

From: Kevin Kamps <kevin@beyondnuclear.org>
Sent: Monday, October 12, 2020 4:04 PM
To: WCS_CISFEIS Resource
Subject: [External_Sender] Beyond Nuclear's 10th set of public comments, re: Docket ID NRC-2016-0231, and report number NUREG-2239, NRC's ISP/WCS CISF DEIS -- re: the Cerro Grande Fire exacerbates the environmental injustice of the ISP/WCS CISF scheme

Submitted via: <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, including Oklahoma, 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. This unnecessarily repeated, multiple legged, cross-continental transport of highly radioactive waste, is another significant aspect of the EJ (Environmental Justice) burden associated with this ISP/WCS CISF scheme.

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 Cerro Grande Fire exacerbates the environmental injustice of the ISP/WCS CISF scheme

On Sunday, May 10, 2020, the following article was published:

- ***Santa Fe New Mexican*** - [Cerro Grande Fire remains burned into New Mexico's memory 20 years later](#) - By Scott Wyland

As Beyond Nuclear commented upon in the closely related Holtec/ELEA CISF DEIS proceeding, this is yet another reason that the Holtec/ELEA CISF targeted at NM is one environmental justice burden too many.

But so too, in the context of and regarding the WCS/ISP CISF, targeted at the NM border at Eunice, just 0.37 miles into TX, as reported in NRC's ISP/WCS CISF DEIS. NM, and TX, and even Oklahoma, have suffered enough from the nuclear industry already.

[This radioactive and toxic fallout cloud plume from the Cerro Grande Fire is clearly shown on the New Mexico Hazards Map \("Water, Air and Land: A Sacred Trust"\) by Deborah Reade of Santa Fe, NM.](#)

The map is posted online here:

<http://static1.1.sqspcdn.com/static/f/356082/28292760/1588368272923/2020-ThreatsMap_11x17-v2.pdf?token=rKnPVLIVS7XK7e137EtcjRJ1JQM%3D>

This map clearly shows that the smoke plume from the Cerro Grande Fire not only impacted NM, but so too OK and TX downwind, as the smoke plume exited the northeast corner of NM. This smoke plume included radioactive contamination, including plutonium contamination, swept up into the smoke plume due to radioactive contamination at the Los Alamos National Laboratory being burned in the fire. The radioactive contaminants, including plutonium, inevitably fell out as radioactive fallout, not only in NM, but also in OK and TX, and beyond.

Such fallout inevitably happened onto land, but also onto surface waters, some of which flow from NM into OK and TX, and then beyond.

NM, TX, and OK have, for too long, shouldered too many EJ burdens -- nuclear-related, fossil fuel-related, and related to other hazardous industries. ISP/WCS's CISF scheme would add to that EJ burden, including, absurdly, due to the nonsensical multiplication of irradiated nuclear fuel transport risks, for no good reason whatsoever. ISP/WCS's plan is for the stored irradiated nuclear fuel to be shipped out of TX, to Yucca Mountain, NV, via a rail route taking it all through NM, TX, and OK, a route through which a large percentage of the inbound shipments to the ISP/WCS CISF had previously traveled. Thus, NM, TX, and OK will be hit coming, and going: coming, from atomic reactors to the east; going, to Yucca Mountain, NV.

And of course Yucca Mountain, NV is Western Shoshone land, so the ISP/WCS and even NRC assumption that the CISF's inventory will be dumped at Yucca Mountain is itself not only a violation of EJ, but also a violation of the Treaty of Ruby Valley of 1863, the highest law of the land, equal in stature to the U.S. Constitution itself.

For these reasons listed above, the ISP/WCS CISF in TX is a non-starter, as yet another, major, EJ violation, on top of so many others.

But so too is the Holtec/ELEA CISF in NM, for the same reasons.

The two CISFs would be but 40 miles apart, after all.

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