

**From:** Kevin Kamps <kevin@beyondnuclear.org>  
**Sent:** Tuesday, October 6, 2020 1:11 PM  
**To:** WCS\_CISFEIS Resource  
**Subject:** [External\_Sender] Beyond Nuclear's 5th set of public comments, on NRC's ISP/WCS CISF DEIS, re: Docket ID NRC-2016-0231, and report number NUREG-2239 -- re: complexity and risk of multiple required cask-to-cask canister transfers

Submitted via: <[WCS\\_CISF\\_EIS@nrc.gov](mailto:WCS_CISF_EIS@nrc.gov)>

Dear NRC Staff,

We submit these comments on behalf of our members and supporters, not only in New Mexico and Texas, near the targeted ISP/WCS CISF site, but across both of these states, and the rest of the country, along road, rail, and waterway routes that would be used for high risk, highly radioactive waste shipments to ISP's CISF, as well as to Yucca Mountain, Nevada, on Western Shoshone land -- wrongly and illegally assumed by ISP/WCS, as well as by NRC, to someday become a permanent disposal repository.

The following subject matter has gotten little to no attention in NRC's ISP/WCS CISF DEIS, a far cry from NEPA's legally binding "hard look" requirement: the complexity and risk of multiple required cask-to-cask canister transfers.

The inner canisters will have to be transferred (from on-site storage dry casks, to radiation shielding/transfer casks, to transport/shipping casks, again to transfer casks, then to CISF storage casks at ISP/WCS, TX; and then, if and when high-level radioactive wastes are exported to a permanent repository, the reverse process) multiple times. Nowhere in the NRC DEIS is this complexity, and high risk for something to go wrong, reflected, admitted, nor analyzed adequately.

Making matters worse, NRC is not even requiring Dry Transfer Systems (DTS), neither at the nuclear power plant origin sites, nor at ISP/WCS's CISF, nor anywhere in between. So there will be no way to deal with failed fuel or containers, as well as leaks or contamination, if and when they occur.

Expert witness Bob Alvarez, serving ISP/WCS CISF opponents, a former senior advisor to the U.S. Energy Secretary, has testified in these very CISF ASLB licensing proceedings that under DOE's latest Yucca dump plans, targeting Western Shoshone land in NV, high-level radioactive wastes can only be buried in TADs -- standardized Transport, Aging, and Disposal containers specially designed for use at the Yucca dump. This would require dividing up the contents of several thousand larger-sized containers at ISP/WCS's CISF into many tens of thousands of smaller-sized TADs. Nowhere is this addressed in the ISP/WCS ER, nor the NRC DEIS. And yet both ISP/WCS and NRC assume Yucca will be the ultimate dump, itself an outrage, as Ian Zabarte, Principal Man of the Western Bands of the Shoshone Indians, and secretary of the Native Community Action Council, testified on the NRC's June 23, 2020 webinar/call-in public comment meeting re: Holtec's CISF DEIS. (As we have commented previously in this

proceeding, the Holtec/ELEA CISF in NM, and the ISP/WCS CISF in TX, share many overlaps. They are but 40 miles apart, across the NM/TX state line. Even Holtec CEO Krishna Signh has said the two CISFs are not competitors, rather, they complement each other. Thus, Ian Zabarte's testimony in the Holtec DEIS proceeding is equally valid here.) Ian Zabarte made clear the Western Shoshone hold title to Yucca Mountain, as acknowledged by the U.S. government when it signed the "peace and friendship" Treaty of Ruby Valley in 1863.

That ISP/WCS CISF containers to TAD containers repackaging process described above will have 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 ISP/WCS 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.

Please address your woefully inadequate "hard look" under NEPA, re: this health-, safety-, and environmentally-significant subject matter above.

And please acknowledge your receipt of these comments, and confirm their inclusion as official public comments in the record of this docket.

Thank you.

Sincerely,

Kay Drey, President, Board of Directors, Beyond Nuclear

and

Kevin Kamps, Radioactive Waste Specialist, Beyond Nuclear

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Beyond Nuclear aims to educate and activate the public about the connections between nuclear

power and nuclear weapons and the need to abolish both to safeguard our future. Beyond Nuclear advocates for an energy future that is sustainable, benign and democratic.

**Federal Register Notice:** 85FR27447  
**Comment Number:** 4624

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**Sent Date:** 10/6/2020 1:10:45 PM

**Received Date:** 10/6/2020 1:11:01 PM

**From:** Kevin Kamps

**Created By:** kevin@beyondnuclear.org

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**Post Office:** mail.gmail.com

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MESSAGE	4580	10/6/2020 1:11:01 PM

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