submitting a similar one, "Skeletons in the Closet" regarding SNC-Lavalin, a Canadian company which just happens to be Holtec's business partner in a decommissioning consortium.

Of course, as part of the decommissioning consortium they not only engage in decommissioning activities, they also engage in high-level radioactive waste management. There's the nexus with the CISF in New Mexico.

Both of crooked companies, and the list of crookedness is very long, will probably be involved in transporting radiated nuclear fuels through most states to New Mexico, and

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we'll see what SNC-Lavalin's role might be at the Holtec site in New Mexico. I will be submitting those. With the permission of a colleague there's a similar set of rap sheets, as she refers to them, about both of these companies.

The bottom-line question for the NRC is how can you entrust companies like these with the management or the interim storage for 40 years or 100 years or 120 years or 300 years for the entire inventory of commercial radiated nuclear fuel in the country. That should not happen.

These are not trustworthy companies by any stretch of the imagination.

Another document that I will be submitting to the NRC has to do with the recent NRC decision to extend the permitted storage of irradiated nuclear fuel at the Humboldt Bay Nuclear Power Plant in California where Holtec has also provided the storage technology in containers out there.

To the best of my understanding, it's sort of a prototype of the UMAX design. Perhaps not identical to the current proposed UMAX design in New Mexico for CISF but at Humboldt Bay, California, it was a seismic safeguard design supposedly which then morphed into a supposedly security-centered design after the 9/11 attacks perhaps as a marketing ploy by Holtec because there are certainly significant security vulnerabilities associated with the UMAX design.

So the reason that I wanted to submit that as comments in writing is because, and folks have called this out, the NRC claims that onsite storage in dry cask at nuclear power plants is safe up to 120 years. That is NRC's position and statement and policy.

I happen to disagree with that adamantly. I'm from Southwest Michigan where there has been very problematic dry cask storage at the Palisades atomic reactor since 1993. That situation has become more dicey as record-high lake levels in Lake Michigan have manifested in recent times with significant erosion in very close proximity to that dry cask storage.

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That's not to say that this CISF proposal in New Mexico is any kind of safety upgrade. For such situations not at all. A coalition of more than 200 organizations in this country representing all 50 states have endorsed hardened onsite storage where appropriate, and hardened near-site storage if onsite is not appropriate. I'll be submitting that group sign-on statement about HOS as well as written comment.

Another written comment I'll be submitting is an expert witness report that was submitted during Atomic Safety and Licensing Board Licensing Proceeding by Dr. James David Ballard on behalf of Don't Waste Michigan and others, a seven-group coalition, an official intervenor in his licensing proceeding. And the inadequate job of the NRC draft EIS should be compared and contrasted with Dr. Ballard's document. There are many areas that Dr. Ballard covered that the NRC DEIS has not covered adequately, if at all.

I would also like to submit in writing by the deadline a June 29, 2020 media report about the significant expansion of wind power in New Mexico. I will also track down a document from the American Wind Energy Association congratulating New Mexico on being the fastest growing state in terms of wind power in just recent years.

I would put that forward as a preferred alternative to high-level radioactive waste storage perhaps permanently at the surface, a parking lot dump, as a form of economic development in New Mexico.

That kind of compliments a comment made last night by Patty Hughs who pointed out that wind power has tremendous potential in New Mexico but it's a much better use of the wind than radioactive fallout which has happened too many times in New Mexico beginning with the Trinity explosion on July 16 of 1945.

I wanted to ask about a comment made that the slides, I guess, have been translated into Spanish and Navajo Dine in addition to English. I'm wondering why translations

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have not been done into Apache. The Mescalero Apache reservation is not very far from this targeted site. Similarly, I would ask why Kiowa language has not been provided in terms of the slides.

Perhaps the bigger point, these are just the slides. What about the technical documents that Holtec and NRC have prepared including the draft EIS itself. Why are those only available in the English language? Why have those not been translated into these other languages?

And the final comment I would like to make is to correct something that John Heaton of ELEA said last night, that there is consent-based siting in Southeastern New Mexico for this proposal that there is widespread support. I would like to read a list right now of all the resolutions that have been passed in New Mexico against this proposal.

Resolutions by the town of Lake Arthur, the City of Albuquerque, the town of Jal, the County of Bernalillo, the City of Las Cruces, the County of Santa Fe, the City of Gallop, the County of McKinley, the town of Belen, the Church Rock Chapter of the Navajo Nation, the Navajo Nation's Uranium Remediation Advisory Commission, the All Pueblo Council of Governors.

In addition to those resolutions letters have been sent to New Mexico's governor from the New Mexico Cattle Growers Association, the New Mexico Farm and Livestock Bureau, and the Permian Basin Petroleum Association all in opposition to this proposed dump site.

Along these lines about environmental justice, I would like to point out that on slide 26 that I'm looking at, I would like to read a quote from it under the environmental justice section. It reads, I quote, "Evaluated if any minority or low-income populations would be disproportionately high and adversely by."

Of course, this is a nonsensical statement. There seem to be some words missing. I think perhaps if it had been written, "Evaluated if any minority or low-income populations would be disproportionately highly impacted and adversely impacted by." I think it's reflective of

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NRC's treatment of environmental justice, in a microcosm perhaps, the sloppiness of that line on that slide.

I'll end by reading a passage from New Mexico Governor Michelle Lujan Grisham's July 28, 2020 letter to President Trump expressing strong opposition to this scheme. She writes, and I quote, "New Mexico's percentages of tribal, minority, and low-income populations are significantly greater than those in the United States general population and those populations have already suffered disproportionately high adverse human health and environmental effects from nuclear energy and weapons programs of the United States.

The proposed CISF would join the ranks of uranium mining, nuclear energy, and defense-related programs that have long created risks to public health and the environment in the State of New Mexico that are disproportionately greater than such risks to the general population of the United States."

Echoing the governor I would say that NRC has to start its environmental justice analysis completely over again. I don't know how you could screw it up so badly. You must have done incredibly acrobatics to arrive at the conclusion that you did.

MR. CAMERON: Kevin, thank you for all that information.

Sarah, we're going to go on to our next speaker.

OPERATOR: Thank you. Our next comment comes from Sandra Hardy. Your line is open. Please state your affiliation.

MS. HARDY: Thank you. My name is Sandra McKenzie Hardy. I live in Victoria, Texas and practice law at Hardy McKenzie Law. I'm contacting you to protest and oppose the Holtec proposed dump site. There's no doubt that radiation is harmful to human health. It changes the DNA of humans and causes many health problems and birth defects.

What also concerns me is that this facility appears to be located over the

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Ogallala aquifer which is the drinking water, fresh drinking water source, for the Great Plains. It needs to be protected. The hydrology and hydrochemistry of this area needs to be studied more than is apparent in the presentations that we've seen.

The danger of transporting this material by rail through various locations through the Port of Houston or by rail throughout Texas needs to be studied more carefully. This whole process needs to be slowed down consistent with what the governors of various states and the federal courts have done and the state courts have done. For this process the deadlines need to be extended so that real participation by the public can be had so that people can attend who do not have computer access so that we can see the faces of the people and have a more complete understanding of the studies that have been done and more complete questioning allowed.

I think the process as it's set up right now is discriminatory because many people cannot participate. I think the deadline should be extended. We're not even having jury trials in this state until September 1 so I think if they can postpone jury trials in this state, that this matter with regard to the Nuclear Regulatory Commission -- federal courts have also extended those jury deadlines -- that this matter should be extended and not rushed because it's a very serious matter of public health and public finances.

It needs to be studied because as they have said, this material has lasted longer than almost any government has been around, much less any company. Many of the studies that were done for the Yucca Mountain site and other sites clearly said it's more safe to leave the spent nuclear fuel rods in place and not transport them. Plus, opening this site opens us up in Texas for international transportation of this radioactive material.

Finally, again, with the transportation the studies that we've seen over the years is that this material can be misplaced and lost or damaged and can be a serious public health threat so we would ask that this matter be extended, not rushed, so that everyone can participate as

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was intended by the legislation.

MR. CAMERON: Thank you for being so precise, Sandra.

MS. HARDY: It's uncharacteristic I can assure you.

MR. CAMERON: Thank you.

Sarah, can we have the next speaker, please?

OPERATOR: Our next comment comes from Mary Jane Williams. Your line is open. Please state your affiliation.

MS. WILLIAMS: Hi. I'm Mary Jane Williams in Florida. I've been dealing with the whole nuclear era and thinking about it for many decades. Looking at that slide of your proposed -- what shall we call it? -- all those fuel rods, I'm horrified.

I don't know if it's possible for you people who are stuck in jobs of bureaucracy to take a step back and use common sense and just facts.

It does not make sense environmentally to see all these radioactive fuel rods from all over the country and put them together in one spot. How can that be better? How can that be safer? How can that be better for the environment?

That's the first part. The second part, When you talk about the idea that no radiation is possible, of course that's not possible. I hope you have considered nuclear weapons if another world war ever happens like North Korea or Russia, maybe China. Those dumps are right at the top of my list of places they would bomb. I hope you are considering that.

MR. CAMERON: Thank you very much, Mary Jane.

Sarah, could we have our next speaker, please?

OPERATOR: Our next speaker is Patricia Cardona. Your line is open. Please state your affiliation.

MS. CARDONA: Yes. Can you hear me?

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MR. CAMERON: Yes.

MS. CARDONA: My name is Patricia Cardona. I am with Sierra Club but I'm speaking as an individual today. I would like to say at this point that this webinar is not equivalent to in-person community meetings. We need a credible process for rural New Mexico for community meetings to be held when safe.

The draft DEIS is incomplete and does not provide scientific or financial data for its conclusion of levels of impact including the choosing of a centralized interim storage as a management tool for handling high level radiation fuel rods.

Ten rods a week coming into New Mexico for 20 years. No payment for injuries or property damage in case of accident, nor adequate safety measures in case of radiation release and an accident or release of radiation related to the rods, nor does it provide an evaluation of the high risk created by the storage site on the existing environment of New Mexico's communities including jobs and revenue.

The commissioning of 98 -- the decommissioning of 98 investor-owned utilities and 26 publicly-owned reactors requires a close look at the availability of money not only for decommissioning but also for providing safety measures at each step of the process including storage, attempts for clean up at the reactor site, or safety measures in transporting the materials across the country, or reimbursement for losses to the economy of New Mexico.

In 2018 the Callan Institute audited the decommissioning funds for the money available just for closing of the reactors. In very simple form and terms this is a trust fund for decommissioning only. The trust fund is established through the rate that consumers pay for electricity. According to Callan Institute the investor-owned utilities are \$15 to \$24 billion short on decommissioning expenses.

The public power companies are \$5 to \$7 billion short on their

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decommissioning expenses. Even the door opened to cutting corners on safety measures resulting in accidents including injuries and a need for reimbursement of losses. This fund not only relies on race but also on the stock market investments for increases.

Question. Given the shortfall who pays for other expenses in the closure process of utilities which includes the cost of nuclear power and their rates?

This fund does not include money for remediation of the area around the power plant contaminated with radiation from producing nuclear electricity, the transport cost including safety measures for handling radiation in case of an accident, the cost of storage, and the cost of losses to New Mexico's jobs and revenues. It is this last issue I wish to address very heavily.

The economy of Southeast New Mexico has five other types of businesses outside of the nuclear cluster that exist in this area and provides jobs and revenue for New Mexican residents. The Holtec storage site presents a high risk to the existing businesses. The businesses are tourism, potash mining, agricultural product, food processing, gas and oil production. Pre-COVID status these businesses generated \$5.5 billion in state revenue and over 20,000 jobs.

This proposal wants to say that 50 permanent Holtec jobs and \$15 to \$25 million in revenue sharing for Eddie Alliance is a good deal. I disagree. Tourism generates \$416 million in revenue and approximately 12,000 jobs. Who wants a vacation in a radiation zone? Who will pay the State of New Mexico for closure of the potash mine which is on state land for the life of the storage site.

The mineral rights under the Holtec site are owned by the State of New Mexico. It supports over 730 jobs and over 280 million in state revenue. The potash mine provides 80 percent of the United States with fertilizer. Potash is a very rare commodity.

The oil and gas companies can speak for themselves on the estimated 2,400 jobs generated in the area and at least 3 billion in potential revenue raised for the State of New

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Mexico.

Who will pay the farmers and food processing plant employees for their loss and their portion of all or part of the 20,000 jobs and the State of New Mexico for all or a portion of the \$280 million in revenue loss? Who wants food or processes near radiation?

There is no data to support any statement the current levels of radiation from the three other nuclear businesses in the area are negligible, nor how much radiation is at each plant whose high-level nuclear rods are being imported into this area.

An evaluative statement that the storage site's impact is negligible trivializes the lives and economies of New Mexico. The storage site presents a risk to 20,000 jobs and over 5 billion in revenue. Where is the money to reimburse New Mexicans for these losses when there is not even enough money to close the plants?

If the rods come here, there is no financing available nor the ability to financially transport these rods to any kind of phantom storage, a permanent storage site.

They will be abandoned here. We do not want abandonment here in New Mexico. The people who use this energy should be the people who find the solution, not the citizens of New Mexico.

MR. CAMERON: Patricia, I'm going to have to ask you to stop at this point. But I would thank you for all that economic data. That's very valuable. So thank you. Thank you very much.

And, Sarah, could we have the next speaker?

OPERATOR: Certainly. And as a reminder, if you would like to be placed in queue for public comment, please press star 1 and speak clearly when prompted.

Our next comment comes from Terry Burns. Your line is open. Please, excuse me, please announce your affiliation.

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MR. BURNS: Hi. Can you hear me?

MR. CAMERON: Yes.

MR. BURNS: Okay. Thank you. Yes, I am with the Sierra Club in San Antonio, Texas actually.

I have found the webinar system impossible to make it through and get on the video site. So I understand I'm not missing much because you all are hidden from view.

I think this points out some of the problems with this entire process. I don't know why your technology is so inadequate.

I've been thinking about leaving the queue because I've had no idea how many of the other 69 I think telephone listeners were ahead of me. But fortunately you got to me. So I appreciate the opportunity to speak.

I represent about 3,000 San Antonio residents in Sierra Club. And we oppose these ideas to transport thousands and thousands of canisters of this high-level nuclear waste through cities across America, including our own, right through the downtown, the highways and rail lines run through.

One accident would be very dangerous and hazardous to the health and livelihood of our city and especially the poor communities that typically are located in close proximity to these transport routes.

This whole idea is so fiscally irresponsible in my opinion. You're going to spend tons of money to move this waste not once but twice. So we all are going to be put at risk not only once but twice.

That's assuming that the federal government doesn't just decide to leave it out there forever and not fund a permanent repository as is required by law and not fund the move again.

Moving it once to a permanent repository, I think we're all going to have to

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accept the risks involved. But why we should accept the risks twice is beyond me. And I think it's totally motivated by money and by the interests of the power plant owners.

As was stated earlier, the material is considered safe in those locations for longer than it will be considered safe at this so-called interim site. So there's no reason whatsoever to move it.

And this process has all kinds of environmental and social justice risks, environmental risks not only at the site of Holtec, but all along the way.

And you really need to start over and do this with in-person hearings where people can talk. Many in New Mexico have no internet connection, especially Hispanic and the indigenous communities.

And this is just not right to not have these hearings available for these people to participate in, as well as our people right here in San Antonio and other parts of Texas where these routes will and transportation will occur.

We need to have our people having a public hearing here in San Antonio and other places across Texas, not just in the far reaches of Andrews County. And, so that our people, our minorities, our Hispanic and other people who live near these routes can comment and understand what's going on and what the risks are.

And I urge you to extend the deadline to have live hearings across Texas and to do this properly in a democratic way so that people can have a voice in this process and address these concerns that are very legitimate.

And finally, as a physician and former resident out there in Midland, Texas, I think it's very important to have safety hearings. I understand the kind of scoping distinctions that were described. But clearly there needs to be hearings about the safety issues hand in hand with these hearings about the environmental issues.

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They're all important. We're all at risk. And the potential of having waste from all over the country and even around the world brought here is extremely worrisome to all of us.

And the potential of the clean-up costs being dumped on taxpayers is very worrisome to all of us. Thank you.

MR. CAMERON: Okay. Thank you. Thank you very much. Terry, I'm glad you stayed with us. Thank you.

Sarah, who do we have next to speak?

OPERATOR: Our next comment comes from Monica Perales. Your line is open. Please state your affiliation.

MS. PERALES: Hello. My name is Monica Perales. And I'm an attorney with Fasken Oil and Ranch and also with the Permian Basin Coalition, which has letters opposing this project that now number in the thousands.

This opposition that we have that numbers in the thousands, it includes entities that control minerals directly beneath the Holtec site and surrounding the site.

This includes oil and gas entities which contribute to the great state of New Mexico. Conservative estimates show that nearly 40 percent of all state revenue is generated directly from oil and gas production taxes.

Let me be clear, we welcome all forms of energy, including nuclear energy. There's room at the table for all of us.

We are opposed, however, to sharing the rails with deadly waste and to the storage of waste in the middle of America's most prolific oil field.

First I want to comment on a personal level. Spanish is my first language. So, although I appreciate that Jose Cuadrado is available to serve as an interpreter, I suggest that you translate all documents and all the comments that are being submitted on both this and on the

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Andrews County project.

It's not enough to pick and choose which of your promotional and informational materials will be translated into Spanish. But if you were genuinely interested in ensuring the Hispanic majority population in your region of interest be given equal access to information, then all the technical documents and all the comments and concerns raised by the public must be translated.

Now, with regard to the comments of the coalition and the Fasken Oil and Ranch, we have an expert geophysicist. And he reports as follows.

The structural complexity of the area around and underneath the Holtec site adds unneeded risk to the site's integrity. The area of the proposed Holtec site is documented to have undergone large amounts of structural deformation during the Mississippian and Pennsylvanian ages. That could be a driving force for the seismic events occurring in the Delaware Basin.

Now, if you live in the area as I do, you know that earthquakes are happening more and more frequently. There is an increasing trend in the number and magnitude of earthquakes within the area of the proposed site.

As the driving mechanism is yet to be understood, it is reckless of the NRC to not include a full subsurface basement fault study of the area to ensure the site truly qualifies and will not present a risk of a release should a major seismic event occur.

Now, the seismic models that are cited in the EIS are well documented to be inaccurate as they limit the natural laws of seismology with their inputs.

It is for this reason that the Holtec site and the cask designs cannot use these seismic models to safely build permanent or temporary spent nuclear fuel storage within a seismically active area.

Now, if the NRC actually cares about these findings by our experts, call me. I

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doubt you will, but call me and I'll share it with you.

Now, finally, earlier this evening the NRC host spoke to a commenter who raised issues with the safety analysis report, with the SAR. The host suggested she submit contentions based on the SAR.

Let me tell you, as a party to the adjudicatory process, it is easier for a camel to go through the eye of a needle than to get a contention admitted before the NRC. Thank you.

MR. CAMERON: Thank you for that allegory, Monica. But also, if there is a, and I'm sure there is, but that expert report you mentioned might be very useful to the NRC if you submitted that in a comment letter. But thank you. Thank you for all that information.

And, Sarah, can we go to the next speaker?

OPERATOR: Our next speaker is Tami Thatcher. Your line is open. Please state your affiliation.

MS. THATCHER: Hi. Well, I live in Idaho. And I write for the Environmental Defense Institute that's out of Troy, Idaho.

My comments today about this draft EIS the NRC has put together is it's very incomplete and quite misleading.

And I guess the most egregious omission in this draft EIS is that the NRC assumes that a permanent repository for this spent fuel will magically become available and in 40 years, as though there would be adequate time to actually figure out the requirements for what container the fuel needed to be in and repackage that fuel so that it could be shipped to this repository that's going to magically become available.

And it's such magical thinking that the NRC doesn't even need to consider that they're talking about storing probably more spent fuel than Yucca Mountain could even hold even if it opened.

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So we're not just talking about magically one repository becoming available within 40 years and in time to ship it so that everything is shipped away from New Mexico within 40 years. We're talking about one or two, several spent nuclear fuel repositories are going to magically become available.

This magical thinking has no basis in reality. In the experience of what we have, we are further away from having a repository now than we were 30 years ago.

And the whole frenzied reason of saying we need to move this spent fuel to New Mexico is so that the square footage underneath that dry storage at closed reactor sites can be repurposed for other sites.

Well, it's pretty laughable. Really I think their reasons are other people in communities like California know that it's high risk being near the coastline, high population zones. They don't want the stuff. And they have more political clout. New Mexico, once this stuff's in New Mexico, very little political clout.

Now, the last push to even obtain a repository -- and this EIS just pretends a repository is going to happen. You have to do a real EIS. You have to analyze what happens when the repository isn't big enough or there isn't a repository. You have to include that in the EIS. I'm sorry, but you have to do that. It's just, it's an egregious omission from this EIS.

Now, you know, this EIS used as an excuse, let's not even consider other safer spent nuclear fuel options because we don't have enough technical information about it.

But Yucca Mountain isn't completely designed. It's not approved. The proposed design would use titanium drip shields to get those low doses. And it's not actually feasible to design or install those titanium drip shields. They're not actually going to happen.

So the NRC is glad to base their story on fiction when it promotes the nuclear industry. But when it actually would help protect citizens, they just say, well, we really don't have

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adequate information, so we're just not even going to consider it. It's very inconsistent. It's to the point of silliness.

Now, when it comes to canisters, you know, I was listening yesterday. And there was some shuck and jive about canister through-wall cracking not being a problem and we're ready for it and all of that.

Well, if you look at this draft EIS, basically it's acknowledging that an off-normal operation, which could be as often as once a year, is a weld leak.

And I have to think it may not be once a year, but you've got 10,000 canisters. You're going to have through-wall cracking and leaking canisters happening every now and again. And there is no plan for isolating them.

So you're going to have airborne, radionuclides wafting from this facility. And this EIS acknowledges that you could have 25 millirem whole body, et cetera. And that would all be just fine.

I want to tell you what it's like having the Three Mile Island dry cask storage in our neck of the woods in Idaho. We know that those things are wafting radionuclides. And it's a large amount.

It's a little bit different because those aren't sealed. They're designed to leak so the hydrogen can be emitted. But they release. They're expected to release lots and lots of iodine-129, 16 million-year half-life.

Well, in all the counties around the Three Mile Island dry fuel storage, we have twice the incidence of thyroid cancer of any other counties in Idaho or of the country. And that is occurring with what is claimed to be less than a tenth of a millirem whole body.

And this is in a state that has, that got smoked by Nevada weapons testing, radiation all over the state, but only near the INL did we have double the incidence of thyroid cancer

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and not just one year. We're talking about this has been for more than ten years we're consistently in a dozen or half dozen communities, counties around the INL we have twice the incidence of thyroid cancer.

Again, and it shows the disconnect between the radiation, health that it gets talked about in an EIS and that the NRC espouses and the reality on the ground of what happens to people, what happens to their health.

So people ought to look at page 4-102 and see that the, that 25 millirem whole body is something that NRC would consider fine for year-around releases.

Once you have these leaks, and more and more will happen, there's no plan for stopping those leaks. There's no capability for fixing those leaks or putting them in another sealed cask. These canisters are, have to be exposed to air flow and filtered flow. And they'll be, once they're leaking they will be leaking forever.

And it's a disconnect with the Holtec criticality analysis, which said that the basis for no criticality is happening, there would be no leaks in the canisters, completely inconsistent with the criticality analysis in the Holtec application submittal.

So you guys need to go back to square one on this EIS. The whole thing is a sham.

And anyway, I appreciate the chance to give my comments. It wasn't easy to figure out what the heck to do to get online to do this. So thank you.

MR. CAMERON: Thank you, Tami. I'm glad you figure it out and talked to us. And, Sarah, can we have the next speaker?

OPERATOR: Our next speaker is Jack Edlow. Your line is now open. Please state your affiliation.

MR. EDLOW: Hi. Good evening. My name is Jack Edlow. I'm

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President of Edlow International Company. And I'm also a citizen, a concerned citizen calling tonight. Thank you very much for having this open forum.

I would like to address mostly the transportation issue tonight, because that's been one of great concern. My company is involved in the transportation of radioactive cargos around the world.

I have worked for 51 years in this particular industry doing these things. We move spent nuclear fuel as well.

My father before me also moved spent fuel in the United States. Making his first shipment in 1963. Since that time, my company has shipped hundreds, hundreds and hundreds of shipments, maybe thousands of shipments at this point, including to, through, and from more than 40 countries. We ship by rail. We ship by truck. We ship by ocean.

And on two occasions, for emergency purposes, we shipped by air both out of Columbia and out of Iraq. I have a lot of experience in the transportation of spent nuclear fuel.

In the world there are, have been tens of thousands of shipments of this type of material with incredibly good safety records. And in the United States, there have been thousands, maybe three or four thousand shipments of spent fuel.

It goes on in the United States every week now. Every week in the United States there are shipments of spent fuel.

In 2019, Edlow shipped nearly 100 shipments in one year. In one week, in March 2019, we made four shipments of spent fuel in the same week under the guise of the Nuclear Regulatory Commission.

So, I'm real familiar with the circumstances and the safety of both of the packaging and of the transport scenarios. Edlow manages these transports.

We manage the safety. And we manage the security. And so we know

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how to move these things, and how it will be necessary to move them when they go to the Holtec facility if it is licensed.

Now, I've heard a lot of talk about routing. And people have said it's going to go through so many states, or this city or that city. I'm just really surprised that people know this, because this system has not been designed yet.

There is no current plan nor route structure determined on how to move this fuel at this time to that facility, because we don't need to know at this time.

We know how to route. And we know that routing is a complicated issue involving timing, weather, crowd sizes, and a variety of other issues along the route. And of course, we will follow the guidelines both by the Nuclear Regulatory Commission and the Department of Transportation in the United States while doing that.

So, then this can be relied on to be safe and secure, like it has been since 1963.

There may be some security in these things. Research reactor spend spent fuel in the United States. Power reactors send fuel from site to site in the past.

And now, fuel is shipped for clarity or post-radiation examination to hot cells. So, there's a lot of spent fuel that moves in the United States safely and securely.

I believe that the Nuclear Regulatory Commission has adequately addressed this within the draft EIS. And since I'm familiar with the NRC process, having been involved in this for many times, I have a high level of confidence in NRC's ability to analyze and determine this.

And yes, in my opinion, the draft EIS is adequate. Thank you very much.

MR. CAMERON: Okay. Thank you. Thank you, Jack, for bringing your experience and expertise to the meeting. Thank you.

And Sarah, could we go onto the next speaker? And just let me say to everybody, is that if you want to talk, please alert Sarah to that.

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Go ahead, Sarah. I'm sorry.

OPERATOR: And again, as a reminder, to be placed in queue for public comment, please press star one, and speak clearly when prompted.

Next, we have Bruce Montgomery. Your line is open. Please state your affiliation.

MR. MONTGOMERY: Yeah, thank you, Sarah. Bruce Montgomery, Nuclear Energy Institute. And on behalf of NEI, I'd like to speak in favor of this project.

And I'm going to skip over all the transportation stuff because of my esteemed friend here. Jack is on the phone, so he's already covered that adequately.

But, I think I'd just like to reflect on the conversation so far, because, you know, this is a review, a public review of the Environmental Impact Statement that the NRC has issued its draft.

And, I guess I've heard a lot of policy discussion. A lot of great policy questions have been raised. Many of which, gee, I'd like to hear the answer to too. And some of those aren't going to be forthcoming. And maybe some of those won't be forthcoming for quite some time, because they're political in nature. At least the solutions will be.

But I think, you know, if you want to have as an opposer, if you're in opposition to the project, if you really want to have an impact on guys like John Tappert, whose crew has put together what I consider a very thorough Environmental Impact Statement, you've got to go into the process that was used.

These folks follow established methodologies under National Environmental Policy Act. So, you've got to go after the methods, the inputs and the outcomes.

And so far, I've heard generalities. And just not a whole lot of facts offered that would challenge any of the conclusions that the NRC's reached here. And I think if you really

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want to push and drive the NRC to take a different tack, you really have to go after some of these things in a level of detail that I haven't heard so far.

I mean, I've heard a discussion on environmental justice, which is a great area.

But I haven't heard a statement that would lead me to conclude or even question that the NRC hasn't done a good job here.

Same thing with the transportation aspects. I heard somebody talking about radiation from the site. And discussions of things like the radiation zones. Well, the radiation zone is the fence line around this thing. It's not some big zone around some region in New Mexico.

So, I think a close look at the Environmental Impact Statement, and then picking out the things that you think were inadequately assessed, like maybe the geological piece that was discussed by Monica. You know, if there's a report out there that could do a, lead NRC to come to some different conclusions, my gosh, submit that.

But so far, I haven't heard anything that would lead me to conclude that the NRC's approach, either in terms of the process, the methods, the inputs and the outputs, were inadequate in coming up with these conclusions of either small or moderate impacts.

I mean, some of these moderate impacts are actually on the positive side with regard to the economy. Not negative as was alleged here recently.

But, you know, the question that was posed by one person, and why would you want to put all this used fuel in one location? And I would turn that right around and say, well, why would you want to leave it in 73 different locations around the country?

Now, I've got a lot of experience here. I've worked for many years at the Calvert Cliffs Nuclear Power Plant. I helped license and build one of the first independent spent fuel storage facilities at the plant. And I live next to it, worked next to it for 20 odd years.

I can tell you it's just a boring thing to look at. There's really nothing

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happening. We do monitor the radiation around it. And you're looking basically at background radiation. And is there ever a change in that? No, there never is.

There was a question about, or a statement actually, by someone that these things will leak. And I take exception to that. But I would say that even if one were to leak, and someone asked the question, you know, where did that picture come from, that slide? Well, it's the San Onofre Nuclear Generating Station in that slide that was provided by the NRC that you saw.

They have actually come up with a methodology to inspect these canisters while they're in their location in these underground vaults. And they have the technology to repair any crack if one were ever to occur, say 20, 30, I think somebody said 120 years from now.

So, there is a way to detect. There is a way to inspect. There is a way to repair. And you know, I've heard people talk about pressurized canisters. Well, they're not pressurized. They're vacuum filled with helium.

So, you know, I would say everybody pay attention to the technology. And get explicit about it. And if you want to help NRC with the quality of this report, maybe change the path you're taking with some of these conclusions.

You've got to get into the details of it. And I appreciate the opportunity Sarah. So, I'll turn it back to you.

MR. CAMERON: Thank you, Bruce.

OPERATOR: And thank you. Our next comment comes from Nick Maxwell. Your line is open. Please state your affiliation.

MR. CAMERON: Go ahead Nick.

MR. MAXWELL: Hey Chip, can you hear me?

MR. CAMERON: Yeah. We can hear you, Nick.

MR. MAXWELL: Okay. Tonight I've got my summary and brief of what's

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gone down so far in 2020 with regard to a nuke farm in rural Lee County.

NRC, listen up. Are you taking notes? Nuke farm, it's high time crimes for the plans of the Energy Alliance.

My comments are relevant to the NRC's draft EIS, which makes claims regarding the ownership of the land for the proposed facility. First, a summary of my Governor's letter to the President regarding this facility.

It is summarized simply as follows: oh, dear Mr. President Trump, please don't disparage our state with this economic malpractice. Whatever shall we do? And that is my entire summary of a three-page, very low energy, very low effort letter. Not even worth reading.

Last July I complained to the state regarding the fraudulent public sale of public lands. During which a noncompetitive 30 percent price fixing arrangement was exchanged.

First, this 30 percent deal was given to Holtec by the Eddie Lee Energy Alliance. And they kicked back by Holtec during the Alliance's solicitation for responsive fix to the public sale of its land.

The bidding requirements for bids drafted by the Energy Alliance, were drafted to require the content of the kick back deal secretly handed off to Holtec. Paid for by the taxpayers under the leadership of Democrat John Heaton.

I delivered a copy of my complaint to the Governor and the media. And what have any of them done?

Let me tell you, nothing. I guess technically Michelle gave John Heaton an award last year and a pat on the back for his dedicated public service.

Only in New Mexico and in third world countries is racketeering activity ever constitute dedicated public service.

And my complaint was hard evidence to the following criminal acts: one,

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bribery. The solicitation, offer and acceptance of a bribe by public officials, specifically this 30 percent deal which both carries up to a six year prison sentence.

Two, conspiracy and perjury. Three, price fixing. Four, and the big one, racketeering, a whopping 15 year sentence in New Mexico. Just the price fixing alone is a serious white collar federal crime in the United States.

The penalty for price fixing, the Sherman Act says, \$100 million for corporations and \$1 million for individuals. Those found guilty of price fixing may also face up to ten years in prison.

Ultimately, the Energy Alliance's little dishonest business venture conspiracy with Holtec to rig a public bid for the purpose of soliciting and receiving a bribe, amounted to no less than the felonious crime of racketeering. Let that sink in.

It took the power of concealing bribery crimes as legitimate business activities to get here. Here. This is a second degree felony in New Mexico.

The Energy Alliance and Holtec have no legitimate or honest claim to their current base itself. Curtis Winn of the Hobbs Newspaper isn't making any noise about the racketeering. Hell, he was there when they cut the deal.

Neither is Adrian Hedden of the Carlsbad Newspaper. Morgan Lee of the AP, nope. Scott of the Santa Fe New Mexican isn't making noise. Apparently racketeering is A okay.

Why hasn't anybody been charged with bribery or racketeering you might ask?

You may even ask, why does the state continue to sit on an evidence packed complaint filed with the State Auditor on July 17, 2019?

Where is the Auditor's report on my complaint? Why hasn't the AG and FBI been referred? Why hasn't the state prosecuted?

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Where is the Associated Press? Where is the Santa Fe New Mexican?
Where are those Democrat state legislators who claim to be opposed to this project?

I hope you all are still listening and taking notes. What is going on? Why
is racketeering A okay?

Do you really want to know? Because I do. It's simple. Executives of the
State of New Mexico are waiting for the statute of limitations on the alleged bribery to expire.

Prove me wrong. Change my mind. Democrats on a national level want
this project here, you all. And so uncover the bribery of this 30 percent deal during the statute of
limitations would destroy this project.

The state's law enforcement is waiting for that point in time at which our
courts will no longer hear the indictment for bribery. Oh, but our elected State Auditor in New
Mexico never misses an opportunity for his social media outreach. He can daily run a podcast.
But then go over 13 months without releasing any report on his open investigation into the Energy
Alliance con job.

Unless you count the auditor's doing his job and harassing political rivals, such
as the group dubbed Cowboys for Trump. Cowboys for Trump, what a name. Yee-haw. Oh,
their name was more than enough to melt a snowflake or two. You can easily imagine why the state
is boiling and toiling overtime to bring its full weight and force down upon this group. Really,
anything to defeat Trump and his supporters. But has Cowboys for Trump ever rigged a public sale
of land for the purpose of facilitating a noncompetitive 30 percent price fixing scheme?

A multibillion dollar scheme, mind you. Very, very illegal. Very illegal.
And a coordinated effort to defraud the nation's taxpayers. And dupe the state to Lee County
citizens. No. They haven't.

What? You mean to tell me those crimes were pulled off by other ranking

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generals of the Democrat party? I see now, clear.

It all makes sense now why there's been no prosecution against the racketeers.

And something else, how come the great Dr. Gary King's kingdom payroll working out for those Energy Alliance guys? Pretty good actually.

He was hired last year right after my Auditor's complaint was filed. And now the King, who is now stronger to this industry, is making super fat stacks right now from both Holtec and ELEA.

The Democrats at the top seem to be content so long as the King keeps on getting his. Yes, that seems to be all that really matters. So long as he's happy, the King is getting stroked, nobody goes to prison.

The project is about to railroad right through this state. And it took racketeering felonies to get it to this point.

NRC kick off taking notes, because nuke farm is coming. The state officials who claim to be opposed to this facility, who could end it tomorrow, are unwilling to prosecute their own fellow Democrats who have violated the public trust.

And you want to know what the real litmus test is? Had Donald Trump, Jr. been on the Board of Directors of the Energy Alliance during the commission of these racketeering felonies, my complaint to the State Auditor would have been the biggest story of 2019 and 2020.

You know it's true. The biggest of stories. I'm almost done. Globally redistributed it even, the Energy Alliance racketeering would have been the biggest story of both 2019 and 2020.

It would have topped Russia. Surpassed even the peak hints. Even the COVID-19 bug too. And that is the lesson to be learned here today, people.

The hard de facto permanent lesson that will forever stay with the people of

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New Mexico. Is that if you put modern day Democrats into power, then you're putting incompetent bureaucrats into power, such as Michelle Lujan Grisham. And the end result is racketeers getting away with billion dollar price fixing schemes.

MR. CAMERON: Nick, thank you. Always a trip. Thank you very much, Nick.

Sarah, could we have our next speaker?

OPERATOR: We currently have no one in queue. But as a reminder, to make a public comment, please press star one and speak clearly when prompted.

MR. CAMERON: And we're going to wait a little bit and see if we come up with anybody who wants to speak to us for the first time. And then see where we are then.

Sarah just gave everybody the instructions, star one.

OPERATOR: And we have another comment from Dave McCoy. Your line is open, please.

MR. McCOY: Thank you. I'd like to comment a little further on some things that I didn't mention before.

First of all, when people talk about the environmental justice and the inability of some people to afford internet and cell service, let's just be clear about what some of those costs are.

I have to pay, for example, \$80 a month to Comcast just for internet service. For telephone service, I've got to pay \$50 bucks.

So, that's \$130 a month. A lot of people don't have that kind of money in the state of New Mexico. So, in face meetings are really an important thing to have.

Another issue is that because interim facilities clearly are not intended to be permanent repositories for nuclear waste, NRC regulations provide that all applications for a license to operate an interim storage facility must include a plan for the future decommissioning of the site.

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Well, we don't have that plan in place, as I mentioned before. So, when are you going to have a plan in place for a permanent repository to meet that requirement?

You haven't got anything that will help you meet that requirement. Another thing I'd like to know is, is NRC going to maintain a resident inspector at the Holtec site?

So, those are just a few of the items that I wanted to bring out. One additional item was, there was a gentleman from the, I believe the Nuclear Institute.

And he mentioned that people making comments are just not technically up to speed with how advanced the Nuclear Regulatory Commission is. Well, I think he's wrong about that.

And I think a lot of the comments, whether they're policy oriented or not, policy is what makes or breaks decisions. And right now, you don't have the policies in place to comprehensively deal with nuclear waste in this country.

So, we've got all these a la carte solutions that nobody knows for sure if they're going to work or not. Getting this stuff out of New Mexico after 40 years or even 120 years, is totally an unknown.

So, thank you for allowing me to speak again. Thank you.

MR. CAMERON: Okay. Thank you for those additional comments, new comments. Thank you, Dave.

Sarah, do we have anybody else? Do we have anybody who hasn't spoken yet?

OPERATOR: We have no one in queue.

MR. CAMERON: Okay. Well, we'll wait around a little bit. And I would just thank everybody who's out there for their various comments tonight.

And I'm here with the NRC staff in the Webex room. And they have been

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writing down the comments that have been coming in.

Of course they'll have the transcript. But listening to the comments gives them a way to do time, comments tonight together with previous comments gives them something to start thinking about for their preparation of the final environmental impact statement.

OPERATOR: We do have comments in queue. Next we have Kevin Kamps. Please go ahead, your line is open.

MR. KAMPS: Thanks. Can you hear me?

MR. CAMERON: Yeah.

MR. KAMPS: Okay. Well, one extra comment I wanted to make, thank you for this opportunity. There were calls from the NRC staff for kindness and courtesy and civility and politeness.

And I just found it ironic, because there's nothing kind or courteous or civil or polite about targeting New Mexico with the world's largest high level radioactive waste dump.

There's nothing kind and courteous and civil about ramming a public comment period through during a deadly pandemic. Or breaking a promise made by the NRC Chairwoman herself, for five in person public comment meetings across the state of New Mexico.

There's nothing kind and courteous about ignoring broad calls by scores of organizations across the country for two dozen more in person public comment meetings in a dozen additional states outside of New Mexico, along the impacted transportation routes.

So, those numbers for a couple dozen hearings in a dozen states outside of New Mexico are simply the equivalent of what we got during the Department of Energy's Yucca Mountain draft environmental impact statement proceeding 20 years ago.

And it's a very reasonable request, because Holtec's proposed inventory for interim storage in New Mexico, is two and a half times the volume of limitation at Yucca Mountain.

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So, in that sense, we should really be getting two and a half times the number of public comment meetings.

There's also nothing kind and courteous about ramming through this process when there's been widespread calls for no deadline whatsoever during the pandemic emergency.

And then once it's over, such as by the universal availability of a safe and effective vaccine, then and only then, start the countdown clock on public comments.

We've got 199 day public comment period on the Yucca DEIS 20 years ago. And we've asked for an equivalent this time around.

So, that's one thing I wanted to say. Another, I would like to respond to the NEI spokesman who said that we need to be more technical.

I think on my points about environmental justice earlier that I would really choose the Governor of New Mexico's paragraph that I read earlier over NRC's current environmental justice analysis.

I guess what NRC did, to find no environmental justice impact was to simply compare southeastern New Mexico to the rest of the state of New Mexico.

But as the Governor made very clear in her letter to President Trump, New Mexico is a majority minority state in terms of its Hispanic population and its indigenous population, which is significantly higher people of color demographics than the rest of the country.

And I've made that comment on previous comment calls. But really the comparison should be, for example, to Vermont Yankee. Vermont Yankee wants to ship its waste out to the southwest.

Well, compare the demographics of Vermont to the demographics of the Permian Basin. That's where an adequate legitimate environmental justice comparison could be made.

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And to follow up on a previous comment I made this evening about the UMAX prototype being extended for operation at the Humboldt Bay Nuclear Power Plant site in California by the NRC, relatively recently, that gets to the purpose and need in this draft EIS.

If it's safe where it's at according to NRC, then there is no purpose and there's no need for shipping this high level radioactive waste from all over the country to southeastern New Mexico for what is called an interim or temporary period of time.

I think the real driver here is that the nuclear power industry, which manufactured, which generated this high level radioactive waste, that will be deadly forever, would very much like to expedite the transfer of title and liability off of its ledgers and onto the U.S. Department of Energy as soon as possible.

Which means onto the U.S. taxpayer forevermore into the future. And the problem with that, and I would like to quote Senator Jeff Bingaman of New Mexico, who in 2012 pointed out that the reason that the Nuclear Waste Policy Act of 1982, as amended, has a prohibition against DOE take title at an interim site without an open permanent repository, is that creates a real risk of the interim site becoming de facto permanent at the surface.

And that is very much what is coming into formation here in New Mexico, as well as in Texas. And that is why Beyond Nuclear filed a lawsuit along these lines, that this entire proceeding from the start, several years ago, is illegal under the terms of the Nuclear Waste Policy Act.

Because the DOE is being looked to, to pay all the bills, including a handsome profit margin to Holtec and ELEA. And it's illegal.

And so, we are in federal court as we speak on this matter. And this proceeding should never have started several years ago, let alone have gotten this far.

Thank you.

MR. CAMERON: Okay. Thank you. Thank you, Kevin. And who do

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we have next, Sarah?

OPERATOR: Next we have Karen Hadden. Please go ahead, your line is open.

MS. HADDEN: Hi. This is Karen. I'm still unclear about a couple of the questions that I asked earlier.

And one of them was why in this webinar process we are not able to see the NRC staff? And why we're having to use both a phone and a computer instead of the usual way of a Zoom meeting, where you have audio along with your webinar on the computer?

I would like an answer to that.

MR. CAMERON: Can you give me a green? Okay. Karen, let me see if Jill can share some information about why there are not pictures of the NRC staff sitting here on Webex.

Jill, can you share anything?

MS. HADDEN: Pictures, live images.

MS. CAVERLY: Yeah. So, the reason we didn't do that is because we have five hundred lines available for folks to call in.

The first meetings we actually did have, you know, four hundred or more people on the line at one time.

And I'm not an expert in this, but it was recommended that we use Webex for the presentation, and the telephone for the audio portion, because having video and audio for five hundred lines, at least for the way our NRC Webex works is, it can be --

(Off-microphone comment.)

MS. CAVERLY: Yes, it could be bandwidth intensive and it causes problems. So, I think that's why we decided to go that way. It was a recommendation that was given to me to

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do it this way. So, that's why the video isn't on.

MR. CAMERON: And Karen, did you have something else that you wanted to know?

MS. HADDEN: Yes. And I really find that inadequate. And I'm not looking for just pictures to be posted. It's not a real public meeting when you can't see the people you're talking to. That is why, one of the reasons why these so-called public meetings are completely inadequate. And they do not meet the standards for a NEPA public meeting.

We need -- we, the public, need to be able to see who we're talking to. When I'm sitting here, I see little boxes with your names. No one knows who's in those boxes. No one knows if someone's there.

We can't look at you and see if you're listening. We can't see if you're playing words with friends on the computer, or if you're rolling your eyes or anything else.

We have no idea if anyone is present, if anyone is listening, if these people are real. Because that is how disconnected it is. We do not know how many people are in the room without asking you. And the other question was about the audio being part of it.

To me, if the NRC and the federal government cannot find a way to do a webinar which every other business in the country can do with five hundred people, with both sound and images, and I'm not talking about posted pictures.

It's like we should be able to see your face throughout the meeting. And whoever is speaking and calling in should have a chance to be visually present as well. We should be able to see who else is present in the meeting. Even if it's like going to a little bit at a time.

We should be able to do those things. This technology exists. And to me, I've seen meeting after meeting that the NRC has hosted where there has been such a massive inability to handle the most basic of communication technology.

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Microphones that don't work. Room thermostats that can't function and everyone is freezing. These things have gone on and on and on.

And if the business world can do these things, I don't understand why the NRC cannot and will not in the time of pandemic. So that people have a real opportunity to have something close to a public meeting.

It is really, really difficult to get onto these meetings, to get the right information. There is too many moving pieces. And it should be easy. None of this is. It's woefully inadequate. And to be honest, it doesn't install confidence in the general public about the ability of the NRC to handle radioactive waste when they can't make a meeting work.

So, those are my comments and concerns. And I'm hoping that this changes by the next meeting, a week from now. Because these meetings are really a farce.

When you cannot see who you're talking to, that is not a public meeting.

MR. CAMERON: Okay. Thank you. Thank you, Karen. And that summarizes what we've heard from other people in the public, too. So, thank you for that. And Sarah, who do we have next?

OPERATOR: Next we have Nick Maxwell. Your line is open. Please go ahead.

MR. CAMERON: Hey and Nick, this is Chip. I just have to say something at the beginning. We would really hope that your comments this time would be something substantive on the draft EIS. So the NRC would hope --

MR. MAXWELL: Chip.

MR. CAMERON: It would help the NRC. Okay?

MR. MAXWELL: Hey, Chip.

MR. CAMERON: We don't want to -- we don't want to hear any more about

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bribery, et cetera.

MR. MAXWELL: I have a comment to make.

MR. CAMERON: Good. Go ahead.

MR. MAXWELL: Chip.

MR. CAMERON: Okay. Go ahead.

MR. MAXWELL: So, actually I'll go ahead and I'll address what you just said.

Which, as I said, my comments are relative to the NRC's draft EIS, which makes claims regarding the ownership of the land.

I'm saying there is no ownership. It's racketeering. They're felons. They need to be in prison.

Okay. So, I actually got back on here -- I mean, no, I wish the Department of Justice is on this line. That's who really needs to be involved in this.

But, you know, that's what I was getting back on here for. I wanted to say that I think Sarah does a wonderful job. I really do. I think she does a wonderful job on the phone. And I think if the NRC's made any good decisions, having her on the phone has been one of the good decisions.

But, Chip, you've been low energy tonight. And I don't think you're getting your pay tonight. So, I think Chip, maybe focus on being more kind. And that's all I have.

MR. CAMERON: All right. Thanks, Nick. Thank you very much. And Sarah, you just got a great complement from Nick Maxwell. So, take that to the bank. And who do we have next?

OPERATOR: Next we have Tami Thatcher. Your line is open. Please go ahead.

MS. THATCHER: Thank you. I would -- I searched the NEI website today,

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and other resources to look for any new information on inspecting and repairing canisters.

I didn't find anything. Everything was years old. You know, as of 2018 when I commented on the Holtec application, there was no effective inspection, no realistic way to fix them.

There have been various NRC presentations where they say we have an inspection program. But, they were not effective for finding corrode cracking.

There have been assertions that they can take a leaking canister and put it inside of a cask. There is no preparation to do that. There is no approved NRC method of doing that.

So, I'm very, very interested in the transcript of this meeting saying specifically what the gentleman is referring to. Because he's likely getting the smoke blown up his rear about, you know, it sounds like there's an inspection capability. There's not an effective capability to find the cracking. There's not an approved method for, you know, trying to contain that leaking canister.

So, I'm very interested in this transcript being very specific about what that gentleman is referring to. Because I've been specific in my comments on this project.

I hope that this will be. So, thank you.

MR. CAMERON: Okay. Thank you. Thank you again, Tami. And I think we do have a person who hasn't spoken tonight whose on the phone.

Sarah, who do we have?

OPERATOR: Next we have Ed Hughs. Please go ahead Ed, announce your affiliation. Your line is open.

MR. HUGHS: Hi, yes. Ed Hughs, private citizen. A New Mexico native.

I would just like to caution, Nick Maxwell made a passionate plea.

And I thank Mr. Cameron. We were cautioned yesterday about making

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judgement calls. And I think this is a trip for New Mexicans that are being -- that -- and NRC and Holtec is providing this, a very passionate trip.

And so, I think I would just caution you to be a moderator and not a judge of these things. I think that Mr. Maxwell has every right to express his passionate opinion, because frankly, there have been promises that have been made and have been broken.

And that is an -- that says something about this process. And the fact that the EIS has a lot of the sources from Holtec itself, is a problem.

I retired as a federal employee after 41 years across the USDA Agricultural Research Service. One of the things we were continually questioned about, is what is not in our official duties, not to give even the possibility of collusion or any kind of, any kind of personal involvement in the things that we did.

We were to be objective at all times. And frankly, this process is far, far, far from that. So, please, Mr. Cameron, and as far as the staff is concerned, when people make passionate pleas, this is a passionate process, a passionate state we're in.

And Mr. Maxwell gave facts. And he gave, they weren't just opinions, facts that have not yet been acted upon by the state and the state Attorney General, which should be.

Thank you.

MR. CAMERON: Okay. Thank you for that. And I do appreciate Mr. Maxwell's passion. And I don't think we have anybody else.

So, we are going to adjourn the meeting. And I'm going to ask John Tappert, our senior official, to close the meeting for us.

MR. TAPPERT: Thanks Chip. So again, I just thank you for taking some time out of your day. And sharing your thoughts and comments on the draft EIS with us. We'll be reflecting on those as we will be developing the final EIS going forward.

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And as a reminder, we will have the last of our webinars next Wednesday, on September 2nd. And the comment period will run through September 20th -- 22nd, I mean.

So, again, thank you so much. Be safe. And we'll talk to you soon.

(Whereupon, the above-entitled matter went off the record at 8:34 p.m.)

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