

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

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Environmental Impact Statement for the  
Proposed Interim Storage Partners  
Consolidated Interim Storage Facility

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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PUBLIC ONLINE WEBINAR FOR THE DRAFT ENVIRONMENTAL  
IMPACT STATEMENT FOR THE PROPOSED INTERIM STORAGE  
PARTNERS CONSOLIDATED INTERIM STORAGE FACILITY

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THURSDAY, OCTOBER 8, 2020

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The Meeting convened via WebEx, at 6:00  
p.m. EDT, Chip Cameron, Facilitator, presiding.

PRESENT:

FRANCIS "CHIP" CAMERON, Facilitator

DIANA DIAZ TORO, NMSS/REFS/ERMB

LANE HOWARD, SwRI

KELLEEE JAMERSON, NMSS/MSST/MSEB

MIRIAM JUCKETT, SwRI

DAVID MCINTYRE, OPA

JOHN MCKIRGAN, NMSS/DFM/STLB

MARLA MORALES, SwRI

ANGEL MORENO, OCA

JOHN-CHAU NGUYEN, NMSS/DFM/STLB

JIM PARK, NMSS/REFS/ERMB

JESSIE QUINTERO, NMSS/REFS/ERMB

JOHN TAPPERT, NMSS/REFS

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

(6:01 p.m.)

MR. CAMERON: Welcome to the Nuclear Regulatory Commission's virtual public meeting. And it's my pleasure to serve as your facilitator today. And thank you for joining us.

The NRC is here today to listen to your comments, advice, recommendations, concerns, on the NRC's draft Environmental Impact Statement, the EIS, on a license application that NRC has received from Interim Storage Partners, to build and operate an interim storage facility for spent fuel in west Texas. Specifically in Andrews County, Texas.

And your comments on this draft EIS are very important because the EIS is a fundamental part of the NRC evaluation of whether to grant this license application. That's the first fundamental part.

The second fundamental part, besides the environmental review, is a health and safety evaluation and that evaluation is going to be contained in something called a safety evaluation report, which will be available sometime in 2021.

Now, in the room with me here at NRC headquarters in Rockville, Maryland, are the staff responsible for preparing the EIS, and also for

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preparing the safety evaluation report. We have the safety staff here to listen to any comments that may raise safety concerns as opposed to environmental concerns. So they're here to be aware of any safety issue comments.

Let me give you an organizational context for all of this. Both the environmental evaluation and the safety evaluation are being done in the NRC Office of Nuclear Material Safety and Safeguards. Now, the division within the office that are responsible for the preparation of the Environmental Impact Statement is the Division of Rulemaking, Environmental, and Financial Support.

We have the Division Director, the Director of that division with us tonight here in the room, John Tappert, and we'll be going to him shortly to give you a welcome.

Now, the division responsible for the safety evaluation report is the Division of Fuel Management, and I'll introduce the staff from that division in a few minutes.

So we're here at a horseshoe shaped table up on the sixth floor of the Two White Flint building, Rockville, Maryland. Now, to my right is the Senior Environmental Project Manager. I'm down here at the

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bottom of the horseshoe in the center. And over to my right, still on the bottom of the horseshoe is Jim Park. He's a Senior Environmental Project Manager overseeing the preparation of the EIS.

Now again, on the bottom of the horseshoe, next to Jim on his right, is John Nguyen. John is the Technical Project Manager in the preparation of the safety evaluation report.

Now, we're going to start going up the right-hand side of the horseshoe and right there is John Tappert. He's the Division Director I mentioned earlier, and he'll be on shortly with a brief welcome for you.

At the top part of the horseshoe, up on the right, we have one of the safety evaluation managers, that's John McKirgan and he's the Chief of the Storage and Transportation Licensing Branch, and John Nguyen, who I introduced earlier, works in that branch for John McKirgan.

Now, we're going to go across the empty part, the top part of the horseshoe. And on the left side of the horseshoe is the Acting Branch Chief for the environmental review. And that's the Environmental Review and Materials Branch, Jessie Quintero, is the Acting Branch Chief, and Jim Park is

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in Jessie's branch, and both work in John Tappert's division.

Now, we do have consultants, NRC consultants that help them prepare the Environmental Impact Statement. They're expert environmental scientists. We have one of them here with us at the table on the left side of the horseshoe, Marla Morales.

She's an environmental scientist and she works for the Southwest Research Institute in San Antonio, Texas.

So they're all here in the room and in addition, we have people from the NRC staff and Southwest Research Institute on the phone listening to all of your comments. Our technology expert, Kellee Jamerson, is on the phone with us and she's had us geared up on the WebEx platform.

We have Dave McIntyre who's with us from the Office of Public Affairs. He's a key person on this and in a few moments, Jim Park and his presentation is going to give you a slide that shows Dave's contact information in case any of you out there in the media want to get more information.

Now, we also have Miriam Juckett. She's from the Southwest Research Institute. She's the manager of the environmental program at the institute.

Marla Morales here in the room, works for Miriam.

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And we also have Lane Howard on the phone from the Southwest Research Institute. He's the principal investigator on this project, helping the NRC with the draft, or with the EIS.

We have Angel Moreno from our Office of Congressional Affairs listening in. And we also have Diana Diaz-Toro. Diana is the NRC manager in this area. She's on the phone to provide any assistance that may be needed by Spanish speakers. And in a few minutes, she's going to give some welcome to Spanish speakers in Spanish.

Now, I'm sorry for the long introduction, but I wanted to emphasize how seriously the NRC takes your comments on this draft EIS. They're going to be listening to your comments. They're not going to be responding, but they will evaluate your comments and any questions you have when they prepare the final EIS.

So they want to hear what you agree with that's in the draft EIS, what you disagree with, what's missing that has to be in there.

We're also transcribing the meeting tonight and I'm not sure if Sam Wojack is our Court Reporter tonight. But we do have somewhat taking a transcript. That transcript, like the transcripts from all the other draft EIS meetings on the Interim

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Storage Partners license application, that will be on the NRC website in approximately seven to ten days.

So the agenda's pretty simple after I'm done, which I almost am. Then we're going to go to Jim Park. He's going to give you a summary of what's in the draft EIS and after Jim's done, we're going to go to you. And Sue is our Operator right now. We'll probably be joined by Lorraine, another Operator, later on. And she's going to be running the phone line. Sue will give you instructions on how to get onto the phone line.

And I always like to set a time limit for speaking so that we can get to everybody who wants to talk tonight. We're scheduled to run from 6:00 to 9:00. We'll go over that if we need to. I have been setting a five-minute time limit, but for example, last Tuesday, I let people go for six, seven minutes. When they got to the eight-minute mark I asked them to sum up, and everybody was very, very polite and they stopped at that time.

So we'll just let it go and try for five, six minutes. And sometimes people only go for two minutes. So that's good also.

One thing to watch out for that we found out before is that if you're trying to talk to us through

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a speaker phone, either on a landline or on your cell phone, that doesn't come through. So you're going to have to not use the speaker phone and, you know, the slides are on WebEx. If you have any technology problems, you can't hear someone talking, put a chat message in the chat box and we'll try to fix it.

And with that, I'm going to turn it over to Jim Park. And again, thank you all for being with us. Jim?

MR. PARK: Thank you, Chip, and welcome to everybody. My name is Jim Park and I am the Project Manager for the NRC's environmental review of the application from Interim Storage Partners.

This meeting is to provide you, the public, an opportunity to provide comment on the NRC's staff draft Environmental Impact Statement for the Interim Storage Partners license application to construct and operate a consolidated interim storage facility for spent nuclear fuel in Andrews County, Texas.

On the first slide, there's access information for the WebEx and audio for this meeting.

The WebEx platform is used to show the staff's presentation. That's also accessible from the NRC's meeting notice, and from the NRC project webpage for its review of this license application. Audio for the

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meeting is only through the telephone line.

Next slide, please. NRC has four meetings planned to receive comments on its draft Environmental Impact Statement. We have held two meetings so far.

One last Thursday, October 1st, and one earlier this week on Tuesday, October 6th. This is the third meeting and we will be hosting one more meeting after this on Thursday, October 15th.

Notices for these meetings are on the NRC public webpage. This slide provides the WebEx and audio access information for all four of those meetings.

Next slide, please. As Chip said earlier, if you're a member of the media, you can contact David McIntyre, who is with our NRC's public affairs office, and his contact information is provided here on this slide.

Next slide, please. And now I would like to turn it over to Diana Diaz-Toro who will provide an introduction in Spanish.

MS. DIAZ TORO: Thank you, Jim.

(FOREIGN LANGUAGE SPOKEN)

MS. DIAZ-TORO: Thank you, Jim. I'll turn it back to you.

MR. PARK: Thank you, Diana. And now,

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next slide, please. I'd like to turn it over to John Tappert for some welcoming remarks.

MR. TAPPERT: Thanks, Jim. I'd just like to welcome everyone and thank you for attending this evening's meeting. As Jim said, my name is John Tappert and I'm the director for the group that is responsible for the draft Environmental Impact Statement that is the subject of tonight's meeting.

The Draft EIS is the result of the NRC's staff's evaluation of environmental impacts for a license application from Interim Storage Partners to construct and operate a proposed consolidated interim storage facility. NRC has spent many months evaluating the impacts to resource areas and has compiled the results of those analyses in the draft EIS.

Tonight, we are asking for your comments on that report. The comment period for the draft EIS is scheduled to end on November 3rd, however, tonight is not the only opportunity for you to comment on the draft EIS. As Jim noted, there will be an additional meeting next Thursday, and he will also share a number of ways that you can provide written comments.

It's important to note that any comments received in this webinar forum are handled in the same

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manner as those comments received at an in-person meeting. Comments presented here tonight are recorded and transcribed. My staff will review and analyze them, and as needed, will update the final EIS report.

A transcript of tonight's meeting will be posted to the NRC's public website for the ISP review within about a week of this meeting. And again, thank you for your time this evening. And we'll continue with the presentation of the NRC's staff's draft EIS results. Jim?

MR. PARK: Thank you, John. Next slide, please. As you have heard, we're here to collect your comments on the NRC's draft Environmental Impact Statement. The majority of this meeting will be dedicated to that activity. I will begin this part of the presentation with an overview of the NRC's review process for the license application from Interim Storage Partners, including the differences between the environmental review and the safety review.

Next, I will summarize the application filed by ISP, and then discuss some of the public comments we received during the scoping process for the Environmental Impact Statement. I will then present the results of the NRC's staff's environmental analysis.

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And finally, as John mentioned, I will present additional information and other ways to comment on the draft EIS before I turn it back over to Chip to start the public comment portion of the meeting.

Next slide, please. The purpose of this meeting, again, is to receive your comments on the draft EIS. NRC is asking that your comments be pertinent to the current licensing action, and the draft report.

We ask you, if you can, to point to specific sections of the draft EIS for your comment. Or at least identify the subject area that your comment will be referring to.

The draft EIS can be downloaded from the NRC's public website. It is also accessible from the websites in Andrews, Texas, Eunice, New Mexico, and Hobbs, New Mexico, the libraries in those towns. And the NRC has mailed hard copies of the draft EIS to people who requested it. In addition to commenting in this meeting, you can provide comments on the draft EIS by email, on the website at [regulations.gov](http://regulations.gov), or by regular mail. Later in this presentation, I will give the addresses to send comments in in those ways.

Comments on the draft EIS are accepted through November 3rd. Any comments on the draft EIS

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made in this meeting will be recorded and put into a meeting transcript that will be on the NRC's public website and in the public docket for this licensing action. A transcript will be publicly available within about a week after this meeting.

Next slide, please. In the next few slides, I will discuss the NRC's process for reviewing the license application from Interim Storage Partners.

Next slide, please. I would like to begin by clarifying the NRC's role. As in independent regulator, the NRC determines whether it is safe to build and operate a storage facility at the proposed site in Andrews County, Texas. In accordance with its mission to ensure adequate protection of public health and safety, the NRC evaluates an application for a facility and determines if a license can be issued.

The NRC is not promoting ISP's proposal to construct and operate this facility, but rather reviewing that proposal against NRC's legislative mandates under the Atomic Energy Act, and NRC's regulations concerning such a facility. That is the focus of NRC's safety review.

The NRC also is conducting an environmental review of ISP's proposal in accordance with the NRC's regulations that implement that National

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Environmental Policy Act of 1969. This meeting during which we are asking your feedback on the draft EIS, is part of the NRC's environmental review process. The results of the safety and environmental reviews inform the NRC's licensing decision.

Next slide, please. This slide shows the basics of the NRC's licensing decision process. It shows the NRC's concurrent safety and environmental reviews, and the separate adjudicatory hearing processes. The results of the safety review are documented in a Safety Evaluation Report, while the environmental review results are documented in a final Environmental Impact Statement.

Down the middle of the figure is the adjudication process that can be used for disputes.

An Atomic Safety Licensing Board, or ASLB, consisting of legal and technical judges, independent of the NRC staff, reviews hearing requests and presides over any hearing in accordance with the NRC's hearing regulations. This process is separate from the safety and environmental reviews.

Next slide, please. This slide shows some of the requirements and review required by the NRC to assure that the design of the project can be constructed and operated while protecting human health. The

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safety staff will evaluate the design of the consolidated interim storage facility to ensure that it will be stable by evaluating soil and geological characteristics for foundational stability. The staff evaluates security practices to assure that the facility would not be accessed by those that would harm the facility.

The structural design is evaluated to verify its integrity. Other areas, such as thermal design and financial qualification must meet NRC standards before a facility can be licensed. In addition, the staff will evaluate whether the facility is capable of withstanding external hazards, which include temperature extremes, floods, tornadoes, and earthquakes.

In sum, the safety review evaluates how the environment will impact the design, and whether that design is capable of safely storing spent fuel.

Next slide, please. On the other hand, the parallel environmental review evaluates what the project potentially would do to the environment. The environmental review looks at the current environment as the baseline environment. And in the EIS, we call this the affected environment. That means that each of the resources you see listed here will be evaluated

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for potential impacts against that baseline, if the project is constructed and operated.

One area that can show the differences between the safety and environmental reviews is water.

It's important to note that there is no liquid inside the spent fuel canisters that could leak into the environment. During a safety review, the NRC staff would evaluate a series of extreme events to verify that the project will remain safe during those episodes. The maximum flood elevation would be evaluated and it would be determined if flood waters would rise to an elevation that would interfere with the safe function of the project.

Under the environmental analysis of water, and specifically surface water, the staff would evaluate the effects of constructing and operating the proposed facility on local surface water bodies. Some of those impacts would be associated with additional runoff from the impervious areas, like the concrete pads, and additional flow to nearby waterways. In other words, the NRC's environmental review evaluates the impact on the water resource from the project.

Next slide, please. In the following slides, I'll provide an overview of the ISP license application.

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Next slide, please. The proposed project is located in west Texas, in Andrews County, just east of the border with New Mexico. The project site, shown in the dark purple rectangle in the top center of the figure, to the right on the slide, would be located within a much larger property owned by Waste Control Specialists, who is one of the partners in the ISP joint venture.

WCS operates a low-level waste, storage, and disposal facility in the figure shown in the green, yellow, orange, red, blue gray, and light purple. And the proposed consolidated interim storage facility would be located to the north of those current WCS operations.

Along with the proposed storage facility, an administrative building, an administrative building, a cask handling building, an access road, and a rail sidetrack would also be constructed.

Next slide, please. This is a schematic drawing of ISP's proposed project. As shown, ISP intends that there be eight phases to the project. However, Phase 1, outlined in red, is the focus of ISP's license application to the NRC. Any expansion beyond an approved Phase 1, would require ISP to submit an application specifically for that expansion. And the

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NRC would conduct separate safety and environmental reviews for that expansion application.

ISP intends to expand the facility incrementally, phase by phase, over a period of 20 years. The spent fuel would be shipped by rail to the proposed site, with the proposed sidetrack bringing the fuel into the facility. The existing rail line services the WCS facility. The fuel first would be offloaded from the train in the cask handling building, and then it would be transported to the concrete pad, where it would be stored either vertically or horizontally.

At the NRC's discretion, in our environmental review, the staff analyzed the potential environmental impact from Phase 1 alone, and also for all eight phases.

Next slide, please. This slide shows, on the left, an artist's rendering of the storage of spent fuel shipped to the facility during Phase 1. On the right, there is a representation of a vertical spent fuel storage cask, and of a horizontal storage module with the spent fuel storage cask being inserted.

ISP plans to use both vertical and horizontal storage at its proposed facility. The storage canisters are designed and engineered to meet

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the NRC requirements for safety.

Next slide, please. As I mentioned earlier, the proposed action is Phase 1, or ISP's construction of the facility and authorization to store up to 5,000 metric tons of the uranium, or MTUs of spent nuclear fuel. It's important to understand that the NRC's current licensing action and decision is only about Phase 1. The decision to evaluate in the draft EIS, the potential impact from all eight phases, was made by staff to provide an additional perspective on the environmental impacts.

Finally, the staff the evaluated the impact of the proposed facility in three stages: construction, operation, and decommissioning. Most of the impacts from Phase 1 come from the construction of the facility, with only limited construction occurring during any later expansion phase.

Next slide, please. In the following slides, I will briefly discuss the NRC's scoping process for its EIS, and some of the scoping comments we received.

Next slide, please. For the EIS, the NRC staff conducted a scoping process that ran from November 16, 2016 to April 28, 2017, and again, from September 4, 2018 to November 19 in 2018. The NRC staff

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hosted two webinars from our headquarters in Rockville, Maryland, and two in-person meetings, one in Andrews, Texas, and the other in Hobbs, New Mexico.

The NRC received roughly 29,000 separate pieces of comment correspondence during the scoping period, from which the staff identified approximately 3,200 unique comments. The NRC's analysis of these comments is found in a scoping summary report with a link to that report shown in this slide.

Next slide, please. During the EIS scoping process, as noted before, NRC received thousands of comments. This slide shows some of the topic areas where we received more comments. Some comments we identified as being out of scope for the EIS. With the scope being ISP's proposal to construct and operate the consolidated interim storage facility, in other words, Phase 1, topics over the use of nuclear power were deemed outside that scope.

Other issues, like the stability of the storage pad, or the integrity of the storage casks, were not within the EIS scope, but would be handled as part of the NRC's safety review of the license application.

Next slide, please. In the next few slides, I will present the results of our environment

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review, as documented in the draft EIS. I'll begin by focusing on the areas for which we received many scoping comments and after that, I will present the other environmental areas.

Next slide, please. In order to categorize the environmental impacts, the NRC uses these definitions for the significance levels for impacts: Small, Moderate, and Large. The scale rises based on the destabilizing influence to the environmental resource. These definitions are found in the NRC staff guidance for conducting environmental reviews.

Next slide, please. For the transportation impact analysis, the staff evaluated traffic and road degradation from workers and construction vehicles during all stages and phases of the project. The staff found that there would be a minor increase in traffic around the proposed site.

This would be due to construction and operation workers, and the construction materials brought to the site and the waste materials taken away.

The NRC also evaluated the movement of spent fuel to the facility from Phase 1 only, and from all eight phases, or 3,400 casks using a bounding representative route. This route included urban and

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suburban areas and rural towns that would be characteristic of potential rail routes to the CISF.

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

The NRC staff also determined that for someone about 100 feet from the railroad tracks, the total radiological dose from 3,400 spent fuel shipments passing that person over 20 years of shipments, would be 1.09 mrem. The NRC annual public dose is 100 mrem, for comparison.

Impact from transportation accidents evaluated doses to first responders, workers, and members of the public. NRC rules require spent fuel transportation canisters to withstand severe accident conditions. In an analysis from 2014, the NRC staff concluded that in an accidental release of canister fuel during transportation did not occur under the most severe impacts studied, which encompass all historic and realistic accident scenarios. So an assumption of no release during accidents was used during the staff's environmental impact analysis.

Next slide, please. A few other areas of interest are ground water and geology. For ground

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water, the NRC staff examined the data concerning the depth of ground water beneath the proposed site for the facility, as well as the potential for the occurrence of the Ogallala Aquifer beneath the site.

From our analysis, the shallowest confined ground water is about 225 feet below the proposed site, and the nearest the Ogallala Aquifer comes to the site is about one mile away. In terms of potential impacts to the ground water, the staff found that neither the construction, nor operation of the proposed facility would affect ground water, due to the depth of that water at the site.

Regarding geology, the NRC staff determined that the potential for subsidence and sinkholes at the site was unlikely, and that construction and operation of the facility would not increase the potential for earthquakes, given the shallow excavation depth for the CISF pads, and the passive nature of the project.

The proposed site is located in the regional area of low seismic risk. And as I mentioned earlier, the NRC staff's safety review will evaluate the proposed facility's design in response to an earthquake.

Next slide, please. Socioeconomic

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effects are primarily associated with workers and their families who might move into the area, and tax revenues that the proposed project would generate, which would influence resources available for the community.

Tax revenues and economic growth from the proposed project and from the additional workers in the area would create a beneficial impact on the region.

While there would be some increased use of public services, schools, and housing demands, due to the increased population in the region.

Concerning environmental justice, the staff's analysis is based on guidance from the Council on Environmental Quality, in addition to NRC's 2004 Environmental Justice Policy Statement. The analysis focused on human health and environmental impacts on low-income and minority populations resulting from the proposed action, Phase 1, and from full buildout of the proposed facility using census block groups in a 50-mile radius for the analysis.

There are 109 block groups with potentially affected low-income and minority populations that fall completely or partially within 50 miles of the proposed CISF project area. The NRC staff found that there would be no disproportionately high and adverse impact on any potentially affected

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environmental justice population.

Next slide, please. The site for the proposed facility has been proposed by Interim Storage Partners. As was shown in the earlier figure, the site is within the larger property owned by Waste Control Specialists. WCS controls access to its property, and there would be similar restrictions on access to the CISF site. Approximately 330 acres would be disturbed by full buildout of the proposed facility. Activities outside the site would continue unaffected by the proposed facility.

When the CISF is decommissioned, the infrastructure, access roads, rail sidetrack, administrative building may remain on the site or may be removed. That decision has not yet been made by ISP. ISP will need to submit to NRC a final decommissioning plan, at that time, for NRC review and approval.

Next slide, please. This slide and the next tabulate the results of the environmental review.

They provide the potential impact from the proposed action, Phase 1, and separately, the additional phases that may be requested in amendments to the license in the future, Phases 2 through 8, referred to as additional phases.

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For each resource area, the timeframe associated with it, the impact analysis is the proposed 40-year licensing term. As you can see in this slide and the next, the staff determined that impacts to nearly all resource areas are expected to be minor and would not be lasting or significantly destabilize the resource.

For ecology, though, vegetation on the site would be removed during construction, and because that vegetation is slow growing, it would take some time to recover. While it is recovering, the impacts would be Moderate, and Small after recovery.

Next slide, please. On this slide, you will see that the potential socioeconomic impacts would be Small to Moderate, with Moderate impacts due to population growth and increases to local finances. As discussed earlier, the staff found that there would be no disproportionately high and adverse impact to minority or low-income populations.

Next slide, please. This slide provides links to the draft EIS, brief overviews to the report in English and Spanish, and to the staff's public webpage for its review of the ISP license application.

Next slide, please. The NRC is accepting comments on the draft EIS here in this meeting, on the

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Federal Rulemaking website, regulations.gov, and by regular mail to the NRC, and by email. Comments should be submitted by November 3rd.

Next slide, please. That concludes my presentation and I'll turn it back over to Chip.

MR. CAMERON: Okay. Thank you very much, Jim. Good summary of the draft EIS. And, Sue, we're ready to hear from the public now, if you can give them instructions on how to get on line and give us the first person.

OPERATOR: Thank you. We will now begin the comment session. If you would like to make a comment, please press star one on your phone and record your name clearly. If you need to withdraw your comment, please press star two. Our first comment comes from Robert Baker, then John Tate, then Robert Singleton. Your line is open, Robert Baker.

MR. BAKER: Thank you. Your presentation, I think I understand the information once you explained it. I'm not, however, a nuclear engineer, so let me be terse. I am a mathematician.

When we're dealing with things that have a quarter of a million year half-life, and you're talking about things that have a 40-year licensing arrangement, then I think we have a decimal place in the wrong place.

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We're not accounting on the assumptions of which you, from my perspective, you listed lots of conclusions but not a lot of assumptions. It is the missing assumptions which concern me. If you've ever been to Texas, then your staff probably flew on an airplane. We have 46,000 FAA employees. And they're job is to keep us safe. And yet, in the U.S., we still have approximately 200 incidents per year. Those are incidents that show how the things that were not accounted for in the assumptions, things that were not planned for.

So it seems to me to be hubris to say, well, we've accounted for all these costs and impacts. You accounted for the costs and impacts that you could think of, but life has a way of producing chaotic events.

So after a quarter of a million years, the ground water in Texas, the entire aquifer, the oil in the ground, in the sand, in our oil building fields in West Texas, everything is at stake.

And so I appreciate the detailed analysis of your -- the detailed presentation of what you had accounted for. It is what you have not accounted for, and cannot account for, that makes dealing with something with a quarter of a million year half-life so treacherous and exhibits, I believe from my

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perspective, exhibits hubris.

I appreciate your presentation and taking time for us here in the real world. Thank you.

MR. CAMERON: Thank you, Robert, for flagging the uncertainty involved here. And Sue, could we go to the next person? Sue? Pick up the next person please, Lorraine.

OPERATOR: Comment comes from John Tate, then Robert Singleton, then Beki Halpin, and Dale Bula. John, your line is open.

MR. TATE: Hello. Yes, my name is John Tate. I oppose the consolidated interim storage facility for high level radioactive waste proposed by Interim Storage Partners and I urge the commission not to approve the permit.

It's regrettable that we had initiated our use of nuclear energy without having figured out how to safely store the spent fuel over the very long time required. But having done so, we will eventually have to remove the fuel from interim storage, transport it to a permanent repository, perhaps process it in some manner to prepare it for placement in the repository and then place it there.

The draft environmental impact statement envisions the shipment of 425 canisters of spent

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nuclear fuel per phase, or 3,400 canisters during all eight planned phases. It also points out that some interim storage facilities collocated with reactors have no rail service, so will require transportation of the canisters via truck or barge to the nearest railhead.

If this applies to half of the canister shipments, this is just, obviously, an estimate for, you know, for a rough, more or less, back of the envelope calculation, that means 1,700 shipments. Then the total number of transfers of canisters during all eight phases is 8,500. That means transferring either from its current interim storage to a transportation vehicle, or between vehicles, or then finally from the rail car to the consolidated facility being proposed here.

Each transfer presents some risk of an accident. And in addition, there's the risk just from ordinary transportation accidents, such as derailments. The total risk that is comparable, not identical, I don't suppose, but comparable, whether the shipment from the collocated interim storage facilities is to the proposed consolidated interim storage facility, or to a permanent repository.

Since the present proposal is not for a

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permanent repository, another 6,800 transfers of the canisters will be required eventually to move the spent nuclear fuel to the repository, supposing that rail service will be provided there. So there's just two transfers for each canister.

We only incur the risk from these additional transfers, and from the associated rail transportation because this is an interim facility.

It does not appear to me that the draft Environmental Impact Statement takes this additional risk sufficiently into account. It mentions it but doesn't really account for it. It doesn't seem to me.

And in particular, the cost benefit analysis comparing the options of approving the permit, or denying it, gives no justification for accepting the additional risk which approving the permit entails.

And now, there's another issue. Opponents of the proposal have said that the likely motivation for the proposal is that the operators of nuclear reactors want to transfer ownership of their spent nuclear fuel and the attendant risk to the federal government. However, the Nuclear Waste Policy Act of 1982 prohibits the federal government from accepting ownership of the spent nuclear fuel unless a permanent repository is already in operation.

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The conclusion there is if the current proposal entails the federal government accepting ownership of any spent nuclear fuel, the permit should be denied for that reason alone. Thank you. Those are my comments.

MR. CAMERON: Thank you very much, John.  
And Lorraine, could we have the next person, please?

OPERATOR: Our next comment comes from Robert Singleton, then Beki Halpin, Dale Bula, then Mike Valenzano. Robert, your line is open.

MR. SINGLETON: Hi. My name is Robert Singleton. I have a question I want to ask first, and I'm not sure we're set up on a format where it can ever get answered. But I want to stress, in the history of the low-level radioactive waste dump in Andrews County, the WCS facility, there's always been a very specific prohibition on the implication of foreign generated nuclear waste. I want to know if in the licensing for this particular facility, this consolidated interim storage facility, whether that prohibition is a part of the license.

The reason I ask this is I suspect that it's not because of the involvement of Orano, which used to be Areva, the owner of French nuclear power plants and I am afraid that if this specific prohibition

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is not in there, then we also have to look at how we're going to be handling containered shipments by sea of nuclear waste.

This all is about the economics of nuclear power and I suspect that the involvement of Orano is an indicator that we are prepared for the last thing we needed, which is foreign nuclear waste in addition to the waste that's in there.

The rail transportation waste has been referred to as Chernobyl on rails, but Chernobyl on the Exxon Valdez is a possibility that I don't even want to think about.

I do want to stress three issues today.

Transportation, climate change, and the process by which this is being conducted. Let's start with transportation. As far as I can tell, in the draft EIS, there is no mention of anything other than an accident in the transportation process. What worries me is terrorism. I believe that there is only one mention of terrorism in the draft EIS, the only one I could find is in a footnote, and it isn't even specifically addressed. But an intentional act that occurs over the Ogallala Aquifer could result in the poisoning of some of the most fertile farmland in the United States. And it seems like there is a -- the

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draft EIS is site specific and concerns the impacts that would happen at the site, not transportation, not all of the things that can involve an accident in transportation.

The second thing I wanted to talk about is climate change. There's a reason we don't call it global warming anymore. It's because we know that the effects of climate change are going to be a gradual increase in temperatures, it looks like, but it's also going to be changing climates. We don't, we can't really tell what the climate in West Texas is going to be over the next 40 years, but we certainly can't estimate what it's going to be like in a quarter of a million years, which may turn into, if this interim storage facility turns out to be permanent. The aquifer, the Ogallala Aquifer is within a mile.

OPERATOR: The next question comes from Dale Bula, Mike Valenzano, Terry Lodge.

MR. CAMERON: Lorraine, just one minute please. I think we lost Robert Singleton in the middle of his comments. I'm hoping he'll come back on and finish up for us.

OPERATOR: Beki?

MR. CAMERON: So who do we have next.

OPERATOR: We have Beki.

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MS. HALPIN: All right. This is Beki Halpin and not Dale. Dale will be next. All right. Greetings. Good evening to you all. That's all right. Your extrapolation of the probability of an incident of terrorism, either at the facility itself or during transportation of the nuclear waste is critically understated.

In fact, it basically assumes that since it has never happened with nuclear waste, it never will. This assumption is not borne out by the rising tide of political violence in America. Political polling done just this year by the Hoover Institute, the Hudson Institute, and the --

MR. CAMERON: Excuse me. I think Beki, we're going to have to put you on again. Robert, it looks like he came back on.

MR. SINGLETON: Yes. I am.

MR. CAMERON: Okay. Robert, could you finish up for us please? You were on your second issue, and then we'll come back and get Beki on.

MR. SINGLETON: All right. I'll just make my third point, which is about process. First, there have been questions raised about the legality of setting up a consolidated interim storage facility in advance of a permanent repository. So that would

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be my first complaint about the process.

The second would be, I don't think you should take any action until the Fish and Wildlife Service comes up with a plan for management of the dunes sagebrush lizard. This is something that has arisen in large part since the draft EIS was begun. And I think we're going to want to know how that process plays out before we decide whether this is a site that might have endangered species issues.

And finally, I'm just going to ask for some common sense. It's all fine to say that this is exactly the same, in terms of our comments being recorded, as it would be if we were in a meeting, in a face-to-face meeting. But body language and reaction of the people you're talking to -- I was a speech communications major. These are important too and it's hard to judge when you don't know, particularly, when you got the possibility of being cut off, which appears to be a problem tonight. You don't know how your reactions are being taken.

So I would say we would like to see no action taken until several months, three to six months, after the end of the pandemic, when we can have a meeting, a proper meeting, that does involve the participants involved.

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And finally, I would just say, since a large part of this process has to do with consent, that the actions, the letter from the Governor of Texas, and the Governor of New Mexico, should give you pause as to whether or not this process should continue in the face of the other -- the lack of consent that has been expressed by all parties involved. Thank you.

MR. CAMERON: Thank you very much, Robert, and thank you for that very important question about foreign spent fuel and the NRC staff will consider that in their review of this draft Environmental Impact Statement. And Lorraine, can we have Beki back on?

OPERATOR: Yes. One moment please. Beki, your line is open.

MS. HALPIN: Okay. Thank you. I'm just going to start at the beginning again.

MR. CAMERON: Okay.

MS. HALPIN: Your extrapolation of the probability of an incident of terrorism, either at the facility itself or during transportation of the nuclear waste is critically understated.

In fact, it basically assumes that since this has never happened with nuclear waste, it never will. This assumption is not borne out by the rising tide of political violence in America. Political

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polling done this very year by the Hoover Institute, the Hudson Institute, and LSU have all shown that people on both the right and the left feel violence is acceptable to advance your goals with one in three people from both conservative and liberal sides holding this view.

You may believe that attacking a high-level nuclear waste transport vessel is totally over the top for violent political expression, but who would have predicted that people would fly airplanes into tall buildings to make a political statement, and that certainly happened.

Armed conservative militias blowing up nuclear waste as it transits through what is thought of as a liberal city, could in their minds bring them great accolades. You are offering a very appealing target, and you must account for this in your evaluation.

The world is changing. Weapons of war are easily available to those who seek them out. Terrorism should be considered a high risk, low frequency incident. There are, of course, many others, like severe accidents and fires, that breach a containment vessel. These kinds of high risk incidents that would occur with low frequency are basically treated in your

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assessment as very, very low, or no risk. And basically, you write them off completely.

But this is incorrect because high risk accidents are so potentially harmful to both the first responders and the general public. There's a whole training and preparedness protocol for being ready and responding to these.

First responders need to be trained in advance to recognize the dangers they may encounter with a high level nuclear waste accident or incident.

They need to be equipped with radiologic detectors to evaluate the possible radiologic contamination and decide if they can even get close to the accident, or if they and everyone else should evacuate.

They also need to be trained in advance about what to think about regarding their own safety and the safety of others involved. Training allows them to respond effectively. All this training and equipment is time-consuming and expensive. You're talking about literally thousands of fire departments across the country who will need it along the transportation route.

I did not see anything in the EIS about who will provide or pay for this training and equipment.

In Texas, many fire departments are volunteer efforts

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run on shoestring budgets. Are the facilities sending their nuclear waste going to pay for this training and equipment? Or are they shoving it off on the taxpayer?

To ignore this need is the height of irresponsibility. The permit under consideration asserts that the majority of high level nuclear waste will likely be carried on rail lines. Additionally, it asserts that rail companies manage rail lines to maximize utility. And then it asserts that that nuclear fuel shipment will travel at a slower speed than other trains on the main line track. Then the NRC assumes in its document that rail carriers would make any traffic flow and routing adjustments to account for these slower speeds of the nuclear field shipments.

This assumption is utterly unsubstantiated. It is certainly clear that rail carriers manage rail lines to maximize utility. What is not clear is if they would actually enforce or in some cases, even allow slower speeds for trains carrying high level waste. Rail lines run for profit and one train must make way for another on the rails so goods can move on time, and time is money.

Slower speeds cost money. Who will know if the speed of nuclear field shipments is reduced or

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not reduced? The risks that speeds will be reduced will be hidden. To assume rail lines will follow strict safety protocol just because they're carrying such a dangerous cargo is not borne out in real life.

The oil train accident that wiped out a city in Canada a few years ago, and killed 47 people, happened because this train with a very explosive cargo was left completely unattended to roll downhill into the city.

The risk assessment of rail safety understates the probability of an accident involving these casks on the rail line. Assuming they will adhere to a slower speed will not actually make them adhere to a slower speed. There are many countervailing forces that will push for increased speed. However, the large size and heavy weight of these railcars needed to transport these casks will make them more prone to derailling at normal speeds.

Also the buffering of rail lines and tracks that are occurring with greater frequency as climate change heats the track will increase probability of derailment. You are substantially understating the risks to the public during transportation, and assuming based on many years old data, that all will be well.

This must be corrected.

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The best action is to leave this waste where it is until a final safe storage facility is constructed, and a safe and reliable way to move this waste, only one time, to this facility. Thank you all very much.

MR. CAMERON: Okay. Thank you, Beki. Sorry for the introduction, or the interruption, and thank you for raising the needs and the issue of first responders. Thank you very much. And Sue, who do we have next? Or is it Lorraine? Lorraine.

OPERATOR: Next is Dale Bula. Yes. Can you hear me?

MR. CAMERON: Yes.

OPERATOR: Our next question comes from Dale Bula, Mike Valenzano, Terry Lodge, and Ann. Dale, your line is open.

MR. BULA: This is Dale Bula. I have relatives and close friends in Dallas, and San Antonio, Houston, Kerrville, Hill Country, and Hopkins County in East Texas. And it's interesting when I've mentioned this proposal to them, virtually none of them have heard anything about it. So I think there's been a huge lack of communication of the impact that this could have on our state.

So I'm opposing the illegal licensing of

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a high level radioactive waste dump in Andrews County, as well as a similar project for New Mexico. I'm very concerned about the transportation risks, such as been mentioned before, accidents, leaks, possible terrorist attacks. Heavy trains and train traffic can result in many derailments, resulting in poor ability for containment in many small towns, has been mentioned before, only have volunteer fire departments that are not trained to deal with these types of incidents.

I'm also very concerned about its impact on the air, the soil, and the water. The Interim Storage Partners site is near the Ogallala Aquifer.

And we are assuming that in 45 years, the Ogallala Aquifer will be there, but at the rate that it's being depleted, we could have a lot of subsidence in that area.

Many transportation routes will go over the aquifer in transit to this site. If nuclear waste shipments do come through Texas coastal ports, then major accidents could destroy huge oil and gas infrastructures, such as the chemical plants and other types of facilities, as well as any shipping locations for a lot of Texas projects resulting in a lot of negative impacts on the economics of our state.

Impacts should have been considered for

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low-income people and I saw that one of the slides mentioned that there is a house one mile away. Can you imagine if this facility was build one mile from your house? If it would affect your property value.

I predict you couldn't give the house away if you were next to a nuclear storage site.

Anyway, someone did mention climate change. I'd like to reinforce that because extreme weather events are considered to be unprecedented, year after year. I recently watched extreme weather events on the Weather Channel, and it showed hurricane force winds blowing rail cars right off their tracks, and 18 wheelers being blown right off the highways.

The strength of hurricanes is increasing year after year, and the number of hurricanes and other extreme weather events are increasing as well.

So I don't think the massive amount of transporting of these dangerous materials is worth this kind of risk. So I do not support bringing this stuff through Texas, and for sure, not just for a temporary site. So thank you for listening to my concerns, and I appreciate the opportunity to share them with you.

Thank you.

MR. CAMERON: Thank you, Dale for sharing those concerns with us. Lorraine, who do we have next?

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OPERATOR: We have Mike Valenzano, Terry Lodge, and Cynthia Wheeler. Mike, your line is open.

MR. VALENZANO: Hello. Thank you. I'm Mike Valenzano. I'm a Senior Project Manager at TN Americas. I'm happy to participate in this public meeting where I can hear the concerns and opinions of stakeholders, and express support for the NRC's draft EIS.

At TN Americas and Orano Group Internationally, we understand the safety and security aspects of transporting used nuclear fuel based on our experience of completing over 5,000 used nuclear fuel shipments. Shipments of used nuclear fuel have been conducted safely and securely around the world for nearly 60 years, and these shipments continue to move regularly by road, rail, and sea today, in the United States, and France, and other countries around the world.

That's why I would like to emphasize the transport of used nuclear fuel is not new or exotic.

It is a well-managed logistics process executed by experienced transporters.

The reasons for the success of these shipments is twofold. One, the strict defense in depth regulations that have been put in place by the NRC,

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U.S. Department of Transportation, and international regulators through highly experienced transporters and cask operators that work to meet these regulations.

Planning and coordination of the used nuclear fuel shipment can take six months to over a year to organize all the resources and put in place all the pieces required to make a shipment happen. These pieces, which are all regulatory requirements consist of a transport package, and elements that make up a physical protection system.

In order to transport used nuclear fuel domestically, an NRC certified Type B transport package, commonly referred to as a transport cask, is required. And the material transported must be an approved or authorized content for that package.

These Type B casks are robust containers that are heavily shielded to protect the public, operators, and carriers from exposure to radiation doses about DOT limits and are designed to prevent the release of nuclear material in the event of an accident.

To obtain certification of the transport cask, design documents are submitted to the NRC for formal review and approval. This design must demonstrate that the cask will provide shielding and containment of the nuclear material under normal use,

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during accident conditions, during normal conditions, and during hypothetical accident conditions.

Hypothetical accident conditions represent extreme conditions that the cask could experience, even though there is a very low probability of occurrence. For a cask to be certified in a Type B package, the cask design must be shown either by analytical computation, or through testing of scale models to successfully satisfy the acceptance criteria of the series of tests.

This series of tests simulates conditions of a hypothetical accident. Type B casks have higher factors of safety built into the design. Over time, the parameters of the hypothetical accident conditions are updated to reflect any actual or newly identified extreme events, based on rail, barge, or truck accidents that occur while shipping any hazardous materials.

The NRC, upon approving the design, issues an NRC certificate for the cask referred to as certificate of compliance, or CoC. Casks must be operated and maintained in accordance with the CoC and can only be used to transport those contents authorized by the CoC.

The physical protection system consists

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of multiple elements that ensure the safety and security of the shipment. These elements include an NRC approved route, preplanning with the state governors and Tribal Nation officials, armed escorts, movement control center, tracking systems, and handling and protection of shipping related information as safeguard information.

Importantly, planning and coordination with the states and Tribal Nation occurs well in advance of the shipment. Key stakeholders, including local law enforcement agencies and first responders are made aware of the details of the shipment.

History has shown these regulations work.

Companies, such as mine, TN Americas, and others with proven experience understand the principles behind these regulations and the importance of strict compliance. Based on our experiences and long history of safe and secure used nuclear fuel shipments, domestically and abroad, we support the conclusions in the NRC's draft EIS regarding transportation of used nuclear fuel. Thank you.

MR. CAMERON: Thank you, Mike. Very comprehensive presentation. Lorraine, can we have Terry? Is Terry next?

OPERATOR: Yes. Terry, your line is

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open.

MR. LODGE: Thank you very much. My name's Terry Lodge. I represent seven organizational interveners and one individual who has been actively participating in the adjudication of the license proceeding. Two of the -- and I'm proud to represent all of them, but especially tonight, the Sustainable Energy and Economic Development Coalition, which is headquartered in Austin, as well as the Texas Office of Public Citizen.

My comments are essentially going to talk about something that isn't merely under-emphasized, or barely discussed in the draft EIS. It's a topic that isn't even mentioned in the draft EIS, and yet it comprises probably one of the largest industrial activities that would be taking place during the active life of the WCS facility.

That is there's not going to be a dry transfer system set up at any time within the 40-year initial term, and it is very iffy as to whether there will be one developed and constructed before the century mark, the 100-year storage mark.

The significance of this is several-fold.

One reason to have a hot cell or dry DTS facility on site is to deal with dangerously leaky or contaminated

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cargoes of spent fuel that arrive. So there won't be that capability within the first 40 years, apparently, that's a firm decision so far, and I might add, a very absurd one.

So just for purposes of dealing with exigent circumstances or bona fide emergencies, there won't be any capability of doing that. There won't be any means of repackaging the fuel so that it is at least safely handled.

The second reason to have DTS, which is a much, much larger concern, and again, it isn't mentioned at all in the EIS, is that the official policy of the U.S. Department of Energy at this point, as determined in a 2008 supplemental final EIS for Yucca Mountain, is transport (audio interference) in disposal canisters, in other words, a standardized can, standardized so as to be able to compactly and efficiently, permanently dispose of said fuel in a repository. That is the standard. That is the requirement and along with it, in the SFEIS in 2008, DOE stated that almost all commercial reactor fuel will be packaged in so-called TAD's upstream of Yucca Mountain, or of a repository.

Upstream being either at the reactor site and there are, of course, a dozen closed reactor sites

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that apparently don't even have the means to unpack, to repackage the fuel into a standardized type of canister. But also, it raises the obvious concern that at WCS, there will be a great deal of repackaging necessitated because of the fact that presently, WCS essentially plans to accept a variety of transport canister types, none of which, to our knowledge, to anyone's knowledge, conform with the expectations of the standardized canisters that the Department of Energy is going to require at a permanent repository.

So you're going to need a DTS facility to undertake all this repackaging. And I might add that the estimate by an expert, Robert Alvarez, whom we proffered lots of information and explanation from in the adjudication. That Alvarez predicts that it may be necessary to break down to sub, I guess, part out the shipments, such that for the -- and I know we're talking about WCS and not Holtec, but his prediction was that the waste to be delivered to Holtec probably would be subdivided from 10,000 shipments to possibly as many as 80,000 TAD canisters.

Taking the approximately 3,000 cargo deliveries expected at WCF, it is very probable, depending on where this is packaged and where it happened, that there will be as many as 30,000 TAD

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canister shipments either to or from WCS to, ultimately, to a repository.

This problem, we have raised this repeatedly in both proceedings, and the NRC is absolutely blind and immune to the recognition of the fact that there's actually a competing federal agency that has pretty much regulatorily, nearly the last say as to what happens at the ultimate repository, and is insisting in very formal and 12 year old language that there's going to have to be some accommodation of a very serious and understandable transportation for this waste.

This is an absurd circumstance, and it raises for me, a lot of concerns with the NRC and artificially limiting the scope of this particular EIS proceeding to 40 years is dodging a number of problems that are going to be very serious problems.

One of the things that is unique is, or at least of some concern also, is that if the optimistic portrayal in the EIS plays out, and only one 40-year license period is necessary before a repository opens, if it's going to take eight to ten, or 20 years for delivery of all of spent fuel to WCS, how many decades is it going to take to repackage it and transport it away from WCS.

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This is not considered, mentioned, and in other words, I'm suggesting this scenario from the NRC's own draft EIS, that suggests that within 40 years, the need for WCS will be at an end, and the repackaging apparently will have to occur, which will actually, very possibly, require an extension of the operational life of WCS's storage facility.

This is a very major concern not mentioned any way at all in the DEIS. Thank you.

MR. CAMERON: Thank you very much, Terry. Thank you. And Lorraine, do we have Cynthia?

OPERATOR: We have Ann.

MR. CAMERON: Ann. Okay.

OPERATOR: Your line is open, Ann.

MS. SUELLENTROP: Are you talking to Ann Suellentrop?

MR. CAMERON: Yes. I believe we are.

MS. SUELLENTROP: Oh, okay. I'm from Kansas City. I live in the center of the city in a poor neighborhood and we are concerned here about the possibility of accidents along transport routes. Still partial to New Mexico, I go down there frequently. It's not that far away for vacation and so forth. Beautiful area.

So I would ask for (audio interference)

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in-person public meetings after the COVID risks are over, in all the areas that would be affected, all the transport routes across the country. I'm on the board of Peaceworks Kansas City, and we're very concerned about this risk of accidents, leaks, sabotage, even routine transport emissions.

And I understand that, you know, there would be a possibility in an accident and so forth of massive potentially lethal gamma doses. And so, I think it's just too risky. And it doesn't really do anything to help bring about a permanent disposal plan or a less risky storage system, such as hardened on site storage, which is an alternative.

And I just worry that, you know, that it's supposed to be temporary, but without a firm plan in place, I am wondering if they'll just get stuck permanently, which also, there's the massive environmental justice problem, which is, you know, New Mexico is largely Hispanic, and they've already been affected by the first nuclear bomb being exploded there in 1945, and the people are just now coming forward and coming out to explain what happened to their house and their family, procreation. I'm a pediatric nurse, so mother/baby nurse.

So I just think that they've already

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suffered enough and enough is enough. Also, that area is, you know, exposed to severe heat, cold, hail, flooding, tornados, earthquakes, also wildfires. It's just not a good area to store nuclear waste. And I just think that the project should be halted and, you know, something else should be decided instead. It's too risky.

And I thank you for letting me comment.

MR. CAMERON: Thank you for commenting, Ann. Thank you very much. And Lorraine, who is next?

OPERATOR: Our next question -- comment comes from Cynthia Wheeler and Rod McCullum. Cynthia, your line is open.

MS. WHEELER: Yes. Can you hear me?

MR. CAMERON: Yes, we can, Cynthia.

MS. WHEELER: Thank you. I'm Cynthia Wheeler. I live in New Mexico. I've been talking to you all about the problems with Holtec and I'm now talking to you all about the problems with Waste Control Specialists and the inadequate DEIS.

We're telling you, do not move this waste in this way. And do you present to the world the myth that you have, or even could have covered all the possible things that could go wrong. A group of terrorists were just arrested today to do the

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unthinkable and kidnap the Governor of Michigan and start their own version of the government.

Just wait until someone in a snit decides to do something unthinkable to this waste. And the reason the waste is being considered to be transported, illegally because the U.S. Government can't take ownership without a permanent repository, is for two reasons that I can see. A private company wants to make money by moving it from one place to another, just a classic shell game. And the federal government wants to get this problem off its back.

I don't know why the federal government decided to make this waste before having a way to store it, but they need to deal with that recklessness, and not push it off on us.

Texas and New Mexico do not consent. You have letters from the Governors of both states. You have many letters from various officials in New Mexico, and indeed, if you're listening, because I don't know for sure if you are, hundreds of Americans have told you that we do not consent.

And as a previous caller said, most people don't even know about this. And yet you're hearing from hundreds of us who have. There was a previous caller, I believe he was named Mike, who said this isn't

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an exotic project. I think Dr. Robert Alvarez would beg to differ. He has stated that no one has attempted to move this much radioactive material over this much time. And it has never been done before. And we are not ready for it.

I think part of the problem is that engineers have a myopia in their vision that people with common sense do not have. Engineers think they can solve anything. And the real world shows that they can't.

I want to also explain, when people talk about the waste lasting for 40 years, or 10,000 years, or even a million years, that's not true. Plutonium, for instance, takes almost 500,000 years to decay, and then it becomes uranium-235, which has a half-life of 700 million years. 20 of those half-lives is longer than the planet has existed. This stuff lasts longer than you or I, or anyone, any engineer can imagine.

So finally, it's time to stop making decisions that don't have solutions before a substance is created. That's the foolishness that got us here in the first place. And I'd like to make an appeal, I'm sure there are some employees at the NRC who have doubts about the inadequacy of the DEIS, and I'm asking for any employees who have a moral compass to expose

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the holes that we and they know are in this DEIS.

Are you planning on bringing in foreign waste? Why haven't you covered the transportation issues and safety involved with that? Please we want you do to the right thing. Thank you.

MR. CAMERON: Thank you very much. Thank you, Cynthia. And could we have Rod on, Lorraine?

OPERATOR: Our next comment comes from Rod McCullum. Your line is open.

MR. MCCULLUM: Thank you, Lorraine. And thank you, Chip. I commented on October 6th and talked about the important national mission that this facility plays with respect to helping support our nation's largest source of carbon free clean energy.

Some people told me that, you know, those comments were out of scope. I think when you look at the purpose of NEPA, which is why we are here, to establish enjoyable harmony between man and his environment. It certainly is not without a scope to consider this in the broader context.

And also, some people said I shouldn't be listened to because I am an employee of the people who work very hard to generate all that clean energy. I'm very proud to have served them over my 35-year career. They're some of the best people and most impressive

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people I've ever met. They have a safety culture that is unparalleled. They have a record that demonstrates it. They're proud members of their community, parents, involved, simply very good people and very strong engineers who know how to design safe systems.

Now I also respect very much that there are a number of concerned citizens out there, and I certainly appreciate all of you taking your time to call in and participate in this. This is an important element of our democratic process.

But if there are any out there that are undecided, concerned but willing to listen, there are a number of things that folks in the opposition, and just as I am paid to work on nuclear energy, there are people who are paid to oppose it, have provided a lot of false information into this process. And I just want to hit a couple of those. I'm not going to take the amount of time it would take to counter everything and this is certainly not a debate.

But there's a couple things I'd like to get on the record. First of all, the prospect that foreign fuel could be stored in this facility. Absolutely not. It's prohibited by a condition specifically in the proposed ISP license that limits fuel from power reactors licensed under 10 CFR Part

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50. Those only exist in the United States. Reactors in France and other countries are licensed under French and other regulations.

The notion that casks aren't tested, well, they were tested in the 70's. Everybody agrees on that. But folks think that was too long ago. The extensive tests that were conducted in the 70's were the basis for the computer model and it has become state-of-the-art and is in this field, nowhere more sophisticated and accurate than it is.

Now we don't shake bridges to prove they can withstand earthquakes, and we don't throw manmade tornadoes into skyscrapers to prove that they can withstand hurricane force winds. So if you don't trust engineers who use computer models, the whole world kind of falls apart in your mind. And that's not the world I'm working so hard, and all of the people in the nuclear industry are working so hard to protect.

And if you still don't believe that we shouldn't test -- that these things aren't tested recently, I would encourage you to google Holtec aircraft impact test of a fuel storage cask. They fired a missile at 600 miles an hour into a HI-STAR 180 on August 28th, 2013. So fairly recent and it validated what the model said would happen. The cask

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withstood it. So the fear of terrorism and transportation accidents is, I would say, overblown.

The next point I'll take, and there's just a couple more, Chip, is this notion that hardened on-site storage is somehow a better way to do it. Well, first of all, that isn't repackaging 3,000 of these systems, and second of all it wouldn't be safer. It would just create a different set of engineering challenges. Engineers must consider structural, heat transfer, radiation protection, criticality control, inspectability, operability, handleability, many, many characteristics in design of these systems.

The systems we're now deploying that would be destined for this site are state-of-the-art. They incorporate the lessons learned, and they have been built to maximize all of these parameters. If you simply add mass, which is what HOSS does, you create more structural challenges, you make heat transfer more challenging, you do not add safety, you make inspectability and operability more challenging. You make it more expensive, and that cost is borne by the taxpayers, since the government is in default in its obligation. And I agree with everybody, we should have a permanent disposal site.

Why shouldn't we move these things? We

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have a dozen shut down plants in the country where valuable coastal land cannot be used because there's simply spent fuel staying there. These communities should be able to use that land for nature preserves or redevelopment. And storing it all in one place makes sense.

This leads me to the last thing I'll mention is that the idea that we can't inspect and repair these things. Now, we can. A number of technologies have been developed and this has been a growing field in recent years. It certainly makes sense to have the inspection and maintenance capability all in one location, which is, you know, getting it off the shutdown plant site, so that that plant can be restored for other purposes. And having centralized capability to inspect and monitor, if you do not believe these technologies exist.

I also want to enter into the record, the proceedings at the California Coastal Commission, which on July 16th of 2020 approved the Holtec inspection and maintenance plan for the San Onofre site. This includes the full description of the technologies that exist to inspect and monitor these systems.

In short, this kind of a facility is

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important to our nation. It's important to our battle against climate change. And I would hope that NRC would be fully responsive to all of the comments they're hearing from people who are concerned about it, who are worried about it. I would hope NRC is up to this task and I would hope that this EIS can support a licensing decision where this facility can be legally deployed.

The folks say yes, the government is not allowed to interim store unless it has a repository.

If NRC licenses it, the government can't become a customer until Congress acts. Congress has considered action but there may also be private customers, as has also been alluded to.

So I encourage you to complete this and continue to satisfy the purposes of NEPA to continue to work so hard to overcome the difficulties of this pandemic and, you know, the whole purpose of this document is to support decision making. The decision making is all still ahead of us. But I think NRC has done a good job in satisfying NEPA and I think this robust comment process we're hearing is part of that.

Thank you.

MR. CAMERON: Thanks Rod. Thank you for all of that information. And, Lorraine, could we go

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to the next person?

OPERATOR: Steven Nesbit, your line is open.

MR. NESBIT: Thank you very much. This is Steve Nesbit. I'm the Vice President of the American Nuclear Society and the Chair of the Nuclear Waste task force. I appreciate the opportunity to provide comments in this proceeding.

First of all, I want to say that the NRC has done a very thorough environmental evaluation in its draft EIS and documented its results very appropriately. Anyone who actually took the time to read the EIS, it can only conclude that the NRC left no stone unturned. And I think the conclusions that the NRC came to and which were presented in the presentation earlier tonight, were very appropriate.

Second, the NRC found that impacts on public and occupational health from consolidated interim storage facility would be small and based on the ANS experience and the experience in the United States and abroad, that conclusion is correct. It's very consistent with the excellent safety record that exists associated with the storage of used nuclear fuel in the United States and elsewhere.

Third, transportation. I'd like to talk

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about this for a little while. The NRC's investigation found that impacts in transportation of used fuel would be small. That is very consistent with the fact that used nuclear fuel has been transported here in the U.S. and overseas extensively since the 1950's. There has never been an instance of a person being harmed from radiation release due to a transportation accident involving used nuclear fuel.

If transportation was such a dangerous enterprise, as people have been pointing out, you would think that there would have been at least one incident where somebody was harmed as a result. But it hasn't happened.

The reality is that when you view a comprehensive risk assessment of transportation of various materials, nuclear transport and nuclear materials is very safe. And there's a reason for that. There's a number of reasons.

First of all, the material being transported. It's a solid material. It's not a fluid. It's not a liquid or a gas. It's not volatile.

It doesn't leak out and things like that. So it's very robust and not susceptible to damage. The material is transported inside a large, well-designed transportation canister and overpack. It's designed

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to be resistant to collisions, fires, to floods, et cetera.

So sure there had been accidents involving trucks carrying used fuel. If you drive anything long enough, you're going to have an accident. But there's no resulting leaks because it's so well protected.

In contrast that to other materials that are routinely transported around Texas and in other parts of the country. For example, oil. Oil is transported by truck and by rail. And there has been a number of accidents that have occurred. Some involving loss of life. There was one in Canada in 2013 that spilled almost 50 feet.

So as an engineer, we look at risk and we look at risk from a broad standpoint. If you zero in on any one enterprise, you can certainly exaggerate the concerns that are associated with it. And if you look broadly, you can always find things that present risks, but the transportation of nuclear materials has been analyzed.

There's an extensive safety record associated with it, and people who raise that concern just do not have a factual basis behind their statements.

Once again, I want to thank the NRC for

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allowing us to comment in this proceeding. American Nuclear Society has submitted written comments to supplement these oral comments. Thanks again.

MR. CAMERON: Thank you, Steve and thank you ANS on this. Lorraine, who's next?

OPERATOR: Our next discussion comes from Lon Burnam. Your line is open.

MR. BURNAM: Good evening. It's Lon Burnam. How are you, Chip?

MR. CAMERON: Good. How are you?

MR. BURNAM: I'm fine. I'm a little distracted this evening because I'm multitasking. So I'm going to be brief in my comments. You know that this is not my first time to be a part of these public meetings. In fact, I've been listening in on all of them so far.

I want to remind people that for 18 years, I served Central City Forth Worth in the Texas House of Representatives. And for 18 years, I listened to, tolerated, and had to deal with the misrepresentation, patience, and false comments, and commitments by WCS.

We have seen nothing in this process to date to change our perspective on the corporate culture and problems with this agency. But I want to back up a little bit further than that. Representing the Lone

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Star Chapter of Sierra Club's Nuclear Issues Committee, let's make it clear, we do not consent. We oppose to this proposal.

We believe it's an illegitimate process amplified by the fact that we are dealing with literally faceless bureaucrats right now, because you guys don't have the decency to come down to Texas and look us in the eye.

And I understand the COVID extenuating circumstances, but you know what, I'm still going to City Council meetings in Fort Worth. They still can arrange for people to speak in public to the council and they have the same situation where they won't comment on your comments, and you don't have any idea whether or not they're actually listening. But at least you can see them.

And in this particular process, we cannot see them, in a process that we believe is illegitimate.

If this was in a court, the judge would throw this application out as being prematurely submitted. It is premature because of the way the U.S. government laws work. We don't have a permanent repository. The reality is if you guys set this thing up, it will become the permanent repository and it won't be constructed for the safeguards that it needs to have to be that

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permanent repository.

So to remind you all, the Governor of New Mexico, and the Governor of Texas, Democrat and Republican, alike, have spoken out on this. You know that this preceding is inappropriate and illegitimate.

I am so sick and tired of the false representation that nuclear is carbon free. What this is not about is protecting the environment.

I organize Earth Day activities on my high school campus for the first one, 50 years ago. All of the mainline environmental organizations oppose creating new nuclear waste. For the last two years, the National Sierra Club has had a study group where we come up with the HOSS proposal, is the least objectionable way to deal with this. It does not deal with the -- complicate the issues of transportation.

And as you know, last week there were several North Texans at the Nuclear Regulatory Commission Agency office, regional office in Arlington, Texas, to emphasize that we think you guys should come down here and meet with us face to face.

At the hearing next week, we're going to be at the Roundhouse. Fort Worth at one time was known as "Tarantula City" because we have so many train tracks coming into this town. I have lost count. Others can

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tell you how many tracks there are with how many trains sitting on the tracks on the edge of downtown Fort Worth for over 24 hours at a time.

So at the public meeting next week, we'll be calling you from the Roundhouse. If you all have the technological competence or wherewithal or will to set up a Zoom meeting so people could see what we're trying to say, you could see all of these tracks immediately in the center of the city of Fort Worth, and we don't want your nuclear waste.

We are tired of corporate Lenin socialism.

We are tired of the nuclear industry trying to pass the buck and make the taxpayers pay for their mistakes.

We should stop producing this stuff. We should convert to renewable energy that is, in fact, carbon free and not another example of environmental racism.

Chip, I said I'd be quick. But you how strongly I feel about this. I'll sign off for now.

But we'll be talking to you from the Roundhouse next week.

MR. CAMERON: Okay. Thanks for taking the time to come on again, Lon. And we'll look forward to you coming to us from the Roundhouse next week. Thank you. Lorraine, who do we have next?

OPERATOR: Caroline Crow, your line is

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open.

MS. CROW: Hi. My name is Caroline Crow.

I am an attorney with Lone Star Legal Aid and I'm speaking on behalf of our client, Caring for Pasadena Communities. Thanks for holding these public meetings, Chip.

So our clients live, work, and recreate near the anticipated railroad highway and or barge route corridors through which the canisters containing spent nuclear fuel are proposed to be passing. And spent nuclear fuel, as everybody knows, is inherently very deadly radiotoxic material. And each transport cask will contain considerably more radioactivity, 200 times or more, than what was dispersed by Hiroshima nuclear bomb.

So spent nuclear fuel does pose a dangerous, very dangerous long-term health and environmental risks. So the risks will remain dangerous for time spans, like other people have mentioned, that are probably beyond human comprehension.

The potential for radiation exposure from being physically stuck in traffic proximate to a truck or railroads of SNF, spills, water runoff from accidents, or leakage from the transport vehicles, even

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being downwind from radioactive exposure from defective transport vehicles, and possible radioactive contamination of water sources caused by the accident are all things that our community is concerned about.

Not only that but Caring for Pasadena Communities is concerned for the numerous environmental justice communities that lie next to, and/or very near the possible railroad for the shipment of spent nuclear fuel. Especially through Pasadena, Texas, and greater Houston area, where there's tons of rail lines.

I know the DEIS only really mentions Union Pacific, but that would be going through Pasadena, adjacent communities like Manchester, Meadowbrook, Lawndale, Pecan Park, up from the ship channel and through Harris County.

So we have great concerns about the environmental justice communities that will continue to suffer disproportionate impacts from projects like this.

Pasadena itself is one of the most environmentally challenged communities in the greater Houston area. And I won't go through all the statistics of that community, but Manchester is another one too.

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They are classic environmental justice communities. They're bordered on the north and east by massive petrochemical plants, and this is just another industrial burden that you're asking these same communities to bear.

One of our major, major concerns is that the transportation routes are not clearly defined. They're mentioned something like 12 source sites. Right? But they don't go through -- and then there's a map that shows a green line, a red line, and a blue line. But it doesn't show like where exactly the waste will be transported to and from. And then identify which communities along those railroads will be impacted.

And so without that, you can't evaluate the impacts that the facility would have. And under federal regulations, a proposed nuclear waste storage facility must be evaluated with respect to the potential impact on the environment of the transportation of the spent fuel, high level of radioactive waste, or reactor related waste within the region.

And that's just not possible to do without a defined route. And like I said, the licensing application named about 12 shut down, decommissioned

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nuclear reactor sites from which they expect to ship waste to Andrews County.

But the ISP is lacking in meaningful information on how the waste will travel from the 12 sites to Andrews County. It just says by rail, primarily Union Pacific, without identifying the exact route and the communities impacted.

Instead, it does a cost benefit analysis and chooses the shortest distance, which is not -- without identifying a clear route, we can't know if that cheapest route is the best route, or the safest route, or the clearest route to Andrews County. So it's very important to our communities that the route be identified so that any community along the route is able to understand the potential impacts that the project could have through the transport.

We're also very concerned about the other sites that ISP is supposed to receive waste from. According to the environmental report, they expect to receive waste from up to 51 sites in the future.

So the application doesn't name the sites though, or describe the anticipated future transportation routes from those sites. So we've gone from 12 to 51 and we don't have information geographically about where these locations are in time

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or space, and what kind of, like when the waste would be shipped.

So again, the communities can't evaluate any kind of impact. And so there would be entire communities that would be overlooked without the effect on their health and safety being evaluated. At least in any kind of meaningful way.

So the future sites need to be named. The application also fails to examine infrastructural safety and environmental concerns regarding the transportation of spent nuclear fuel. Instead, it leaves that process up to future piecemeal applications. It's not examining the waste transportation from the 12 sites, and the dozen more.

So it pushes the responsibility onto the Department of Energy and the spent nuclear fuel title holders, and ISP, and in fact, is pushing a piecemeal approval process with this interim storage.

So not only does the report fail to disclose potential for transportation, the routes via railroad, but it doesn't disclose the transportation routes by barge shipment either. And again, makes very vague overtures at where it will go with these sites, and then Andrews County as if like it will just magically arrive there without identifying the path

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it will take.

And there's other numerous concerns about the transport of this waste, the effect it would have on the communities. So the EIS needs to calculate the risks of accident and exposure levels appropriately.

And so far, that hasn't been done. The ER also fails to properly consider the potential for release of high level radioactive waste in certain circumstances, which also needs to be appropriately evaluated to determine the impact of the project.

And the ER fails to accurately estimate an accident with a release dose. Instead it says, the probability of an accident is combined with the conditional probability of a severe accident leading to the release of radioactive materials.

This combined probability is then multiplied by the estimated dose of radiation, of population, or an individual may receive. But the probability of an accident and the conditional probability of a release are irrelevant in calculating the exposure in the event of a release.

So if a release occurs, the radiation's not going to care what the probability of the event occurring was. The radioactivity release is going to cause the estimated dose. And so there should be no

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probability factor about the possibility of a release.

Those things would be irrelevant.

It also fails to evaluate the speed of a train and the cause that an accident with the train going as fast as it goes would cause. So the faster a radiation source is moving, the shorter the time period someone will be in the zone of exposure and less conservative resultant dose estimate is, but the dosage should be recalculating using a more conservative value of 15 miles per hour, rather than 50.

So the ER also fails to address a non-release accident. The vast majority of accidents that could happening while shipping the waste are ones that would not result in the release of radioactivity.

Examples include a car carrying the fuel falling off the tracks, collision with another train, or an earthquake. I know other people have identified all those issues.

The casks are designed and tested to ship.

These types of movement events will not compromise the structural -- the primary concern in this situation is the car sitting stationary in a spot for extended periods of time.

I know it was said during the first public meeting. Someone gave a really good example of that.

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But the ER assumes the cask will be stationary for up to ten hours. But it's very unclear, given the undefined transportation routes and other things how long a cask would sit anywhere and how -- whether or not someone will be exposed.

We also believe that there are some issues with public notice and language accents. But in conclusion, Caring for Pasadena Communities is opposed to the project and thank you so much for your time, Chip and Lorraine.

MR. CAMERON: Thanks. Very good Caroline. Could you just repeat the name of your client? I missed it when you said it. I think you mentioned it.

MS. CROW: Oh, Caring for Pasadena Communities. Thanks for asking, Chip.

MR. CAMERON: Okay. Thank you. Caring for Pasadena Communities?

MS. CROW: Yes sir.

MR. CAMERON: Okay. Thanks, Caroline. I hope you follow up with some written comments for the NRC if you can.

MS. CROW: Yes. I think we plan to. Thanks for your time.

MR. CAMERON: Okay. Thank you.

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Lorraine, who do we have next?

OPERATOR: Rose Gardner, your line is open.

MS. GARDNER: Hey. Hey Chip.

MR. CAMERON: Are you feeling better?

MS. GARDNER: Yes, sir, I am. Thank you very much. And that test came back negative.

MR. CAMERON: Good.

MS. GARDNER: Thank you so much for asking. I appreciate that. Hey, I've got just a few comments keeping it short. I live in Eunice, New Mexico, the community closest to the site. We vary in population between, let's say, 2,200 to 3,000 people depending on what kind of activities are going on, whether it be construction, oil related, and/or just new people coming in building construction sites and then they leave. So we're rather transient and have been since Urenco moved in. Urenco is that enrichment facility that came into town a few years ago.

My concern is that the community is just not with it. We are so wrapped up into our lives that we work, try to keep the oil field going so that you guys can drive your cars and heat your homes. We are busy living our lives and we provide a valuable service to America, North America. And so, with that in mind,

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my whole family works in the oil communities, and just on this call, a gentleman made a comment about they wanted to clean up these other communities and bring their nuclear waste here because their coastal lands, they want to free them up because they're so valuable and bring that nasty waste over here that we had nothing to do with. We didn't create it. Yes, New Mexico is known for creating the bomb killed all of those people in Japan, and I apologize to those folks right now, again. So sorry.

But to get back to the subject. Those coastal lands in America are no more valuable than where I live. Four miles from my home, you're expecting me to store 40,000 metric tons of nuclear waste and put my community in jeopardy to make your coastal lands better so that you can get out there and do your fishing and swimming and build your big, fine homes. Well I resent that very much. I will not sit back and let you run my community over so that you can go play.

The other subject brought up today is terrorism. That's one of the subjects I don't like to talk about because it is frightening. Just think about it. These cans are sitting up on the pad. They can be viewed. I can see them from several places, either off the highway, or come into town on the north side and

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you can see everything. So they'll be very open to whoever wants to do harm.

The other thing I wanted to bring up was in our area, we are the Permian Basin. We supply North America with a vast amount of petroleum products. Along with that comes with an infrastructure that's involved in the oil field, including high pressure gas pipelines as well as pipelines that move crude oil to the refineries. You would think that in and of itself would speak volumes, but apparently some people think that cleaning up their reactor communities is more valuable than what we do here. Again, we are the Permian Basin. Oil companies run this place. Oil companies are listening right now. Oil companies have money, and they're not going to let you come in and ruin this area for your little project. I assure you, the people in this area will protect their livelihood. We will stand up against Waste Control Specialists / Interim Storage Partners to stop you because you will not take our livelihood away.

Thanks again, and I appreciate the time and good evening.

MR. CAMERON: Okay. Good evening, Rose. Thank you. Lorraine, who do we have next on the line?

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OPERATOR: Katrina McMurrian, your line is open.

MS. MCMURRIAN: Thank you. I'm Katrina McMurrian, executive director of the Nuclear Waste Strategy Coalition. The Coalition appreciates the opportunity to provide these comments. While I am not taking a position on any specific Consolidated Interim Storage, or CIS, projects at this time, we are encouraged by proposals to develop private CIS facilities.

First, we note that in all cases examined in the draft EIS, the cost of the proposed Phase 1 of the project was less than the cost of the no action alternative. Of course, our members are very familiar of the no-action alternative as it reflects the status quo of the Federal government inaction on nuclear waste removal from both shut down and operating reactor sites across our country.

Second, we continue to call on the Federal government to both provide access to the electric customer-funded nuclear waste fund and reestablish an integrated nuclear waste management program containing three critical elements. First, completion of the licensing review for the proposed repository at Yucca Mountain, implementation of the pilot Consolidated

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Interim Storage with priority for spent nuclear fuel from shut down reactors, and last, preparation for transportation of spent nuclear fuel.

Failure to move forward on permanent disposal in parallel with interim storage could prove detrimental to projects such as this because interim host communities repeatedly express an unwillingness to become de facto permanent hosts, and we certainly heard that tonight.

Though while this is not an alternative to permanent disposal, Consolidated Interim Storage for spent nuclear fuels stranded at shut down sites is necessary because of the government's inaction, and CIS offers a number of potential benefits as part of an integrated program.

And why does the nation need an integrated nuclear waste management program? Because we need the Federal government to end its de facto policy of indefinitely stranding spent nuclear fuel and high level waste in states and communities without their consent. Just reiterate: without their consent.

Secondly, to deliver on what was promised to electric customers in return for billions of dollars of payments into the nuclear waste function. And lastly, to protect all U.S. taxpayers from billions

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of dollars of additional damage payments.

Next, transportation. Transportation of nuclear waste from reactor sites will be necessary regardless of whether spent nuclear fuel is sent to a CIS facility for temporary storage before permanent disposal, or directly to permanent disposal. Provided that transportation is conducted in accordance with all relevant regulations, transportation should not serve as an impediment to CIS projects, or to disposal projects.

In addition to the NRC and other Federal oversight, we also note the important roles of state, tribal, and local governments regarding nuclear waste transportation, public safety, and emergency preparedness and response. And we encourage spent nuclear fuel licensees and shippers to coordinate with state, tribal, and local officials.

Finally, we highlight the established safety record of spent nuclear fuel transportation as documented in a number of resources that we will provide in our written comments. In its Five Common Myths About Transporting Spent Nuclear Fuel, the Department of Energy notable states, quote, 'more than 2,500 spent nuclear fuel shipments have been transported around the country without a radiological incidence over the

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past 55 years.'

Again, thank you for the opportunity and your consideration.

MR. CAMERON: Thank you, Katrina.

MS. MCMURRIAN: Thank you.

MR. CAMERON: Lorraine, do we have another commenter?

OPERATOR: There are currently no comments in queue at this time.

MR. CAMERON: Okay, well, we are going to stay here for a while since we're still within the scheduled time and see if anybody else comes on, if you don't mind waiting with us and helping us.

OPERATOR: If you would like to make a comment, please press star one, un-mute your phone, and record your name clearly. One moment, please.

Our first comment comes from Kevin Kamps. Your line is open.

MR. KAMPS: Hello, thank you. My name is Kevin Kamps. I serve as radioactive waste specialist at Beyond Nuclear, and I also serve as a board of director's member at Don't Waste Michigan. And a first comment that I would like to make this evening is in rebuttal to something that Rod McCullum of the Nuclear Energy Institute said. And for those who don't know,

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NEI is the lobbying and public relations headquarters for the nuclear industry based in Washington D.C. So, one thing that Rod said during his comments was that, yes perhaps, I'm paraphrasing here. Yes, perhaps the proposal for the Department of Energy to take title at an entrance site is not legal under the Nuclear Waste Police Act, but there is the option of the private industry, private title holders to the irradiated nuclear fuel forming a business relationship, a contract with Interim Storage Partners and that would be the arrangement, and that would be legal. And I would agree with a lot of that. The problem is that there is deception in Rod's putting that forward because the industry, a private utility consortium of nuclear power companies that hold title, ownership, to irradiated nuclear fuel did get a license for consolidated interim storage at the Skull Valley Goshute Indian Reservation in Utah, some 15 years ago now. And I would like to point out, and this is in direct relationship to the NRC's documentation associated with this draft environmental impact statement, specifically the overview which for some reason NRC has referred to by a different title in a slide show, slide number 29, this evening. You refer to it as the reader's guide, but when you actually go to the document itself, it

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is entitled, 'overview' of the draft environmental impact statement for Interim Storage Partners, LLC's proposed consolidated storage facility, dated May, 2020, and the NRC ADAMS succession number is ML20121A016. It's a 20-page long document. And I would like to give credit to Don Hancock of Southwest Research Information Center in Albuquerque, New Mexico who identified this problem for me. And this is a quote from Don, quote, 'the overview, like the Holtec one, again repeats the factual error that PFS's license is terminated' on page 4. PFS is short for Private Fuel Storage Corporation which was the consortium of a dozen different nuclear power utilities that was a license applicant for that CISF in Utah in the Indian reservation.

And so here is the quote that actually gives the fault statement as printed in the NRC's overview. This is a direct quote from the overview, quote, 'the NRC previously licensed one other away-from-reactor dry cask spent fuel storage facility called Private Fuel Storage, NUREG-1714. However, that facility was never built and the license was subsequently terminated.' This is not true. The license was not subsequently terminated. Thus, NRC's overview is inaccurate as to NRC's own licensing decisions.

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NRC made the same mistake as was mentioned in the Holtec New Mexico CISF draft environmental impact statement overview which was published on March, 10th 2020. And the DEIS documents in both proceedings themselves do not state that the PFS license is terminated. So in that sense, the summaries, these overviews, contradict the DEIS documents themselves.

Significantly, if Holtec International and Eddy Lea Energy Alliance, as well as Interim Storage Partners and Waste Control Specialists, and the Nuclear power utilities themselves, were serious about these consolidated interim storage facilities being entirely private, then why not use the license that was rubber stamped by the NRC at Private Fuel Storage in Utah more than a decade ago?

The reason is because the actual goal is to transfer title, to transfer ownership, and to transfer liability for high-level radioactive wastes onto the U.S. Department of Energy. That is, on to Federal taxpayers which as even Rod acknowledged, is illegal, a violation of the Nuclear Waste Policy Act of 1982 as amended. And this illegality is at the very heart of Beyond Nuclear's lawsuit against both consolidated interim storage facilities. Don't Waste Michigan and others and Terry Lodge was on the call

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tonight as well as Sierra Club as well as Fasken Oil and Ranch, have all also challenged this violation of the Nuclear Waste Policy Act represented by these consolidated interim storage facility schemes.

And I will just close by noting that Beyond Nuclear and our environmental and environmental justice allies do not think that the private fuel storage consolidated interim storage facilities was a good idea. It targeted the Skull Valley Goshute's with a massive environmental injustice. We think just the opposite. It was and is a dangerously bad idea, an outrageous violation of environmental justice. And its demise was a victory for environmental justice that was won in close solidarity and collaboration with Native American partners including Skull Valley Goshute dump opponents marching Bull Creek and Sammy Black Bear, the Indigenous Environmental network, and Honor the Earth, as well as nearly 500 other organizations. But we just call the Nuclear Industry on its bluff that there could be a private relationship, a private contract. Obviously, that's not true. They did not even utilize the license that was rubber stamped for them, a massive environmental injustice by the Nuclear Regulatory Commission more than a decade ago.

Thank you.

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MR. CAMERON: Thank you, again, Kevin.  
Lorraine, do we have another comment?

OPERATOR: Yes. Our next comment comes from  
Tom 'Smitty' Smith. Your line is open.

MR. SMITH: Good evening, everybody. Wanted  
to just counter a couple things that Rod mentioned and  
I appreciate his respect for the process and we  
obviously respect it, otherwise we wouldn't be spending  
so much time trying to point out problems with the  
application. And that's part of the process and we all  
acknowledge that.

The big two --- the two things I wanted  
to mention are he made some bold statements about  
nuclear power being the carbon-free source of energy.  
Perhaps it is if you only look at one very small part  
of the chain, and that's the production of electricity,  
and you ignore the relatively high carbon emissions  
that come from the mining and processing of the fuel,  
the construction of the nuclear plants, the destruction  
of the nuclear plants, the shipment of the wastes, and  
then the maintenance of this waste for who knows how  
long, a million years is probably the best estimate  
and the one that folks in Nevada came to, but it's only  
a guess. Those are not insignificant carbon emissions.  
I think one study I have read and was there were roughly

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an eighth of what an equivalent size gas plant might produce. Now, certainly not insignificant and certainly it is appropriate to categorize it as a perhaps lower carbon alternative but certainly not zero carbon.

Another thing that I think Rod said that kind of caught my attention was the naivete that he tries to place onto this commission about the fact that it wouldn't be legal to bring in wastes from other countries. You'd have to change the permit. Well, duh. It's also illegal to permit these facilities, and yet this is going forward at high speeds. And part of what I think he is trying to cloud is the reality that WCS has promised time and time again that they weren't going to bring in high-level radioactive waste to Texas, and here we are. They mount teams of lobbyists at high cost because they want to make profit off of this deal and they want to shift the responsibility to the federal government.

Now, you think they don't have lobbyists that are going to change the law, then why are you in this process to begin with? Why didn't you just say it's not appropriate, we're not even going to consider it? Because they're lobbying your bosses. They're lobbying the Department of Energy. And because the

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political pressure that you're put under because of their lobby force is paying off. Are they going to win? Not if we can help it. But I will tell you they have more lobbyists, more might, more campaign contributions than anyone on our side with the possible exception of the oil companies. And maybe this time we can stop them.

But, let's be realistic. This is what the law was put in place to prevent is a half-baked idea about storing radioactive waste someplace and saying don't worry, we'll move it later. And that's what we're calling on you to do is follow the law as it is on the books today, and say you haven't got a case because you haven't got the legal ability to do that. Should they come back at some point and successfully challenge this and change the law through their craft in Congress? Fine. But what we see today is an agency that is hell-bent on permitting this, likely before the end of this administration. Now I want to call you on it. There's not speed needed. There's no crisis that can't wait. And the consequences are grave of your haste. This is a bad idea and you know it. Because instead of being half-baked, you put this waste out in West Texas above ground in canisters that were never designed to withstand the heat that we know is coming

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as a result of climate change. And it's going to be a fully-baked proposal.

Thank you all very much.

MR. CAMERON: Thank you, Smitty. Lorraine, do we have someone else who would like to talk to us?

OPERATOR: Karen Hadden, your line is open.

MS. HADDEN: Hi, this is Karen Hadden representing the Sustainable Energy and Economic Development Coalition, or SEED Coalition based in Texas. And I would like to say that as a Texan --- you know, Texan's are proud of their state and we love it. It's our home. We love, you know, most everything about it. This is our land, this is where we live. We have a beautiful land that has mountains and a seashore and agriculture. There is oil production in West Texas. There is so much to our state, ranching. It's an exuberant, beautiful place with a vibrant economy until we have struggled recently with COVID. And we do not need or want high-level radioactive waste dumped on us. This is our home. We didn't ask for it. We don't want it. I don't know how many different times we have to say we don't consent.

And I think it's important to look a little bit about the history of what's going on here and how we got here. Several years back, the U.S. Department

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of Energy held meetings in eight cities around the country. They went around to get the input of stake holders who would be impacted by these proposals for Texas and New Mexico. But the funny thing is that they forgot to come to Texas or New Mexico. We were not considered stake holders, those who would be dumped on, those who would be most impacted. And that is outrageous. They went and asked people around the rest of the country how they felt about it and the deal we've tried to line up people on their panels who would say, oh, we want to get this waste out of here, it's important to our communities. That's who they wanted to have speak as stake holders and they must have spent millions of dollars going to top-notch hotels with a whole entourage of people. To line up people to dump on us.

I'm offended tonight by the statements made by Katrina. And I looked online and found that this is accurate, that she's from Florida and now resides in Tennessee. Well, you know, some of her comments implied that, you know, we just need to get this out of other places and dump it on somebody else. Well I'm here to say no. We don't want it. And the less that this waste can be transported, the better for the health and safety and security of the entire nation. Okay, so we don't have a good solution now. Well the

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DEIS failed to analyze HOSS, Hardened Onsite Storage. Massive, massive failure of that document. Why the hell not? Why was that not analyzed? Because it is viable and it is our least risky option. There's no such thing as safe, but it is our least risky option. It is probably our most affordable option if we were looking at an honest analysis. But somehow this contorted document comes out with, it's an Alice in Wonderland scenario of things just being totally not what they seem and not what they really are and being twisted and contorted. I heard a speaker earlier use the term magic that somehow gets used here. Yes, it's like they have pixie dust and sprinkle it over everything and then just all of a sudden come out with the answers they want without analysis. This is the worst piece of pseudo-science I have ever looked at in my life, and I have looked at many, many scientific documents.

It's an outrage and it's an affront that this document is even being offered to the public. It should be hidden. It should be burned. And it certainly should be a case that we start over.

I want to talk about the fine details that I've discovered diving into it. One was which, in the cumulative impact statement, there's a facility that lies just west of the WCS site and it got licensed.

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And it got quite a few different operations. But somehow, even though it got licensed, the researchers for the DEIS couldn't find out anything about it. They said, we just don't know anything about it. Well, that is a major gap and omission and it needs to be corrected. And when I looked it up, I found a court proceeding that involved that very facility in which people testified that the nearby Urenco facility, whichever name you want to call it, it goes by several, that those workers are not allowed to evacuate. Well, this is within, what, a five-mile radius of WCS? So in the world of cumulative impact, maybe we need to consider the fact that there is a facility where people cannot evacuate if there is a waste involving high-level radioactive --- or an accident involving high-level radioactive waste nearby. That needs to be considered. I found links that were no longer active to some of the water studies. That needs to get corrected.

We could go on and on and on and I intend to a lot of this in writing, going through this document with a fine-tooth comb. And everywhere you look there are problems with things that are not considered and with conclusions that have no viable scientific basis when you look at the bare facts that are right in front of you. This process is illegal. The licensing of these

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facilities is illegal and it should be halted right now.

And I want you to know that in Texas, we have had serious opposition for a long time. It is also true that many people don't know about this, but the minute they learn about it, they are opposed and strongly so. We have had resolutions passed in many counties and in many cities totaling representation of 5.4 million Texans. We have had the Governors speak out. And it's getting old that not only are we having these public meetings in the middle of a pandemic and COVID crisis and economic difficulties and a national election that these meetings are so inadequate --- there were problems with the website again tonight. The last time around, the links for this meeting on the NRC website was down for the three days prior to the meeting. We still can't get audio online. People are missing the slides. People are having to call in just on their phones because that's the only part of this process that even works.

This is a disgrace. This is not democracy. This is not NEPA process. It should be challenged legally. Because these are not real public meetings. And I'm glad to see at least the faces of a few people in the room now, but I'm wanting to know how many people

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are on the line. How many people have been on the line for each of these meetings. I'd like to know who. I'd like to know who they are. And we still do not have adequate information regarding the safety report and the timing of that. I am deeply concerned about that. I have requested information in writing on several occasions now and I am not getting replies. I want to know exactly when the safety report will come out and what will be the opportunities for the public to comment? Are you planning to have public meetings? Because we need them. It is inadequate half the topics that people want to talk to declared out of scope when the heart of this whole project and the incredible risk that it poses to our very lives is something that we are being told that we cannot talk about.

So please, I am asking one more time. This is about the fifth time I have asked for detailed information of the safety report, it's timing, and when and how the public will get to comment, and I would like to request that in writing.

Thank you.

MR. CAMERON: Thank you, Karen and the NRC staff here has noted your request for information on the safety evaluation report. Thank you.

Lorraine, who is next?

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OPERATOR: Our next comment comes from Bridget. Your line is open.

MS. HYDE: Hello, my name is Bridget Hyde. I've been standing up against WCS first in Midland, Texas. I now live in Austin. And I am just appalled that we as Texans have to keep doing this. I feel the same like Karen does. I'm a fifth generation Texan. My roots in Texas go deep. And I do not think that Texas needs to be the nuclear waste dumping ground for the whole ---

(Audio interference.)

MR. CAMERON: Lorraine, Bridget seems to have dropped off. Do we know why?

OPERATOR: Not sure. Timothy Gannaway. Your line is open.

MR. GANNAWAY: So, my call has actually dropped off several times. I'm guessing I don't have any technology issues. That seems to be going on a lot. I'd rather wait until she gets back on the line. I don't want to have my comment interrupted.

MR. CAMERON: Okay, well let's see if we can get Bridget back on. Bridget, I don't know if you can hear me, but we'd like to get you back on the line and hear what you have to say.

Lorraine, we're just going to give it a

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couple of minutes to see if we can get Bridget back. So we'll just wait because I did hear the gentleman who is going to speak next say that he did not want to be interrupted, but if we do not hear anything in a couple of minutes, we're going to go to the next gentleman and we won't interrupt him. We will let Bridget wait until after he's done.

OPERATOR: Bridget, your line is open.

MS. HYDE: Hello? Can you hear me?

MR. CAMERON: Yes, Bridget, we can.

MS. HYDE: Oh, good. My name is Bridget Hyde.

I have been involved in standing up to WCS and their plans to dump high-level nuclear waste in Texas first in Midland, Texas. I now live in Austin. And I am just shocked and appalled that they keep trying to use Texas as a dumping ground. And I am with Karen. I'm proud of my state. I'm a fifth generation Texan. My roots go really deep here. And I do not want Texas to be the nuclear waste dumping ground for the rest of the United States. I think that's obscene. And I think that the machinery behind all of this is obscene.

I have some really basic questions of the Nuclear Regulatory Commission. I just looked up the history and found that you all were started --- well, you were created by Congress in 1974 to ensure the safe

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use of radioactive materials for beneficial civilian purposes while protecting people and the environment. And so my question to you all is, where and how did the NRC get off track and lose its vision and its purpose? Because it seems to me that if you had in the most basic way been true to your purpose, you would not have allowed the nuclear industry to continue to produce forever deadly nuclear waste without a safe plan for disposing it. And this has been going on for 60 years and you do nothing to stop it. And it is incredibly dangerous for people and for the environment. If you are a regulatory commission, why don't you regulate? Why have you allowed this?

And then the other thing that occurs to me is like, what companies are still going to be standing after the pandemic? I mean, WCS has been on shaky ground before, economically. We don't even know they are going to exist as a company beyond the pandemic. So whatever they're promising, we don't know that's going to happen. And whatever the service people along the way are promising, we don't know that they are going to be in business, or that they will be well. We still don't know how far this pandemic is going to go. So how, really, in terms of where we are in this pandemic, how can anyone plan future delicate operations in our

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current uncertainty? We are dealing with the unknown. It's a horrible time. I mean, it's a horrible time to do what they want to do anyway. And when you consider the context of the pandemic, it's even more bizarre.

And then that whole question that several people have brought up, it's as if time is not a factor in any of the planning. I mean, we don't even know if Texas will be a state in 1,000 years, we haven't even made it to 200. What, will we even be a Federation? Who will the governing boards be at that time? What will the laws be? We don't know any of that. Because this stuff is deadly for so long. There's no way to plan a safe disposal for something that is forever deadly. And we don't even know if the United States will be a country in 250,000 years, or in a million years. No one can answer those questions. No one can plan or design a contain that will last a million years. That's beyond human capacity. And the fact that the whole dimension of time with this nuclear waste gets left out of all the planning is so bizarre. But it's as if it doesn't even exist. It's like what Karen said like you guys are living in a fairy land with pixie dust. This has a chemical half-life. You know, a lot of it is for 250,000 years and some for a million years. And someone even mentioned when part of it degrades

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it can go as long as 7 million years. What is the Nuclear Regulatory Commission --- where have you guys been that you keep allowing this? That you do not regulate this reckless, dangerous behavior on the part of the nuclear industry?

I love my state and I don't want this to happen. And I cannot for the life of me understand why anybody would see this as a good idea with what has been proposed.

That's all I got.

MR. CAMERON: Okay. Thanks, Bridget. Lorraine, can we put the gentleman who was speaking a little bit on?

OPERATOR: He will have to queue back up, he was cleared out of the queue.

MR. CAMERON: He's going to have to queue back up? Does he know that?

OPERATOR: No.

MR. CAMERON: Can you just repeat the star one instruction, just in case he can hear it?

OPERATOR: Yes. To make a public comment, please press star one. There he is. Timothy Gannaway, your line is open.

MR. GANNAWAY: Thank you for the opportunity to speak tonight. I appreciate the time and effort that

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so many have invested in reviewing the application and preparing the draft EIS. I'd also like to commend the Southwest Research Institute. I am familiar with their expertise and involvement in a range of research and development that have benefitted the world. We are very blessed to have such a world class facility right here in Texas.

I will try and keep my comments within the limited time frame, but please understand that this document in question is nearly 500 pages and requires appropriate attention. I live in Andrews. I was born and raised in Andrews. I graduated high school here. I am familiar with Waste Control Specialists history dating back to its founding back in 1989. I understand the existing facilities and I've extensively followed the evolving proposal since it's been introduced in 2014 for the interim storage.

I founded the Andrews Expansion Council in 2014 and we have worked to attract new businesses to our community. According to the Texas Demographic Center, we are actually the fastest growing county in the entire state and our population is expected to exceed 100,000 countywide in the next few decades.

I don't believe that the draft EIS adequately evaluates the rapid population growth

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underway in our county. I'm also actively in the historical and archaeological research of our county. WCS purchased the Frying Pan Ranch that was historically referred to as Windmill Hill. It was called Windmill Hill due to the abundance of shallow water resulting in numerous windmills being erected. The adjacent ranch abutting the property is home to a spring that's noteworthy as the location of the first water well in Andrews, hand-dug in 1872. There is also a historic cemetery dating back to 1888 and numerous historic sites that exist near the proposed facility.

I just wanted to make a few points and then I'll wrap up here. The draft EIS, it fails to properly identify the location of the propose CISF in a language and manner acceptable under real estate contract law. In reviewing the public and occupational health, the draft EIS fails to evaluate the impacts on mental health. The draft EIS fails to evaluate the impact to real property values or the stigmatization of property values. The draft EIS fails to review the impact in constructing, or not constructing a permanent repository and evaluating the CISF proposal or the no-action alternative. The draft EIS fails to review the potential for an impact on the existing facilities in the event of emergency, vice versa or simultaneous

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dual emergencies of the existing and proposed facilities.

In preparing this draft EIS, the NRC has failed to coordinate with the Andrews Soil and Water Conservation district number 246, the Andrews County Fire Marshall, our emergency management services, and other localities that could be directly effected as it relates to the health and safety of our citizens. The alternate methods for public participation can hinder and restrict persons of disabilities from participating in the same manner that persons without disabilities may participate. The alternate methods for public participation may disproportionately affect low income and minority communities.

The draft EIS fails to provide assurance of compliance with the National Historic Preservation Act, the Endangered Species Act, the Federal Water Pollution Control Act, the Clean Air Act, the Archeological Resources Protection Act, the Paleontological Resources Preservation Act, the Federal Cave Resources Protection Act, the Texas Health and Safety Code, the Texas Radiation Control Act, the Nuclear Waste Policy Act, among other laws that this is in violation of but does not provide that it will comply with.

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So, Mr. Park, Mr. Nguyen, Mr. McKirgan, Mr. Tappert, and everyone else with a say in this proposal, the citizens are looking to you to do the right thing. And I'll hope you correct the issues within this draft EIS, republish, and allow transparency with in-person meetings once it is safe to do so.

Again, I appreciate you for your time.

MR. CAMERON: Thank you, Timothy, or raising all of those issues that you mentioned. Thank you very much, and Lorraine, do we have anybody else on the line that wants to talk to us?

OPERATOR: Our next public comment comes from Beki Halpin. Beki, your line is open.

MS. HALPIN: Hello, it's actually my husband Richard who has been trying to get through. Here he is.

MR. HALPIN: Hello, I came through earlier and was lined up but then was never called. So, it's just a sad example to me about how poorly the technology is working on this whole hearing. I just can't imagine in this day and age that you can't do a Zoom meeting where people can see each other as other participants have said. So, I'm just very disappointed in the way this thing is being run.

Good evening, this is Richard Halpin, NRC

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Commissioners. I speak to you as co-chair of Austin Texas Green Sanctuary Ministry. I'm speaking to you today about the devastating risks that will be created by needlessly transporting high-level nuclear waste across our nation with the intention of temporarily storing that deadly waste in the western portion, Andrews County, Texas and adjoining site in New Mexico. Any risk with this high-level waste is too much of a risk. We were told that petroleum was going to be transported by trains across the country, that there has never been an accident, and the risk was low. We have now seen the many train wrecks, explosions, fires, and destructions of whole towns. That this was a low risk we never should have allowed.

The deadly nuclear waste, as you know commissioners, is far more destructive than the exploding, burning petroleum. We have already seen reports that this nuclear waste material transportation, as proposed, has in trial runs caused rail tracks to give way, has toppled special carrier trucks and has taken days to right again. If that had been more than a trial run, there would have been terrible destruction and no one is trained and equipped to respond to it.

Can you imagine one of the nuclear waste

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wrecks happening anywhere near water, much less people? The poisoning of that water source and those people would be devastating. This proposed quote 'interim' unquote interim storage sits close to the Ogallala Aquifer who so many people tonight have testified is at risk. An accident affecting this and any of the thousands of waterways that this deadly waste would cross is totally unacceptable. The letter from our Governor to the President says, quote, 'a stable oil and gas industry is essential to the economy and crucial to the security of our nation. Allowing the interim storage of spent nuclear fuel and high-level nuclear waste at sites near the largest producing oil fields in the world will compromise the safety of the region.' In 2018, the Permian Basin,' as Rose so eloquently discussed tonight 'has produced more than 30% of total U.S. crude oil and contains more than 40% of proved oil reserves. Needless to say, the Permian Basin is a significant economic and natural resource for the entire country and the proposed storage facilities would place America's recovering economy and energy security at great risk.' end quote. Great risk, the Governor says.

But this begs the question, is it a smart idea? Is it the best solution to move this deadly waste

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across the nation and deposit it in the poorly planned, quote 'interim' facilities in Texas and New Mexico. The answer to this illegal proposal is an unequivocal no. So why do this? This seems like a plan to make short term profits while risking long term and deadly risks, even permanent life crushing damage. The best of the science I could find says that this kind of deadly waste is safest stored in secure, hardened casks storage at the site of origin. There it'd be securely held and dealt with when the utility plant will be decommissioned. No traveling around the country with this crazy stuff. Unless the plant is near a water source. Then the waste should be moved less than 100 miles inland.

I join our Texas and New Mexico governors and the thousands of people across the nation who say to you, we do not consent to this request. Our nation is replete with abandoned deadly waste dump sites of carcinogenic materials. Use your best intelligence, NRC commissioners, to see that this made-up corporate needless business need is made up from millions of dollars in early revenues. And then, a 40-60 year walkaway unless the liability builds up too quickly and these guys will drop this thing on the Texas taxpayers like a hot tomato. And the Texas taxpayers

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and the national taxpayers will be responsible for the never-ending cleanup.

We ask you to fully and completely deny this scheme of profit over people and our sacred earth.

Chip, I appreciate this opening tonight for stakeholders to speak. Thank you. I would urge you, NRC to have these hearing opportunities after a full and complete information campaign has been made to all communities across the country that this dangerous waste material will travel through. Postpone your decision making until more people are justifiably informed and then appropriate hearings can be completed.

Thank you.

MR. CAMERON: Thank you, Richard. I'm glad that you finally got on with us. Dexter, nice to hear you there.

OPERATOR: Hi, Chip.

MR. CAMERON: Howdy. Do we have any more speakers?

OPERATOR: We do. Next up is Maggie Zabala. Then we have Rebecca Ramsay, Janet Greenwald, and John Tate. Maggie, your line is open.

MS. ZABALA: Hello, can you confirm that you can hear me?

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MR. CAMERON: Yes.

MS. ZABALA: Hi, my name is actually Maggie with two G's. I tried calling in. I was on the phone since five pm, and I just want to inform you that there is a point where you said that there are no more callers, and yet there were more callers because I was one of those callers.

So the claims that the risks would be small is misleading at best and intentional fraud at worst. I was born in Ukraine just a few hours from Chernobyl one year before the infamous nuclear plant explosion. 34 years after the nuclear contamination, the rate of lung, thyroid, prostate, stomach, and breast cancer continues to climb directly related to the incidents of exposure. The risk of a nuclear power plant explosion was also very small and yet here we are.

Nuclear waste, no matter how small the perceived risk is, cannot be transported through large American cities or stored anywhere near our towns. The consequences of even one mistake would be devastating to us all.

Thank you for your time.

MR. CAMERON: Okay, thank you Maggie. And, Dexter, is Rebecca on next? Dexter, are you still there?

OPERATOR: Yes I am. Did we lose the last

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public comment?

MR. CAMERON: No, we heard it. She was short and to the point and so we are ready for Rebecca, or whoever.

OPERATOR: Yes. Next up is Rebecca Ramsay then Janet Greenwald then John Tate. Rebecca, your line is open.

MS. RAMSAY: Thank you. The last name is Ramsay, R-A-M as in Mary-S as in Sam-A-Y thank you. And I am a resident of Cambridge Massachusetts and I was so impressed hearing the people from Texas how knowledgeable they are about the risks to their own state there. And I would like to say that up here in New England I have been opposed to nuclear energy for many, many years and I have a notebook of letters I have written to Congress. About every 10 years starting in 2001 I have found myself attending public comment sessions concerning the use of nuclear reactors.

So here I am again, genuinely pleased to have been given this opportunity. As stated in NRC's Blue Ribbon Commission report of 2011, in section 2.3.1 entitled 'Ethical Responsibility'. That's E-T-H-I-C-A-L responsibility. The current generation is responsible for protecting future generations as mandated by the federal government decades ago. The

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safest strategy for storage of high-level radioactive nuclear waste is hardened on-site storage, also known as HOSS. This avoids the dangers posed by transporting such hazardous materials across the country. On-site storage also avoids amassing more and more high-level radioactive nuclear waste in the southwestern part of the U.S..

This is the dwelling place, the very place you are talking about sending that stuff, is the dwelling place of many Native American communities who cherish their relationship to the land.

To conclude, compared with the alternative, hardened on-site storage is the safest solution, making it the best ethical choice. These facilities would be monitored by local official reporting back to their communities on a regular basis.

Thank you.

MR. CAMERON: Thank you. Thank you very much Rebecca Ramsay from Massachusetts. And Dexter is Janet the next speaker?

OPERATOR: Janet Greenwald is our next speaker, then Carolyn Croom, Pam Gorman, and Sharon Richey. Janet, your line is open.

MS. GREENWALD: Thank you for this opportunity. I'd like to say that when I called in,

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I pressed star one, and then I realized when you said that there were no speakers and I hadn't spoken that didn't work and then I recalled and pressed star one and it did work that time. I'm just wondering how many people out there have pressed star one once, have waited and waited, and then were never called because of some technical difficulty. I just wish that could be fixed before the next webinar.

So according to the DEIS, part of the runoff of WCS goes to Baker Springs. Baker Springs is actually a small pond and it has been on USGS map for a century or a little more. When you talk about the runoff --- when the DEIS talks about the runoff to Baker Springs they do not note that some of that runoff goes to near surface characteristic channels. If you go to the technical testimony for the siting of Urenco you will find a picture of the pond and the characteristic caves right above the pond. That was submitted by Dr. Richard Phillips a geomorphologist who was at that time our consultant.

I should explain. I'm the coordinator of Citizens for Alternatives to Radioactive Dumping, or CARD, which is small, old, New Mexico organization founded by people in southeastern New Mexico who are concerned about how nuclear projects might affect the

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health of their communities.

I would like to say that WCS is closer to a New Mexico community than it is to any Texas communities. It's right on the border. And the toxic effluent from WCS goes into New Mexico and I just want to say shame on you, WCS and the entities that are doing their best to turn WCS into a high-level waste repository.

New Mexico is devastated by the nuclear industry. A down-wind community has thousands of people who have died due to radioactive contamination from the Trinity site test. The community I live in is a downwind community from Los Alamos. Again, there has been a lot of devastation both in the community and to the workers that work at Los Alamos. And then there is uranium mining and milling, you know. I know families that have been totally wiped out by uranium mining and milling. And some who have maybe one or two members left in an extended family. Then to choose this location right next to New Mexico, that just seems such a low thing to do considering all we are dealing with here.

WCS has a very bad track record from my point of view. As I said, it's closer to New Mexico and a New Mexico community than it is to Texas communities and a number of New Mexicans work at WCS

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and through time they have called me or talked to me about what goes on there. A mother told me that her teenage son that worked there was contaminated. Another person told me that the RAD readings from the Fernald waste are much higher than they should be. And then of course there is the effluent, the dangerous effluent coming into New Mexico.

This is such a bad deal for the people of the southwest who are low in income and but very high in their awareness of the importance of clean air, land, and water. I am just hoping that this time we can fight back and win. I am hoping that people who are listening will stop thinking of New Mexico as the world's dumping ground for dangerous substances.

If you talk to these devastated families and communities, if you could see what was happening here already because of the nuclear industry. The devastation, the anger, the sadness. I think you might reconsider your decision to bring high-level waste to WCS.

Thank you for this time.

MR. CAMERON: Thank you, Janet for sharing that information including about the channel. Lorraine, who is next to speak? I think John King was mentioned but I'm not sure.

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OPERATOR: Our next comment comes from Carolyn Croom then Pam Gorman and Sharon Richey. Carolyn, your line is open.

MS. CROOM: Can you hear me?

MR. CAMERON: Yes.

MS. CROOM: Okay, good. I actually wasn't going to speak tonight. I just wanted to hear a few of my acquaintances speak. And I ended up deciding to speak only because one of my acquaintances, Maggie Zabala, emailed me during the hearing and said that she couldn't get back on. That she'd been on and must have been dropped and couldn't get back on. And she just spoke a few moments ago so I'm glad she was able to get back on.

I won't talk for a real long time. I just wanted to say a couple of things, though. That's an example --- and then also the three people that got cut off. Somehow it got dropped and luckily they got to get back on again. I think these are examples that illustrate the need for the NRC to postpone these hearings or add on to the hearings after the pandemic is over and to have several hearings all over Texas and for the potential disposal site in New Mexico, all over New Mexico. And then along the rail routes all over in at least some of the big cities all over the

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United States so that people can come and actually speak in person and they won't have trouble getting on the phone or that kind of thing.

At least one or two people mentioned about the safety report and I had read that it was out of scope for these environmental impact statements, I mean hearings. And I guess I would like to say if they're out of scope for the environmental impact statement commentary, then there needs to be another set of public hearings for the safety report. And you need to do the safety report before things proceed and not after something would be licensed, or whatever. And I think --- as I understand, the safety report is cask and cannister design, monitoring and handling. These are extremely important issues. And I asked that you have hearings for the safety report too. I guess the most important thing to me is that the NRC follow the Nuclear Waste Policy Act and not break anything in that act and follow all federal laws, whatever they may be. And I think there's some --- just simply to say follow all federal laws which means, I think, stopping what you're doing now and this process of approving this license application and re-look at those laws, look at the Nuclear Waste Policy Act as amended and re-look at other laws that have something to do with the transportation

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and storage of this high-level nuclear waste.

I think that was it. But anyway, I really think you guys need to postpone the final --- postpone the deadline for commentary, probably --- I don't know how long it'd be, nine months or a year or whatever --- until there is a safer time for people to be able to make public commentary and make these hearings much more broad than just a few hearings and allow people all over the United States to make comments in person.

Thank you. Appreciate it. Thank you.

MR. CAMERON: Thanks Carolyn for those suggestions. We are going to go to our next speaker, Lorraine.

OPERATOR: Our next comment comes from Pam Gorman then Sharon Richey then Don Eichelberger. Pam, your line is open.

MS. GORMAN: My name is Pam Gorman and I work for Xcel Energy in the regulatory policy area. I'm also chair of an industry task force on spent fuel transportation. Xcel Energy is headquartered in Minnesota and we serve more than three million electric and natural gas utility customers. We serve eight states and that includes New Mexico and Texas. I am pleased to provide comments tonight to the Nuclear Regulatory Commission regarding the draft EIS regarding ISP's

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consolidated interim storage facility.

At Xcel Energy, we have had over 55 years of nuclear power operation experience as well as used fuel management experience and well over 25 years of safely managing used fuel and dry cask storage. I personally have worked for the company for over 30 years and the first 10 years of my career were spent as a nuclear plant operator. I know first-hand the importance of nuclear energy and its role in providing a stable electric grid. We all know that nuclear power is a source of carbon free around the clock energy. And a company who has announced a vision to be carbon free by 2050, it's our nuclear plants that allow us to integrate and increase our use of renewables. Our portfolio today is more than 50% carbon free as we work to attain that vision to be carbon free by 2050.

So our nuclear experience began in 1964 with the Pathfinder Atomic Plant in South Dakota. We also had the Fort St. Vrain nuclear power plant in Colorado and we currently operate three nuclear reactors in Minnesota. Both plants in Minnesota have dry storage facilities and the first became operational in 1995. We, in addition to those storage experiences, we also have extensive experience with safely transporting spent nuclear fuel to offsite locations.

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We ship fuel from our Monticello plant more than a thousand spent fuel assemblies to an offsite storage location. We did that across state lines and over the commercial rail lines similar to the proposal for the ISP CIS facility. We also ship used fuel from our shut down Colorado plant to Idaho. All of these rail shipments were done safely and without issue.

So regardless of the shipment destination, the industry will continue to build on that established track record of safe shipment through the robust design, the adherence to regulations, and the implementations of safety and security requirements. At Xcel Energy now we have used our operation of these dry cask storage facilities and proven that the fuel storage have minimal environmental impact. The field containers themselves have the solid fuel inside of them, they isolate it from the environment, and we demonstrated the safety and the minimal environmental impact using this technology.

I've noted in our comments during the EIS scoping process, Xcel Energy supports a robust stakeholder engagement process, so again, appreciative of the comment period of these four over the next couple weeks and a thorough regulatory licensing proceeding for any proposed internal storage facility including

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this ISP facility. So we look forward to progress as the NRC continues this application to construct and operate a CIS in Andrews, Texas. Once again, thank you, Chip for allowing me, as well as everybody on this call tonight to provide comment and input to the application.

Thank you.

MR. CAMERON: Okay, thank you Pam. Lorraine, who is our next speaker?

OPERATOR: Our next comment comes from Sharon Richey and then Don Eichelberger. Sharon, your line is open.

MS. RICHEY: Reasons brought up in these two occasions of discussion so far, seems obvious that we do need in person, post COVID, hearings in at least, numerous, at least five Texas communities.

Thank you so much.

MR. CAMERON: Thank you.

OPERATOR: Next comment comes from Don Eichelberger. Your line is open.

MR. EICHELBERGER: Am I still on my comment?

MR. CAMERON: Yes, please.

MR. EICHELBERGER: Okay, good, thank you. I work with Abalone Alliance Safe Energy Clearinghouse out here in San Francisco. I've been an opponent of nuclear power since I was a kid in Sacramento, Rancho

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Seco. And as a result, I think that we helped the Nuclear Regulatory Commission approve a safe Diablo Canyon by postponing its operation until a design flaw was found on the seismic bracing. So, you're welcome. Thanks to us, you probably got a little bit better safety operating record.

But I do want to comment. I just got an announcement about this interim storage facility that you're trying to open up, and I'm really opposed to any interim storage facility because it's going to be a de facto high-level waste dump if people don't watch it very very very closely for the next thousand years. And also, moving the waste more than once even it's in an interim disposal site, that implies that it's going to be moved again. And so taking those kind of high-level waste factors and moving them, recognizing that we have something like 12,000 auto accidents a year with thousands of them involving hazardous materials. Hundred of train accidents, same deal. Dozens with hazardous materials. So we really have to be careful with moving this stuff because as you know, a little bit goes a long way and we don't want to see sections of the country made uninhabitable because of our carelessness.

So that's my comments for now. I will be

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reading the entire environmental impact statement and make more detailed comments.

So thank you for your time and I appreciate your efforts but I do advise caution. The kind of caution you didn't take when you approved the Diablo Canyon operating license before finding the seismic bracing was put in incorrectly.

So thank you again. Have a good night.

MR. CAMERON: Thank you, Don, and you too. Lorraine, do we have anybody else?

OPERATOR: There are currently no questions in queue at this time.

MR. CAMERON: Okay, well we've had a good number of commenters and we have one more meeting next week. And we are over our time, not that we're keeping a stopwatch or anything like that. If we have no more commenter --- do we have one more? Anybody on there, Lorraine?

OPERATOR: Yes, Sandra Soria, your line is open.

MS. SORIA: Hello, my name is Sandra Soria, last name is spelled S-O-R-I-A. Can you hear me okay?

MR. CAMERON: Yes, we can, Sandra.

MS. SORIA: I live in Ft. Worth. I am a member of University Christian Church and part of their

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environmental group. So my concerns are primarily with safety. I am understanding that no one has ever moved this amount of waste this far before. And I don't believe that the railroad tracks are really built to accommodate the weight of those casks. So that's a big concern because our church is really close to the railroad tracks where I would expect they would come through in Ft. Worth. That's a big concern knowing that they will have to probably wait and park and not necessarily just go straight through the city, but a lot extra time for them to get on the tracks properly and safely.

I grew up in Midland and I have family in Odessa so I have driven many times back and forth on I-20 and I know where the railroad tracks are. And those are always located near lower income families. So I feel like that risk is going to be born more heavily by people in lower income groups.

So those are some of my main concerns. It just seems like a really bad idea to me. And I understand that this is a big problem and you guys are taking on a really heavy load to decide what to do. But I would discourage you from trying to move all of that waste across the country and eventually move it again. That just is an unsafe idea.

Thanks for listening.

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MR. CAMERON: Okay, thank you, Sandra. I know that NRC staff appreciates your comment that they have a tough job to do. So thank you. Lorraine, is there someone else? Another speaker? Lorraine, are you still with us?

OPERATOR: Yes, I'm here. Can you hear me?

MR. CAMERON: Yeah, we can. I just wondered if there was any more speakers.

OPERATOR: There are no questions in queue at this time.

MR. CAMERON: Okay. Well I think we probably could legitimately stop and wait until next week.

I'm going to go to John Tappert, our senior official to give us a close-out. John?

MR. TAPPERT: Thanks, Chip. I would just like to thank everyone for participating in the meeting tonight. We do recognize it takes a commitment to participate in this process and sharing your comments and perspectives. And we will consider them as we are finalizing the document and moving forward.

Again, thank you for taking time out of your evening. I hope you enjoy the rest of your evening and be safe.

Thank you.

MR. CAMERON: And I think we stand adjourned

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for tonight. We will be back next week. Thank you all.

Thanks Lorraine, Sue, Dexter. Thank you.

(Whereupon, the above-entitled matter went  
off the record at 9:20 p.m.)

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