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Docket: NRC-2018-0052

Holtec International HI-STORE Consolidated Interim Storage Facility Project

Comment On: NRC-2018-0052-0300

Holtec International HI-STORE Consolidated Interim Storage Facility Project

Document: NRC-2018-0052-DRAFT-0398

Comment on FR Doc # 2020-05690

Submitter Information

Name: Christopher Lish

General Comment

See attached file(s)

Attachments

200920_nrc-2018-0052-0300_reject_holtec_hi-store_cisf

Sunday, September 20, 2020

Office of Administration
Mail Stop: TWFN-7-A60M
ATTN: Program Management, Announcements and Editing Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Reject Holtec's proposal to haul dangerous nuclear waste across America to Communities of Color that don't want it -- Holtec International HI-STORE Consolidated Interim Storage Facility Project (Docket ID: NRC-2018-0052-0300)

To: Nuclear Regulatory Commission

Please reject the illegal Holtec application for a Consolidated "Interim" Storage Facility. The Holtec proposed nuclear waste site in New Mexico would be the largest high-level commercial radioactive waste site in the world. It would trigger decades of dangerous nuclear waste transport on US roads, rails, and waterways regularly through big cities, small towns, farmlands, over rivers, lakes, bays, and oceans. The American public deserves in-person public meetings on Consolidated "Interim" Storage (CIS) and the unprecedented, inevitable massive transportation program that would take DECADES, about which the public also deserves more time to learn and comment.

"It is horrifying that we have to fight our own government to save the environment."
-- Ansel Adams

I hereby submit the following requests and comments:

1. Extend the comment period on the Holtec Draft Environmental Impact Statement Docket NRC-2018-0052 until six months after the COVID-19 public health crisis is over.

Eighty-two organizations asked the Nuclear Regulatory Commission (NRC) to suspend all licensing and rulemaking throughout the Commission until six months after the end of the COVID-19 crisis. Please honor this request for the Holtec CIS application.

The U.S. House of Representatives and the U.S. Senate in April 2020 called for all rulemakings and proceedings involving public input to be suspended until 45 days after the end of the COVID-19 public health crisis.

The pandemic continues, and is worsening, amid the consequent economic crisis, with over 34 million people out of work and drastic reductions in federal supplemental unemployment insurance. There is no need to rush this application process by sacrificing democracy.

2. Hold the five promised public meetings in New Mexico in person, when it is safe to do so, and extend the comment deadline until six months after the end of the COVID-19 crisis.
3. Hold public meetings along all transport routes in person, when it is safe to do so.
4. I join New Mexicans and people across the U.S. in rejecting the NRC's four recently scheduled conference calls, crammed into a two-week period, to replace the promised five public meetings in New Mexico and additional meetings that are necessary across the country

The NRC committed to New Mexicans—including the state's Congressional delegation—that the agency would hold five in-person public meetings throughout the state (when safe for in-person meetings) on the Draft Environmental Impact Statement for the proposed Holtec nuclear waste dump. But now, the NRC has announced it will hold four national conference calls, in less than a two-week period.

Holding online meetings does not substitute for in-person meetings in and near affected communities, but the NRC's recent performance with such forums has been a gross failure. The NRC's use of teleconferences has resulted in people waiting over five hours to speak, and some never allowed to speak, multiple technical problems and delays, the failure of the NRC to un-mute speakers, the NRC enforcing stricter time limits for critics than for proponents of the project, and the inability to hear and see the presentations.

This is a violation of economic and environmental justice principles, since lower income people have less access to smart phones, computers, broadband internet access, and technical support, thus excluding people from the process.

5. The NRC's time-limited focus on just 40 years of "temporary storage" is inappropriately and arbitrarily short, given Holtec's own admission in its license application to the NRC that "interim storage" could persist for 120 years. In response to a Request for Information from the Department of Energy, Holtec admitted a Consolidated Interim Storage Facility (CISF) could operate for 300 years. And in the NRC's own 2014 Continued Storage of Spent Nuclear Fuel Rule and Generic Environmental Impact Statement (EIS), the agency acknowledged away-from-reactor Independent Spent Fuel Storage Installations (ISFSIs) could go on indefinitely. Institutional control could be lost over such long time periods. Failed containers could release catastrophic amounts of hazardous radioactivity directly into the surface environment, to blow downwind, flow downstream, bioconcentrate up the food chain, and harm people down the generations.
6. The NRC's treatment of highly radioactive waste transport risks is woefully inadequate, to nearly non-existent. This violates the long-established legal requirement under the National Environmental Policy Act (NEPA) that the NRC take

a “hard look” at the Holtec CISF proposal, including its inextricably linked high-risk transportation component, impacting most states in the Lower 48.

7. Inner canisters will have to be transferred from on-site storage dry casks, to radiation shielding/transfer casks, to transport/shipping casks, to transfer casks, to CISF storage pits (and then, if and when high-level radioactive wastes are exported to a permanent repository, the reverse process) multiple times. Yet, the NRC is not requiring Dry Transfer Systems (DTS), so there will be no way to deal with failed fuel or containers, as well as leaks or contamination. Expert witness Bob Alvarez, a former senior advisor to the U.S. Energy Secretary, has testified in these CISF proceedings that under the DOE’s latest Yucca dump plans, targeting Western Shoshone land in NV, high-level radioactive wastes can only be buried in standardized Transport, Aging, and Disposal containers (TADs) specially designed for use at the Yucca dump. This would require dividing up the contents of 10,000 containers at Holtec into 80,000 smaller TADs. Nowhere is this addressed in the Holtec ER, nor the NRC DEIS. And yet both Holtec and NRC assume Yucca will be the ultimate dump. But that repackaging process carries significant risks and potential impacts for health, environment, and safety, and yet could not be done without a DTS. The entire complex, high risk subject matter area is missing from NRC’s Holtec CISF DEIS, another violation of NEPA’s “hard look” requirement, and even a violation of the Atomic Energy Act, given the inherent, large safety risks.
8. The application illegally assumes the cancelled Yucca Mountain proposed repository will operate. This is a major flaw in the application. Holtec and NRC assume that the Yucca Mountain dump in Nevada, targeting Western Shoshone Indian land, will open, allowing re-export of irradiated nuclear fuel from New Mexico to Nevada for permanent disposal. This is how Holtec and the NRC attempt to justify calling the CISF “interim” or temporary. But the Yucca dump should not, and will not, happen, for a long list of reasons. This includes the Yucca dump’s illegality (it would violate the Treaty of Ruby Valley of 1863, signed by the U.S. government with the Western Shoshone Indians), as well as the environmental injustice of opening the national high-level radioactive waste dump in the same state that “hosted” nuclear weapons testing for several decades on end, resulting in disastrous radioactive fallout and health damage downwind. But it also includes Yucca’s flagrant scientific unsuitability. Holtec and the NRC are entirely unjustified in assuming the Yucca dump will open someday, or year, or decade, or century. For this reason, there is a very high risk that the Holtec CISF in New Mexico will become de facto permanent surface storage, a parking lot dump, risking catastrophic releases of hazardous radioactivity directly into the environment when containers ultimately fail over a long enough period of time, due to loss of institutional control.

Please don’t rush review of the Holtec license application and the draft environmental impact statement under the cover and distraction of the COVID-19 crisis. Please reject the illegal Holtec application. The NRC should not even be processing the application because it is illegal to license a supposedly “interim” consolidated storage site

dependent on federal funding and ownership of commercial high-level radioactive waste, when there is no final repository in operation.

“A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise.”

-- Aldo Leopold

Thank you for your consideration of my comments. Please do NOT add my name to your mailing list. I will learn about future developments on this issue from other sources.

Sincerely,
Christopher Lish
San Rafael, CA