

**From:** Kevin Kamps <kevin@beyondnuclear.org>  
**Sent:** Thursday, October 8, 2020 12:53 PM  
**To:** WCS\_CISFEIS Resource  
**Subject:** [External\_Sender] Beyond Nuclear's 7th set of public comments, re: Docket ID NRC-2016-0231, and report number NUREG-2239, NRC's ISP/WCS CISF DEIS -- re: simply assuming Yucca Mountain, Nevada on Western Shoshone land, will be the permanent repository, ...

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/WCS'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 (or some decade, or some century) 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: simply assuming Yucca Mountain, Nevada on Western Shoshone land, will be the permanent repository, is false, indefensible, and a violation of treaty obligations (that is, illegal).

ISP/WCS, 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 Andrews County, west Texas, to Nevada for permanent disposal. It's how ISP/WCS and 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" (unwillingly) full-scale nuclear weapons testing for several decades on end (1951 to 1992), resulting in disastrous radioactive fallout and health damage downwind. But it also includes Yucca's flagrant scientific unsuitability, as well as the fact that more than a thousand environmental groups have been actively opposing the scheme for 33 years. (A partial listing of the large number of these groups are listed below.) And it also includes the fact that the State of Nevada, and the Western Shoshone, have expressed their non-consent to the Yucca Mountain dump for several long decades now. They have done so most actively, as in resisting the Yucca dump scheme at every turn.

ISP/WCS and NRC are entirely unjustified in assuming the Yucca dump will open someday, or year, or decade, or century. In fact, NRC's doing so reveals its bias in the Yucca Mountain licensing proceeding, in which it is supposed to be a neutral safety regulator, only sitting in judgment of the Yucca site's capability of meeting regulations, not advocating for its opening even in the face of its clear unsuitability. For this reason, there is a very high risk that the ISP/WCS CISF in Andrews County, west Texas -- just a few miles from Eunice, 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 see a partial listing of (around 750, out of more than 1,000+, organizations opposed to the Yucca Mountain, NV dump proposal scheme:

(As posted on-line here: <<http://archives.nirs.us/radwaste/yucca/yuccaopponentslist.htm>>)

Please address your woefully inadequate "hard look" under NEPA, re: this health-, safety-, and environmentally-significant, as well as legally-binding, 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.

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