

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Public Online Webinar for the Draft
Environmental Impact Statement for the
Proposed Interim Storage Partners
Consolidated Interim Storage Facility

Docket Number: 72-1050

Location: webinar

Date: Thursday, October 15, 2020

Work Order No.: NRC-1102

Pages 1-188

NEAL R. GROSS AND CO., INC.
Court Reporters and Transcribers
1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

+ + + + +

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

+ + + + +

THURSDAY

OCTOBER 15, 2020

+ + + + +

The Meeting convened via WebEx, at 11:06
a.m. EDT, Chip Cameron, Facilitator, presiding.

PRESENT:

FRANCIS "CHIP" CAMERON, Facilitator

KEVIN COYNE, NMSS/REFS

DIANA DIAZ-TORO, NMSS/REFS/ERMB

LANE HOWARD, SwRI

STACEY IMBODEN, NMSS/REFS/ERMB

KELLEE JAMERSON, NMSS/MSST/MSEB

MIRIAM JUCKETT, SwRI

DAVID McINTYRE, OPA

JOHN McKIRGAN, NMSS/DFM/STLB

ANGEL MORENO, OCA

JOHN NGUYEN, NMSS/DFM/STLB

JIM PARK, NMSS/REFS/ERMB

JESSIE QUINTERO, NMSS/REFS/ERMB

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

CONTENTS

Call to Order.....4
Introductions.....6
Opening Remarks.....10
Draft Environmental Impact Statement
 Overview Presentation.....14
Public Comment Period.....31
Adjourn.....187

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

11:06 a.m.

MR. CAMERON: Good morning, everyone.

And my name is Chip Cameron, and I want to welcome you to the NRC, Nuclear Regulatory Commission. We're going to be using the acronym NRC.

I want to welcome you to the NRC virtual public meeting and thank you for joining us today.

The NRC is here today to listen to your public comments, your advice, your recommendations, your concerns on the Draft NRC Environmental Impact Statement, which we will be calling the EIS. This draft was prepared on the license application the NRC has received from Interim Storage Partners to build and operate an interim storage facility for spent fuel in west Texas, in Andrews County, Texas.

Now this is our final public meeting, and in a few minutes, Jim Park, the Senior Environmental Project Manager on the preparation of this Draft EIS will tell you about how to get the transcripts from the previous public meetings. We're also taking a transcript of this meeting, and that should be up on the NRC website in 7 to 10 days. But more of that in a few minutes.

Your comments on the Draft EIS are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

extremely important because the EIS is a fundamental part of the NRC evaluation of whether to grant the license application of Interim Storage Partners. The other fundamental part of the NRC evaluation of the license application is a public health and safety evaluation. This is called the Safety Evaluation Report, or that evaluation will result in a Safety Evaluation Report. So, two primary parts of the NRC's evaluation, an EIS, a Safety Evaluation Report.

Now in the room with me here at NRC Headquarters in Rockville, Maryland, are the NRC staff responsible for preparing the Environmental Impact Statement and, also, the key technical staff responsible for 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'll know about those safety concerns.

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Safety Evaluation Report is the Division of Fuel Management.

To my right -- and we're sitting around basically a horseshoe-shaped table here in the NRC WebEx conference room -- to my right is a key NRC official. It's James Park. Jim is a Senior Environmental Project Manager overseeing preparation of the EIS, and you're going to hear from him in a few minutes. He's going to give you a summary of the Draft Environmental Impact Statement.

Going over to the right is John Nguyen.

Now John is the Senior Project Manager responsible for the preparation of the Safety Evaluation Report.

Now we're going to go to where the horseshoe turns, and we have Kevin Coyne. Kevin is the Deputy Director of the Division of Rulemaking, Environmental, and Financial Support. And you'll hear from him in a few minutes. He wants to give a welcome to you. And I would note that Jim Park, the Senior Environmental Project Manager, is in Kevin's Division.

Going next up to the right is John McKirgan. John is Chief of the Storage and Transportation Licensing Branch. That's in the Division of Fuel Management. And John McKirgan runs the Branch where John Nguyen is looking at the Safety

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Evaluation Report.

Now, if we go to the top, across the top, the empty part of the horseshoe, we have Jessie Quintero. Jessie is the Acting Chief of the Environmental Review Materials Branch. Jim Park, the Environmental Project Manager, is in Jessie's Branch, and both work in Kevin Coyne's Division.

Going over to the right, on the left-hand part of the horseshoe is Stacey Imboden. Stacey is also an Environmental Project Manager on another project. She's with us to help us out today and to listen to your comments.

So, we not only have these people in the room, but we have a number of NRC staff that are listening in on the phone.

One of them is Kellee Jamerson, and Kellee is our WebEx technology expert. And we thank her for helping us with being here and helping us.

And we also have Dave McIntyre. Dave is our primary Office of Public Affairs contact here at the NRC. And in a few minutes, Jim Park is going to put up a slide that gives you Dave McIntyre's contact information. For any of you out there in the media who need information, you can get in touch with Dave that way.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Also on the phone are Miriam Juckett -- she's the Manager of the Environmental Division at the Southwest Research Institute -- and Lane Howard from the Institute. They are consultants that are helping the NRC to prepare this Environmental Impact Statement. So, they're both on the phone.

We also have Angel Moreno. He's from our Office of Congressional Affairs up here in NRC Headquarters.

And we have Diana Diaz-Toro. Diana is an NRC manager who is here on the phone to provide any assistance to Spanish-speaking individuals who might need translation help. And Jim is going to introduce her in a few minutes to say a few words in Spanish on Spanish translation.

And I'm sorry to take so long with the introduction, but I just want you to know that there are a lot of NRC staff involved in this license application review, and they work collaboratively. So that, if there's a point that's raised that's not obvious to one person, they can chime in and say, "But what about this? What about that?" So, we've got a good crew here.

And I just want to point out that we're also trying to accommodate people who either can't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

hear, members of the public who can't hear, or have trouble hearing. And we have a separate video going on where we have some people who are going to be doing signing on a video for people who want to hear/know what we have to say. So, they're doing that.

So, I would just ask all of you, when you do get on the phone making your comment, try to speak up and speak clearly to make it easy for people to hear.

So, the NRC staff, they're in the room, on the phone, to listen to your comments on the Draft EIS. What do you agree with? What do you disagree with? What's missing from the Draft EIS?

Now they won't be responding to your comments today. They're here to listen and they will carefully evaluate your comments or any questions that you might raise in the preparation of the Final Environmental Impact Statement.

As I mentioned, we're transcribing the meeting. Our court reporter is taking it all in, and that will be up on the NRC website.

In terms of the brief agenda, when I'm done, which will be shortly, we're going to have Jim Park give you a summary of the Draft Environmental Impact Statement. And then, we're going to go out to you.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And Terry is our operator today, and she's going to be key in terms of telling you how to get in the queue to give us your comments. She will call your name, and you will come on the phone to speak.

I'm going to set a six-minute guideline, which is plenty of time to give us the gist of your comments, and I'll give you a little bit of leeway on that, but it's going to be six minutes today.

If you're on a speaker phone, either in an office or on your mobile, we've found that that doesn't come through very well if you're speaking on a speaker phone. So, you're going to have to just talk directly into your phone.

And note that the slides are on WebEx. They're at other places, too. Jim Park will tell you about that.

But there's a chat box on WebEx that you can use to alert us to any technical difficulties that you might be having.

And thank you, thank you from the facilitator for being on, and I'm going to turn it over to Jim Park.

Jim?

MR. PARK: Excuse me just a minute.

Welcome. My name is Jim Park, and I am

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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 comments on the NRC staff's Draft Environmental Impact Statement for this license application to construct and operate a consolidated interim storage facility for spent nuclear fuel in Andrews County, Texas.

Access information for the WebEx and audio for this meeting is shown on this opening slide. The WebEx platform is to show the staff's presentation, which is also accessible from the NRC meeting notice and from the NRC project web page for its review of the Interim Storage Partners' license application. Audio for the meeting is through a telephone line only.

Next slide, please.

NRC has held four meetings to receive comments on this Draft Environmental Impact Statement, this being the fourth. We've held three meetings so far, the first on Thursday, October 1st, and two last week, on Tuesday, October 6th, and on Thursday, October 8th. This is the fourth and final meeting.

Notices for these meetings were posted on the NRC public web page, and this slide shows the WebEx and audio access information for those meetings.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Next side, please.

This slide provides the contact information for Dave McIntyre who is with our NRC Public Affairs Office. Members of the media should contact Mr. McIntyre if you desire more information about the project.

Next side, please.

I would now like to turn it over to Diane Diaz-Toro who will provide an introduction in Spanish.

MS. DIAZ-TORO: Thank you, Jim.

(Spanish language spoken.)

Thank you, Jim. I'm turning it back to you.

MR. PARK: Thank you, Diana.

Next side, please.

And I would now like to turn it over to Kevin Coyne for some welcoming remarks.

MR. COYNE: Thank you very much, Jim.

Good morning. I am Kevin Coyne, and I'm the Deputy Director for the Division of Rulemaking, Environmental, and Financial Support, which is the group responsible for the development of the Draft Environmental Impact Statement.

The Draft Environmental Impact Statement is the result of the NRC staff's evaluation of the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

environmental impacts associated with Interim Storage Partners' proposal to construct and operate an interim storage facility. And today, we are asking for your comments on that report.

It's important to note that any comments received in this WebEx forum are handled in the same manner as those comments received at an in-person meeting. Your comments presented today are recorded and transcribed. Our staff will review and analyze them and will update the Final Environmental Impact Statement report as appropriate.

Comments received during this webinar will be made available in a transcript of today's meeting and will be posted to the NRC's Interim Storage Partners' review website shortly after this meeting.

And just another note, if you run into any technical issues with the WebEx link. All presentation materials, as Jim mentioned, are available on the NRC's ISP application review web page.

You can download those materials and review them or follow along with the presentation on the telephone.

The NRC staff and its commitment to openness in this licensing review had planned for four in-person public meetings. Unfortunately, we are very sorry that, under the current public health emergency,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

these meetings cannot be held as planned. We are disappointed that we won't be able to meet you face to face and host open houses prior to the meeting.

Again, thank you for your time today, and I'll turn it back over to Jim to present the NRC staff's Draft Environmental Impact Statement results.

MR. PARK: Next side, please.

Thank you, Kevin.

As you have heard, we are here to collect your comments on the NRC's Draft EIS. Most 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 Interim Storage Partners' license application, 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 that we received during the initial scoping process for the EIS.

I will, then, present the results of the NRC staff's environmental analysis.

And finally, 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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

comment portion of this meeting.

Next slide, please.

The purpose of this meeting is to receive your comments on the Draft EIS. We are asking that your comments be pertinent to the current licensing action and the draft report. We ask, if you can, to point to specific sections of the report for your comments or at least identify the subject area that your comments will be referring to.

The Draft EIS can be downloaded from the NRC's public website. It is also accessible from the website for the libraries in Andrews County, Texas; Eunice, New Mexico, and Hobbs, New Mexico. 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 by email, on the website at regulations.gov, or by regular mail. Later in this presentation I will give the addresses to send comments in those ways. Comments on the Draft EIS are accepted through November 3rd.

Any comments on the Draft EIS 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.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

The transcript will be publicly available within about a week after this meeting. The transcripts for the first two meetings, the meetings on October 1st and October 6th, are on the NRC's public web page.

Next slide.

In the next few slides, I will discuss the NRC's process for reviewing the ISP license application.

Next slide, please.

I would like to begin by clarifying the NRC's role. As an 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 a consolidated interim storage facility, but, rather, reviewing that proposal against NRC's legislative mandate under the Atomic Energy Act and NRC's regulations concerning such facility. That is the focus of NRC's safety review.

The NRC also is conducting an environmental review of the ISP proposal, in accordance

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

with NRC's regulations that implement the National 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.

Results of the safety and environmental reviews inform the NRC 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 process. 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 an 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 hearing regulations. This process is separate from the safety and environmental reviews.

Next slide, please.

This slide shows some of the requirements

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

and review required by the NRC to assure that a design of the project can be constructed and operated while protecting human health.

The 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 that the facility is capable of withstanding external hazards, which include temperature extremes, floods, tornados, and earthquakes.

In sum, the safety review in part 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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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

One area that can show 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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

runoff from impervious areas like the concrete pad and additional flow to nearby waterways. In other words, the environmental review evaluates the impact on the water resource from the project.

Next slide, please.

The following slides provide an overview of the ISP license application.

Next slide, please.

The proposed project site 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 figures shown in the green, yellow, orange, red, blue-gray, and light purple. And the proposed CISF would be located to the north of those current operations.

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

Next slide, please.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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 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.

Spent fuel would be shipped by rail to the proposed site, with a proposed sidetrack bringing the fuel into the facility. The existing rail line serves 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 the environmental review the staff analyzed the potential environmental impact for Phase 1 alone and, also, for all eight phases.

Next slide, please.

This slide shows on the left an artist's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

rendering of the storage of spent fuel shipped to the CISF 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 casks being inserted. ISP plans to use both vertical and horizontal storage at its proposed CISF.

The storage canisters are designed and engineered to meet the NRC requirements for safety.

Next slide, please.

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

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

Next slide, please.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

In the following slides, I will briefly discuss the EIS scoping process and some of the scoping comments we have 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, 2018. Staff hosted two webinars from the NRC's 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 the 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 of the EIS. With the scope being ISP's proposal to construct and operate the facility, that is, Phase 1, topics such as the debate over the use

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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

Next slide, please.

In the next few slides, I will present the results of our environmental 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 review areas.

Next slide, please.

In order to categorize the environmental impacts, the NRC uses these definitions for significance levels for impacts: Small, Moderate, Large. The scale rises based on the destabilizing influence to the environmental resource. These definitions are found in the NRC's Staff Guidance for conducting environmental reviews.

Next slide, please.

For 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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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

The NRC staff also evaluated the movement of spent fuel to the facility from Phase 1 only and from all eight phases for 3400 casks using a bounding representative route. This route included urban and suburban areas and rural towns that would be characteristic of potential railway routes to the CISF.

Radiological 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 expected baseline cancer risk. The NRC staff also determined that, for someone about 100 feet from the railroad tracks, the total radiological dose from 3400 spent fuel shipments passing that person over 20 years of shipments would be 1.09 millirem. The NRC annual public dose limit is 100 millirem, for comparison.

Impacts 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 an accidental release of canister fuel

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

during transportation did not occur under the most severe impact studies, which encompassed all historic and realistic accident scenarios. So, an assumption of no release during accidents was used during the staff's EIS analysis.

Next slide, please.

Two other areas of interest are groundwater and geology.

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

From our analysis, the shallowest confined groundwater 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 groundwater, the staff found that neither construction nor operation of the facility would affect groundwater 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 facility pad and the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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

Next slide, please.

Socioeconomic 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 demand 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 impact on low-income and minority populations resulting from the proposed action, Phase 1, and from the full buildout of the facility, all eight phases, using Census block

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

groups and a 50-mile radius for the analysis.

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

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, all eight phases, of the proposed facility. Activities outside the site would continue unaffected by the proposed facility.

When the CISF is decommissioned, the infrastructure -- the access road, rail sidetrack, administrative buildings -- 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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

approval.

Next slide, please.

This slide and the next tabulate the results of the environmental review. They provide the potential impacts 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 to 8, referred to as "additional phases."

For each resource area, the timeframe associated with 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 resources.

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 side, please.

On this page, 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 I discussed

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

earlier, the staff found that there would be no disproportionately high and adverse impacts to minority or low-income populations.

Next slide, please.

This slide provides links to the Draft EIS; two brief overviews to the report in English and Spanish, and to the staff's public web page 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 federal rulemaking website, regulations.gov; by regular mail to the NRC, and by email. Comments should be submitted by November 3rd.

Next slide, please.

That completes my presentation. I'll now turn you back over to Chip Cameron, our meeting facilitator.

MR. CAMERON: Thank you. Thank you very much, Jim. Great summary of all that information.

And, Terry, we're ready to hear from the public right now. So, if you could just give them instructions and put the first speaker on, please?

OPERATOR: Thank you.

So, if you would like to make a comment,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

please press *1, unmute your phone, and record your name clearly. Your name is required to introduce your comment. If you need to withdraw your comment, press *2. Again, to make a comment, please press *1 and record your name.

So, our first comment is going to come from Karen Hadden, and then, David Rosen, and then, Molly Johnson.

So, Karen Hadden, your line is now open.

MS. HADDEN: Can you hear me okay?

MR. CAMERON: We're getting a lot of static.

MS. HADDEN: Can you hear me okay?

MR. CAMERON: Yes, it's good now. Thank you.

MS. HADDEN: Okay. All right. Thank you.

I had to put it on speaker phone to be heard, unlike what I expected.

I'd like to make some additional points about the Draft Environmental Impact Statement. I'm Karen Hadden, speaking on behalf of SEED Coalition.

As we've discussed before, the DEIS is very, very inadequate. And first and foremost, it's important that we halt the licensing now. This process

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

should not be going on. Consolidated interim storage is illegal under the Nuclear Waste Policy Act. So, the NRC should not be processing this license application. This is being challenged legally. So, I object to this process even happening right here and right now.

And this deadly waste should not be shipped across the country to be dumped on Texas for decades, to bake and shake out in the west Texas desert, and to (audio interference) many people across the country for no good purpose, because all we're doing with this process would be to create another storage facility, storage in the same manner that's being used elsewhere.

We are not with this process increasing the quality of the containers. We're not improving. We're not using hardened onsite storage. We're just creating one more site that has to be guarded and risks of transportation.

It would be massive environmental injustice to dump on the Southwest region of the United States, which has a large Hispanic/Latinx population.

There are many indigenous people in this region. And it is simply wrong for all of the most deadly waste in the United States to be shipped to the Southwest.

It fails to get this waste into a permanent

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

repository. So, this waste is supposed to be isolated for a million years, and we are not getting any closer to that goal. In fact, we're probably losing ground under this plan because these sites could easily become permanent de facto sites never designed for the long term.

The health and safety risks are not being adequately considered from contamination, in particular, exposure to unshielded spent nuclear fuel, and the study considering data that was turned up during the Yucca Mountain analysis, which included studies that said there could be 1,370 latent cancer fatalities from a transport accident. This data is known and should be included. And it's really difficult to understand how the folks that wrote the DEIS could leap to conclusions of Small impacts, considering the very real and solid data to the contrary.

The transportation risks have been absolutely minimized and sort of evaporated under this study, not actually really considering the accidents, leaks, sabotage that could occur and even the risks of routine transport. The NRC has called those routine emissions less than a chest x-ray, but that is not the case if a train is parked next to a community and sits there, or if a pregnant woman sits next to a train that's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

stalled. What happens then?

The impacts to air, water, and soil have not been fully considered and adequately considered, and that includes risks to the nearby Ogallala Aquifer, the nation's largest aquifer, and also, the Dockum which underlies the site.

The temperature extremes, wildfires, intense winds, and flooding have not been adequately considered. And this study should include things like the recent problems in west Texas where an 86-car train literally got derailed, blown off the track by a straight-line wind, which is the new version of hurricanes that are inland that have incredible force and speed. And if an 86-car train can get knocked off the tracks, we have some problems with shipping waste in this region.

There are earthquakes, and earthquakes don't mix with radioactive waste. Right on the border, the Texas-New Mexico, there was a 4.7 earthquake in 1992 right in Andrews County. That was the epicenter.

This is not a good place for radioactive waste.

There are impacts that would occur to businesses. The Permian Basin has many businesses.

Among them, it's the largest oil-producing region in the world. So, this makes no sense to put high-level

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

radioactive waste in this region.

There is ranching and there is a growing renewable energy industry. Nearby in New Mexico, we've got a lot of pecan farmers. There's a lot of cattle-raising. This is not the right thing to add to the community.

These trains would be especially heavy and there is not adequate equipment to deal with accidents, should they occur. There's a lot of volunteer fire departments instead of paid, full-time fire departments.

So, basically, this process should not be moving forward. There's been a lot of opposition throughout the State. These webinars are inadequate and they are not up to the standards of what would be called a public meeting. We are still requesting that real in-person public hearings be held after COVID risks are over in Dallas-Fort Worth, Houston, San Antonio, El Paso, Midland, and Andrews, and along transport routes throughout the country.

Lastly, I'd like to say that I'm really disappointed because of not getting adequate answers about the safety analysis report, the safety evaluation that results, and the final safety analysis report.

What I see online, and what we're not being allowed

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

to comment on, is extensive. Topics that are off-limits are just incredibly important and extensive.

The whole DEIS had 23 lines about climate and failed to address climate change. The safety analysis report has whole sections on meteorology. We should be able to comment on this. It has whole sections on geology, surface hydrology. It has whole sections on operating systems and procedures, liquid waste sampling, solid radioactive waste sampling, gaseous radioactive waste sampling, and very importantly, criticality. That's where we're talking about the potential for real accidents that cause real disasters. We should be able to be commenting on this.

And as it is right now, these comments are considered off-limits for the DEIS.

So, I'm wanting to know when the public gets to comment on the safety analysis report and the evaluation, the final safety analysis, when those come out, and if and when that will be before a licensing decision is made.

This document includes organizational structure, which is important because we are seeing the overlap of WCS and Orano who are both involved in the WCS site in Texas and, also, in the decommissioning

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

on the front end in terms of the Northstar Group. They have the same CEO and same COO. We should be able to be commenting on this and addressing it.

It includes pre-operational testing, a decommissioning plan, and deals with off-normal events, which is an interesting term which I assume means accidentally can sabotage. So, I am looking for when and where --

MR. CAMERON: And excuse me, Karen. Could you --

MS. HADDEN: -- we can talk about these things.

Thank you.

MR. CAMERON: Could you wrap up for us, please?

MS. HADDEN: Thank you. I'll be looking for that information. Thank you.

MR. CAMERON: Okay. Thank you very much. Thank you, Karen.

And, Terry, who is next from the public?

OPERATOR: So, our next question comes from David Rosen, then Molly Johnson.

So, David, your line is now open.

MR. ROSEN: Well, thank you so much, and good morning, Mr. Cameron and all of the NRC attendees.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

So, you people are our protectors, and I really wish that you would take your blinders off and look at how many people and businesses can be imperiled by these off-normal events, also known as accidents, on all the transportation routes throughout the nation during the timeframe of this 40-year license.

It indicates that these casks are likely to be sitting out there for 40 years perhaps because we currently don't have a permanent repository. And after 40 years of sitting out in the desert with what is currently summer temperatures in excess of 100 degrees Fahrenheit frequently, oftentimes up to perhaps 110, and, of course, freezing in the winter, we think that these casks, or I think that these casks will certainly have some weather degradation in the 40 years.

And we currently don't have any transportation method that I'm aware of for being able to move any kind of leaking casks in this 40-year period. Now most of us on this NRC event right now are not likely to be around in 40 years to ensure that they are moved. So, please don't move forward with this licensing until there is a permanent storage repository. Of course, it's contrary to current federal law anyway, but there needs also to be a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

decommissioning plan before this license is granted.

We hope that you'll seriously consider these wider ideas because, again, you are our protectors and you're the only people that stand between the public and off-normal events.

Thank you.

MR. CAMERON: Okay. Thank you, David, including for the reference to wider ideas. Thank you very much.

And, Terry, who is our next speaker? I think it's Molly, is that correct?

OPERATOR: That's right. So, our next comment comes from Molly Johnson, and then, we will have Bridget Hyde after that.

So, Molly, your line is now open.

MS. JOHNSON: Good morning. My name is Molly Johnson, and I am representing San Luis Obispo Mothers for Peace. We have sent in our comments.

We want to reiterate we made comments on the original application and waited for the DEIS to come out, and we are very disappointed in reading that.

We want to reiterate that we stand by these following comments:

We do not consent to the irradiated nuclear fuel that is produced by Diablo Canyon nuclear reactors

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

being sent to another community. The movement of over 10,000 canisters of highly-radioactive waste through thousands of communities is unacceptable. There should be no transport until a viable repository is in place to completely isolate the waste from the environment.

We also assert that it is morally repugnant to send this deadly waste on our rail, our highways, or possibly by barge, to a poor community of color.

The site would likely become a national radioactive waste dumping ground, which is totally unacceptable.

Assuming that Yucca Mountain will be a permanent dump is also unacceptable. Yucca Mountain is on Western Shoshone land. The 33-year-long attempt to dump radioactive waste there is a violation of the Treaty of Ruby Valley of 1863, which is the highest-level law of the land. Also, it is an environmental justice violation, considering the deadly radioactive fallout already suffered by the Western Shoshone and others.

We believe that Diablo Canyon's waste must continue to be stored onsite until a permanent repository or some type of repository that isolates the waste is found.

And we think that the NRC should be more

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

concerned about making sure that the storage containers and the systems that are storing this waste onsite are the very best and the very safest possible. At this point, we know that the NRC is allowing these companies to store this waste in thin-walled canisters that we don't know if they're even going to work or not.

We also request public meetings. We would like to see meetings here in San Luis Obispo, as we are a transportation route. And we are also involved in a lawsuit in order to put ourselves as interveners in this case because of that.

We believe that the public comment period should be open for at least 180 days beyond the public hearing period, and we would like to see in-person meetings when it is possible to do so.

The NRC, the DEIS incorrectly assumed that there's only 40 years of storage. We pretty much know that that's not going to happen. So, we were very disappointed that that was not adequately addressed.

We're also very disappointed that the transportation dangers were not adequately addressed.

Here in San Luis Obispo County, we are looking at the possibility of waste being barged on our ocean from Diablo Canyon down south ways to a railhead. This is absolutely frightening to us.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And the other thing is that we just cannot accept that this waste goes somewhere else. We knew from the beginning when they built this plant that we were a national sacrifice zone and that we were going to have to do what we could to make sure this waste stays as safe as possible.

The other thing that is very concerning is that there does not seem to be a real program for analyzing how waste from cracks and leaks in canisters is going to be handled. There's no wet pool; there's not hot pallet site. The transfers are going to have to be transferred from onsite storage casks to transfer casks, to shipping casks, you know, and back and forth, which is extremely dangerous.

And so, we recommend the no-action alternative as addressed in the DEIS. Thank you.

MR. CAMERON: Okay. Thank you, Molly, and thank you for joining us from San Luis Obispo. Thank you.

Terry, who do we have next?

OPERATOR: So, our next question comes from Bridget Hyde, then Robert Singleton.

Bridget, your line is now open.

MS. HYDE: Hello. Can you hear me?

MR. CAMERON: Yes, we can.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

MS. HYDE: Okay. My name is Bridget Hyde.

I live in Austin, Texas. I once lived in Midland, Texas and was able to attend some of these hearings in Andrews, Texas. And then, I was able to speak at some County Commissioner meetings also when I lived in Midland.

I think it's important to look at some of the history of nuclear waste dumping in Texas. And there's a Forbes Magazine article from 2011, in the April edition. It's written by Christopher Helman.

And he allows there that Harold Simmons, who is pretty much the founder of WCS -- he's no longer with us; he passed away I think in 2013 -- but he has been called "the King of Superfund Sites".

And Waste Control Specialists will not be responsible for the costs and the maintenance and the cleanup of the Superfund site. The State of Texas will be left holding the bill for that. And I think that's such an important thing to consider, since that was pretty much how Harold Simmons operated. So, we could be left holding the bag for billions of dollars of taxpayer money with a Superfund site.

And that's really, I mean, not the larger issue. I mean, the larger issue is human safety and our environment. And I just want to reiterate what

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

other people have said, that please do your job; please take care of us.

This stuff is not safe. And I think in your safety reports it would be important to note what happens to people when they're exposed to nuclear radiation. It's devastating and painful, and sometimes people are left to live in horrific pain for years before they die. And none of that is even mentioned.

But what I do want to address specifically from the reports, and that was what you asked, but I feel a little cheated about that, too; that what kind of a dialog is this? I know it's not set up to be a dialog. But, you know, we ask you questions and we bring our concerns, and I never hear from you a response.

Karen has mentioned twice that this is illegal. That's a big darn deal. And there's no statement back from you about the legality of this. Nothing. We hear nothing about that.

And your information on the aquifers is, I think, inadequate. The Ogallala Aquifer, at least from this article that I read in Forbes Magazine, is only 14 feet below the Andrews dumpsite. And the Texas Water and Development Board says the Andrews dumpsite

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

is underlain by four aquifers: the Ogallala, the Pecos Valley, the Dockum, and the Edwards-Trinity.

Neither concern for these aquifers nor the history of contamination at the site were considered when the Texas Radioactive Waste Disposal Compact Commission voted to approve the import of nuclear waste into Texas from other states.

And this is what really upsets me profoundly: six of the seven members of that Commission were appointed by then-Texas-Governor Rick Perry. And here's the killer, pun intended: Texas Governor Rick Perry received \$250,000 in campaign contributions from the "King of the Superfund Sites," Harold Simmons.

It really gives me great pause about the science that's being applied here. I would like for the USGS to be involved. I would like an impartial geologist to look at the aquifers and map them. I think we need that kind of expert scientific mapping. And, you know, I think that it's 225 -- there's a big difference between 225 feet and 14 feet. So, I think we need some impartial scientific mapping to be done here.

And also, I would like, I am asking for a dialog, not just a speaking-into-a-vacuum kind of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

a thing. But I want your response on the legality of this. I want an impartial scientific mapping of the aquifers underneath this. I want to see what the United States Geological Survey has to say about these aquifers.

So, that's pretty much what I have to offer today. I thank you for listening, but I would like a response also. I don't want to keep voicing these concerns and, then, not hearing any response back from you about those concerns. There's no way to even form a logical conclusion about any of this because we don't get a response from you. So, I'm basically begging for that.

And also, I think this whole process needs to stop. And I also am very concerned about how, from what I hear from your reports, you do not take into account time and the chemical half-lives. I never hear a discussion about the chemical half-lives of radioactive substances, which can go up to a million years.

MR. CAMERON: Okay. Thank you. Thank you, Bridget.

MS. JOHNSON: And I've never heard how a container can last for more than 250,000 years.

I'd like to hear some response. Thank

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

you.

MR. CAMERON: Thank you. Thank you very much, Bridget, for those comments and the issue about who's going to be responsible for cleanup and payment.

Thank you for that.

And with that, Terry, who's next?

OPERATOR: Yes, our next comment comes from Robert Singleton, and then, Pat Beaulah.

Robert, your line is now open.

MR. SINGLETON: Great.

I just want to get off for a minute on off-normal events. You guys are running a real risk of going down the "Weasel Word Hall of Fame," along with the airline industry who came up with -- they were concerned about the occurrence of the words "airline crashes," so they started substituting "involuntary conversion," although another strong candidate for the "Weasel Word Hall of Fame" would be interim storage.

But, to my main point, I have a quick question first. Is there a place where we can look at the license applications for Holtec and Interim Storage Partners? I want to make sure that there is something explicit in these that specifies that foreign nuclear waste will not be accepted.

I learned a lot from zoning battles over

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

the year, that unless you get something in writing, it don't mean squat. So, I would like to find out how to find that information out of the license applications.

I just wanted to go through a couple of news items. First, I don't know if you know, but, on Tuesday night of this week, there was a train accident involving a train and a semitrailer in Lincoln, Nebraska. And I bring this up mainly to make the point that, if you think you can make a system that's idiot-proof, you don't know idiots.

There was another news item this week. It is from something called RadWaste Monitor. The headline really caught my attention. It says, "Local Public Grumble About Rail Trips in Public Meetings for Interim Storage;" -- I'll get back to the semicolon in a minute. At least they used the word "grumble" and not "whine". I don't think we're grumbling or whining. But, after the semicolon, it says, "NRC Won't Expand Public Comment Period". Did RadWaste Monitor get this correctly? Have you made a decision yet that there will be no more public input on this?

We've been asking you for an awful long time for additional hearings after the pandemic is over, and this is the only thing that I have seen so

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

far that seems to constitute an answer. And it comes from the RadWaste Monitor.

I didn't get any further with any of these than the headlines because of the firewall. I don't want give the RadWaste Monitor people as much personal information as they wanted from me to find out more about it.

But I did find another headline from them.

"DOE Nuke Waste Site Has Positive COVID-19 Test;" -- boy, these people sure love semicolons. And "Agency Tracking Disease-Related Cases; Missouri Weapons Factory Exempted from Lockdown". There's a lot of news to unpack in that, and maybe I'll give the RadWaste Monitor enough information to take advantage of their six-week subscription.

But the last thing I wanted to talk about, somebody -- I believe it was a representative of the Nuclear Enterprise Institute last week, or Nuclear Energy Institute last week -- talked about the culture of safety in nuclear power. It made me laugh, because I am a regular reader of the NRC Event Reports, and I know that the idea that there's a culture of safety in nuclear power plants is open to considerable debate.

If you read the NRC Event Reports often enough, you'll find that a large category of the event

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

reports are something called fitness-for-duty reports.

People in the nuclear industry get tested regularly for drugs and alcohol, and yet, an appalling number of fitness-for-duty reports for use of drugs or alcohol while operating a nuclear power plant come through in the course of a year.

I looked at some of the event reports and didn't find a fitness-for-duty in the last month, but what I did find was, on 10/02, at the Millstone Nuclear Power Plant, there was a secondary containment door that was blocked open. This lost containment for the control room. In other words, in case of a nuclear leak, due to the fact that somebody had propped the door open, in clear violation of the NRC policies, and created a pathway for irradiation that would affect the operators. There are an awful lot of these.

And finally, I just wanted to say I found another article, this one in the Tampa Bay Times. And this concerns the use of radioactive phosphogypsum, which, apparently, has been approved by the EPA for use in, of all things, road construction. And the reason I bring this up with you is I thought there was a carveout. I thought the EPA didn't regulate nuclear powers because that responsibility was reserved for the NRC. So, I'm asking why the EPA is making decisions

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

concerning the use of low-level radioactive waste.

I do wish you would take some time to answer some questions at some point, maybe at the end of the meeting.

But that's all I've got for today.

MR. CAMERON: Okay. Thank you. Thank you, Robert, and I know the NRC staff has heard your questions, and specifically, the one about looking at license applications, and will consider how to get that information out there.

I would just note for you, since I have just done this, that you sound like you're familiar with the NRC document system. If you go into the NRC website and just, for example, enter "Holtec" or enter "ISP license application," that should draw up the document where you can look to see what was said about foreign ownership. But, you know, I'm just offering that to be helpful, just from a facilitator's point of view. And we'll see if we can get something more credible for you.

But thank you for your comments and questions.

And, Terry, who do we have next?

OPERATOR: Yes, our next comment comes from Pat Beulah, then Bruce Montgomery.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Pat, your line is now open.

MS. BEAULAH: Hello. And I assume you can hear me.

MR. CAMERON: Yes. Yes, we hear you, Pat.

MS. BEAULAH: Thank you.

I support all the previous comments by people that know a lot more technical stuff than I do, but I'd like to make some personal comments, or more personal, anyway.

I have always liked riding on trains. We have even taken an overnight train trip from Austin to Chicago, and it went through downtown areas of both Fort Worth and Dallas, where you may likely to be shipping high-level nuclear waste at some point. But, if nuclear waste shipments are allowed to increase significantly with the approval of the high-level waste dumps in Andrews County, Texas, and Holtec in New Mexico, I will have many more concerns about train travel, not because passengers would be on the same train as those carrying nuclear waste, hopefully, but they could certainly be on the same track as nuclear waste trains.

As you may know, there has been another train derailment, this time on Sunday in Georgia, where residents within a half-mile radius of the accident

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

were evacuated with 38 cars of the train derailed in a community 10 miles northeast of downtown Atlanta, leading to a chemical fire. The residents were eventually allowed back in their homes, but I wondered how long it would be, if ever, before they would have been able to go back home, had this train been carrying high-level nuclear waste.

I know you've said, oh, our casks are totally safe; they met only minimal amounts of radiation, and they can withstand all kinds of accidents. And you say different small amounts of nuclear waste have been shipped over time without problems. But what you are planning is so much more in quantity and frequency, that it seems like a totally different proposition. The odds go way up for something so much worse than, say, a chemical spill.

So, somehow, you have not convinced me regarding what you refer to as the so-called "realistic," unquote, conditions. If much larger numbers of regular Texas citizens were aware of your plans, I doubt they would agree to such. I have recently talked with even more acquaintances who have not been aware of your plans, but they are not yet competent enough about using technology to contact you.

I am aware of someone who is originally

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

from Japan, and she was talking to me about that they have an urgent need to get rid of nuclear waste. And I sure hope it doesn't come here.

I think it is questionable as to why you are ending the comment period on the date you chose, November 3rd.

I do not support and do not consent to this tremendous amount of high-level nuclear waste being shipped through Texas.

Thank you.

MR. CAMERON: Okay. Thank you, Pat. And personal perspectives are always important. So, thank you for your views.

And, Terry, who is next in line to speak?
Is it Bruce?

OPERATOR: It is. Our next comment comes from Bruce Montgomery, then Susan Schuurman.

And, Bruce, your line is now open.

MR. MONTGOMERY: Yes, thank you. Can you hear me, Chip?

MR. CAMERON: Yes, yes, I can hear you, Bruce.

MR. MONTGOMERY: Yes. Thank you, and thanks to you and your team for the opportunity to speak today.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

I'm the Director of Decommissioning and Used Fuel for the Nuclear Energy Institute. Since 1978, I've worked in various capacities at several nuclear power plants and at several interim spent fuel storage facilities. And, yes, we do have a rock-solid culture of safety. We are very self-critical, and that's why all of these incidents get reported in a timely fashion, so that the NRC is aware of what was done and what we did to correct for our mistake.

I'm a long-time resident of Calvert County, Maryland, which will become relevant in a minute.

We agree with the conclusions of the NRC's Draft Environmental Impact Statement, and as an independent agency, I'm confident that you have the expertise necessary to draw the right conclusions in this report. I believe that the environmental impact of this facility on its surroundings and on local businesses and communities will, indeed, be small and that the socioeconomic impact to Anderson County overall will be positive.

I'd like to start by explaining a little bit about the concern that I've heard expressed during the past three weeks about the impact of the operation of the proposed facility on the health of the oil and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

gas industry in the Permian Basin.

To understand the real impacts and to be assured, you need to look no further than where oil and gas and nuclear infrastructure coexist profitably and in harmony elsewhere in the United States. For example, just look at the large cluster of economic activity just south of Chicago, where several interim spent fuel storage facilities and oil and gas infrastructure of all sorts coexist and operate without regard to each other.

Look, also, at the Calvert Cliffs interim spent fuel storage facility on the Chesapeake Bay in Maryland, located just three miles from the Cove Point Marine Terminal, one of the largest LNG liquefaction and export facilities in the nation, with large natural gas pipelines that traverse within a half-mile of the spent fuel storage facility. This is the example I'm personally close to.

The Cove Point LNG Terminal is a thriving port with LNG tankers docking, loading, and departing every few days, and where 770 million cubic feet of natural gas are processed every day. When the Calvert Cliffs interim spent fuel storage facility was proposed, constructed, (audio interference) Cove Point Terminal, and the pipeline operator never expressed

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

a concern over the impact of having a spent fuel storage facility only three miles away. In fact, the only questions asked by the public were about the impact that the LNG facility would have on the nuclear site, not the other way around. The fact is that the oil and gas industry and the nuclear industry have been very comfortable neighbors for many years and all over the United States.

Regarding the impact of interim storage on real estate property values -- I've heard some discussions over this last week -- the reality is that owning property near an interim spent fuel storage facility like the one in Calvert County has no apparent impact on the market value of that property. The homes and communities that are located just a mile or two from the interim storage site in Calvert County are some of the most valued properties in the County and have only increased in value since the construction of the facility in the 1990s. It has nothing to do with the facilities. It's just that the presence doesn't matter to the real estate markets.

A second question has to do with the value of consolidation. Consolidation of the nation's spent fuel for temporary storage just makes sense, not because it's not perfectly fine where it is now, because

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

it is, but because keeping it stored at 70-plus different locations is ultimately paid for by the American taxpayer, and consolidation means saving money for the taxpayer, a lot of money.

At one location, we can consolidate security and operations, and by consolidating, we can also provide the highest level of knowhow for inspections and maintenance of the storage systems until a permanent repository becomes available.

Finally, I want to address the notion that used fuel from elsewhere, including France, could ever be brought to the great State of Texas. First, it would be explicitly prohibited by the conditions of the operating license, when you get a chance to pull it and take a look at it, for those that are listening.

More significantly, anyone who's familiar with the French nuclear power program and their fuel cycle technology knows that theirs is considerably more advanced than ours. It has to be. The French rely on nuclear power for 75 percent of their electricity needs. And I suspect that most Frenchmen would be mildly amused and dismissive of the suggestion that they would ever need to rely on anything from the U.S. to deal with the back-end of their nuclear fuel cycle.

Thank you for the opportunity to comment.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

MR. CAMERON: Thanks, Bruce, for those comments; the examples of interaction between nuclear and oil and gas operations, and, also, the information about French fuel would be explicitly prohibited, but I know people who raise those issues may need some independent verification of that. But at least thank you for that.

And, Terry, can we go to the next public commenter?

OPERATOR: Yes. Our next comment comes from Susan Schuurman, then Patrice Sutton, Kalene Walker, and Elliot Trester.

So, Susan, your line is now open.

MS. SCHUURMAN: Thank you. Can you hear me?

MR. CAMERON: Yes, we can, Susan.

MS. SCHUURMAN: Okay. Good morning. Thank you.

My name is Susan Schuurman. I'm a member of the Nuclear Issues Study Group. We're a grassroots group of volunteers based in Albuquerque, New Mexico. And I have multiple concerns regarding this license application.

Many of my concerns are similar to the concerns already raised about the Holtec license

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

application for a site near Laguna Gatuna, between Carlsbad and Hobbs, New Mexico. This area has been referred to as "nuclear alley". In fact, I actually wonder if NRC staff copied and pasted much of the Draft EIS, since the conclusions regarding environmental impacts are nearly identical.

New Mexico is a neighboring state. But, if you look at the map, ISP wants to build this dump so close to the State line that New Mexico will be impacted more than Texas in many ways.

The waste will come by rail from Eunice, New Mexico, five miles away. The water for the ISP site will come from Eunice. Police and fire department emergency services will be provided from Eunice. With so much reliance on this little New Mexico town, the NRC should halt this licensing process to allow for in-person hearings in New Mexico, so that the residents in Eunice will have opportunity to learn how this waste is different and vastly more deadly than the waste currently going through Eunice to WCS, through their community.

I have lived in New Mexico for nearly 30 years, and I'm deeply concerned about the cumulative impacts from all these sites -- WIPP, Urenco, Holtec, and the WCS-ISP. Our people do not consent to the NRC

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

making our State a nuclear alley.

I recently learned about the corrupt process in which WCS got approved for low-level radioactive waste; how the precursor to the Texas Commission on Environmental Quality said that groundwater at the WCS site is vulnerable to contamination. And even the NRC admits that the most important and largest aquifer in the United States, the Ogallala, is only one mile away from the WCS site.

The risk to precious drinking water is too high for this project to be approved.

Also, the habitat of an endangered or threatened species, the dunes sagebrush lizard, is at this site. And the Texas horned lizard will also be impacted. Yet, the NRC ignores these impacts and claims Small impact from the WCS project.

Also, when it comes to consultation with Native American tribes, I read in the DEIS that the Texas Band of Yaqui Indians has told the NRC they want to be consulted about this project. But the NRC has ceased informing that tribe about how the ISP project will impact territory important to that tribal community. And that is a violation of international law.

In my opinion, the NRC has mastered the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

art of sleight of hand, going through the motions of assessing environmental impact, including environmental justice. Yet, somehow managing to write and conclude with a straight face -- incidentally, not visible at this so-called public hearing -- that up is down and down is up; that the most deadly waste on the planet can be brought from across the country and concentrated and consolidated in the habitat of an endangered species, one mile from the country's most important aquifer, four miles from a majority community of color, and yet, still claim no or little environmental impacts.

Your process is predetermined. You don't live up to your motto. You don't protect people and the environment. Your conclusion lacks credulity. Just like with the Holtec proposal in New Mexico, you protect industry and their insatiable greed; you prioritize process over people; you perpetuate environmental contamination in the guise of environmental protection.

This DEIS is wholly inadequate, and the pattern and practice of the NRC to shove these projects down the throats of communities who do not consent to them is a form of violence that affects generations.

We see this as yet another example of environmental

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

injustice.

Finally, this area, the community in Eunice, has already been overburdened with toxic waste.

It's time to prioritize people over corporate greed.

Thank you.

MR. CAMERON: Okay. Thank you, Susan, and for that information about how much is coming from Eunice in terms of services and everything and potential impacts on New Mexico.

And, Terry, I'm going to just ask for Trixie's forbearance for a minute because we do have an unusual comment that is coming in from one of the members of the public who can't speak vocally. And we have someone who is going to relay those comments to us orally here while the commenter does his sign language. And I think it's a "he".

But could you put Shannon Wright on? Is that possible?

OPERATOR: Yes. Yes. One moment.

MR. CAMERON: And, Shannon, you're going to give us comments from Yenter Tu?

OPERATOR: And, Shannon, your line is now open.

MR. CAMERON: Okay. Shannon, are you there?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

OPERATOR: Shannon, we are unable to hear you. Do you have us on mute?

MS. WRIGHT: Can you hear me now?

MR. CAMERON: Yes, we can hear you now.

MS. WRIGHT: Okay. This is Shannon, the interpreter speaking. Perfect.

This is Yenter speaking now:

"Good morning. My name is Yenter Tu. I am a deaf individual speaking through a series of sign language interpreters, and you hear me as a woman's voice, but I am, indeed, a man.

"I work as a national liaison with No Borders Communication. It's a service for the deaf community here locally.

"And I've heard many comments from the NRC about what their responsibilities are to the people.

And I agree that this is very dangerous to our community, and we feel double that responsibility. We cannot hear, and therefore, we are lacking access and information.

"Providing information is very challenging. And remember, we are not English speakers. English is our second language. We are American Sign Language primary users, and that is a huge concern.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

"I would recommend adding American Sign Language interpreters for all news and publications and any sort of access that you provide, providing that in American Sign Language to include the deaf community who cannot access written English or spoken English.

"And it is really not fair to us, the lack of information. So, that is my concern.

"And I appreciate the time to comment. Thank you."

MR. CAMERON: Okay. Shannon, would you express our gratitude to Mr. Tu for those remarks. And he raised a very, very important issue, and the NRC is trying to address that issue. And we'll continue to do so.

So, thank you. Thank you, Shannon.

And, Terry, can we go to -- is it Trixie?

OPERATOR: We will have Patrice Sutton next, then Kalene Walker, Elliot Trester, and Monica Perales.

Patrice, your line is now open.

MS. SUTTON: Hello. Hi. My name is Patrice Sutton.

And I guess to start I just want to say that, for all of the people who spoke before me in opposition to this facility and to the licensing, I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

just want to thank them and acknowledge how much I am in deep agreement with all their really deeply-informed and profound comments.

I am with San Francisco Bay Physicians for Social Responsibility. I'm an environmental health scientist with decades of public health experience.

I'm also with the University of California, San Francisco, Program on Reproductive Health and the Environment.

In my role as the Chair of the SF Bay PSR Environmental Health Committee, I'm here to say a loud and clear "No" to your proposal to move thousands of shipments of highly-toxic radioactive waste across the U.S. over 20 years and to deposit them in Texas. We strongly reject the findings of the Environmental Impact Statement and oppose the NRC's licensing of the facility.

Regarding the EIS findings, the NRC presentation lists public health concerns related to our air and water and concludes that, quote, "All of the impacts will be Small." And "Small" is defined as, quote, "environmental effects are not detectable or are so minor that they will be neither destabilize nor noticeably alter any important attribute of the resource." End of quote.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This virtual guarantee of current and future stewardship of our health and ecosystem is just simply not scientifically credible. The NRC's premise that long-lived, highly-toxic nuclear waste will be shipped and stored without incident from reactors across the U.S. is really the epitome of denying the reality, speed, and intensity of our climate emergency.

We live in an era of climate change and associated societal transformation. Right now, in the Southwest and along the proposed transportation routes, depending on the window you're looking through, climate change looks like fire, floods, and/or dry, parched land, all of which will directly influence our air and water, and importantly, the movement of people.

Yet, the EIS concludes, on page 4-97, that, quote, "If climate change creates conditions adverse to safety, the NRC has sufficient time to require corrective actions." And then, on page 344, it summarizes what can only be described as magical thinking, where groundwater is recognized to be impacted, but they have a plan to mitigate the impact.

And then, after decommissioning -- which, of course, will that really happen, because will there really be a permanent site? -- these impacts will then cease somehow magically.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

We understand this to mean that the NRC believes that moving this waste to Texas will ultimately not affect groundwater, despite the proximity of the proposed site to our nation's largest aquifer. Groundwater is not a stable, predictable enterprise and it will certainly change over the relevant timeframe from climate disruption.

Moreover, the NRC's conclusion does not account for the synergistic harms to our water related to regional oil and gas extraction operations and from two other operating neighborhood nuclear facilities.

Our climate emergency already is, and will increasingly, wreak havoc with even the most health-conservative assumptions as to where groundwater will flow, where fires will rage, and where people will live.

The NRC's proposal is also supremely unjust, and the injustice embedded in this proposal is neither random nor time-limited. The communities impacted across the transportation routes and in the Southwest are poor and often marginalized communities of color. And these communities have yet to be invited into the conversation in a meaningful way. In light of the timeframes for which the waste will be hazardous, the injustice embedded in this proposal will be

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

perpetuated over generations to come. An NRC license would purposely and perpetually embed environmental injustice into the DNA of our country, when legally and morally we should be dismantling these structural inequities.

So, as a first step, the NRC needs to go back and look at its essential role in enabling nuclear power, in full knowledge that there was not a solution to its waste stream that could possibly be protective of public health for the relevant timeframe.

And in light of this dishonest and disastrous historical record, we urge you to, then, reimagine a solution that is at least honest in terms of the harm and which views the problem through a lens of health and justice. You are rushing forward with the same blind expedience that got us into this radioactive mess, and this is simply unconscionable.

Your plan is billions for band-aids, when what we need is a permanent and just solution.

So, in conclusion, as scientists and health professionals, we stand in solidarity with the communities that will bear a disproportionate harm from transporting and dumping 40,000 tons of highly-toxic radioactive waste on Texas. We say a loud and clear "No" to this plan.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Thank you.

MR. CAMERON: Okay. Thank you. Thank you, Patrice, for all of those comments, including the specific page references in the Draft EIS where there may be something more that should be said. So, thank you for that.

And, Terry, could we go to the next person? I think it's Elliot, but I'll leave that up to you.

OPERATOR: Yes, we have Kalene Walker next, then Elliot Trester, Monica Perales, and Richard Faidley.

Kalene, your line is now open.

MS. WALKER: Hello. Can you hear me?

MR. CAMERON: Yes.

MS. WALKER: Okay. Thank you.

Okay. First of all, I'd like to kind of bust a myth that the permanent repository is the destination for the nuclear waste. There's no path forward right now. Even short-term technical issues haven't been resolved. This is a "Magic Mountain" concept that's been perpetuated since the beginning of the nuclear industry. So, I think people should realize that this waste is going to be on -- you know, for the indefinite future, we need to look at how this stuff is being stored.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

I see this project -- and I'm confused why it's even being considered -- it's like a big rearrangement of the chairs on the deck of the Titanic project. The Titanic could have changed direction instead of hitting the iceberg. And I suggest you look at the following:

Steven Marschman from the Idaho National Lab, Nuclear Waste Technical Review Board, he stated that the canister systems are not designed to be inspected, even on the outside. They're doing these complicated projects just to get a visual assessment of the outside of the canisters.

Of course, before being transported, this fuel needs to be determined to be not damaged. But there's no way to inspect the inside of a canister with the fuel inside.

So, you know, at San Onofre, it's not even technically feasible to move these canisters away from the site that the NRC approved, which is 100 feet from the ocean in an earthquake-tsunami zone, a couple of feet above sea level. How safe to move that across the freeway if these canisters are so vulnerable to transport? But the NRC seems to have a compliance exemption policy, I've noticed.

But what I've been coming to understand

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

is what the real vulnerabilities of the canisters -- what are the real vulnerabilities without an accident? I mean with no accident, just in storage, what are the vulnerabilities?

So, the helium is necessary to maintain the inert environment in the canisters. It keeps them cool. It keeps the fuel and the other components from overheating and becoming damaged.

But we know the canisters are vulnerable to chloride-induced corrosion cracking, and we know that canisters have been loaded that have defective welds, such as at Monticello.

And the NRC is extending their storage license renewal for 60 years, but there's no monitoring for helium leakage. So, I think that helium loss should be considered as a credible risk, even in storage without transportation.

So, what would be the consequences of helium loss? I've asked the NRC. I haven't gotten responses yet. The Licensee San Onofre-Edison said there would be no consequence to a helium loss. Well, I've done some research.

I found that an Argonne National Laboratory paper presented at an ASME proceeding discusses monitoring helium integrity in welded

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

chemistry. This paper discusses the importance of monitoring, you know, to maintain the functional stress integrity, and how exceptionally challenging it is because of the intense levels of heat and radiation, and all of that.

But, then, it states, "A canister breach can lead to serious consequences" -- release of radioactive contaminants; oxidation of fuel cladding, which could compromise fuel rod integrity and criticality safety, and generation of potentially explosive hydrogen gas.

So, if a bad weld in just one of these canisters -- each canister we know contains a Chernobyl disaster worth of radiation. We know it's not a nuclear reactor. It has a Chernobyl disaster worth of radiation in each canister. If one bad weld with the releasing of helium to allow this criticality to give out a hydrogen gas explosion, that would be the Titanic hitting an iceberg.

We now have over 3,000 of these things loaded. There is no monitoring system on these canisters.

So, I don't know whether this is within scope of this particular agency that I'm speaking to right now, but I wanted the public to know that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

transporting these things is like -- I can't even imagine the NRC considering doing this kind of a transport operation. For what purpose?

There is not even hot cell plan to this facility. So, I'm just thinking that we ought to be looking at the containers of these waste storage systems and have systems that you can inspect, you can maintain, you can monitor, you can deal with them. So, I suggest the NRC start putting their attention on getting hot cell facilities onsite at the current ISFSIs, that we can avoid hitting the iceberg.

All right. I think that's all I have to say at this time. Thank you.

MR. CAMERON: Okay. Thank you. Thank you, Kalene.

And the NRC might be interested in getting a citation to the Argonne article on monitoring that you mentioned. So, I hope you can send that into them.

And, Terry, can you put the next speaker on?

OPERATOR: Yes. Our next comment comes from Elliot Trester, then Monica Perales, Richard Faidley, and Erica Gray.

And, Elliot, your line is now open.

MR. TRESTER: Okay. Thanks a lot.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Can you hear me?

MR. CAMERON: Yes. Yes, we can Elliot.

MR. TRESTER: Okay. So, I am Elliot Trester. I've been a family doctor here in Austin, Texas since the 1980s and I'm also a long-time member of Physicians for Social Responsibility.

My commitment to my patients' health mostly is a personal one-on-one relationship. However, health includes their well-being as members of a society. And so, I am very concerned about this storage of spent nuclear fuel.

As the motto of Physicians for Social Responsibility says on our website, "We must prevent what we cannot cure." I think that any spent nuclear fuel accidents could be catastrophic. Again, prevent what we cannot cure.

I just want to reiterate some points I made in a recorded message. I think this is important enough to have taken some time out of my day today to do live testimony.

First, just getting the material to west Texas is a danger, as people have already discussed.

Transportation by train and truck have obvious limits, and certainly the possibility of an accident is always present.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Second, security for the nuclear waste will be a constant cost, and terrorist attacks to steal radioactive material will be possible during transportation and storage.

Third, what does temporary storage mean?

Plutonium-239 has a half-life of 24,000 years, and uranium-235 of 700 million. And these are materials that are found in nuclear waste. Forty years doesn't go very far in that timeframe. Also, over millennia the geology of the land will change in any case, perhaps making storage even more unsafe.

The storage of spent nuclear fuel in areas that are often near land that belongs to Native Americans and is inhabited, also, by many Latinx peoples is harshly unjust.

We should have been more careful with releasing the incredible power that is within atoms.

We did not realize the many negative consequences of doing this in the 20th century. And now that we are in the 21st century, we need to take care of large amounts of radioactive material that is dangerous, will last a long time, and which no one wants.

I think policy issues should be made by Congress, and NRC is trying to do what it can, but I think it's time for Congress to really make decisions

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

on our nuclear use and disposal of what we do use.

I appreciate again your time. Thank you very much.

MR. CAMERON: Okay. Thank you. Thank you, Elliot, for those comments, especially coming from a medical professional. And thank you again.

And, Terry, I believe Monica is the next speaker.

OPERATOR: Yes. We have Monica Perales next, and then, Richard Faidley, Erica Gray, and Lon Burnam.

And, Monica, your line is now open.

MS. PERALES: Yes, ma'am. Thank you.

Hello. My name is Monica Perales. I'm on the legal team representing Fasken Oil and Ranch and the Permian Basin Coalition.

First, let me say to Bruce, the commenter from Maryland, those of us out here with the target on our backs, we're Andrews County, not Anderson County.

Regarding the NRC and ISP DEIS, I continue to be disappointed in your failure to justify or even explain why you're in such a rush to license the CISF that you cannot put the public participation element on hold until this pandemic has passed and true public

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

meetings can be held.

By engaging in the licensing of what's actually monitored retrievable storage and failing to take into account the position of the State of Texas, you are circumventing our rights, the rights of the State of Texas. You're most definitely aware that the Governor of the State of Texas has sent a letter to the President in which the State of Texas makes it clear that we are opposed to ISP's CISF. And let me clearer to you. Rick Perry may be invested in getting this facility licensed, but Greg Abbott is our Governor.

Now, regarding the DEIS section on environmental justice, in your rush to license the facility and your assumption of low risk, your DEIS failed to provide an objective and thorough analysis of impact to low-income and minority populations. In fact, you dismissed the large percentage of Spanish speakers in the immediate vicinity of the CISF and of the rail route.

I searched, and the NRC website public meeting notices are in English only, and the meeting notice in Andrews, Texas, in their small paper, it was only in English. So, if the DEIS is only published in English, why do you bother having an interpreter available, when the materials that are the subject of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

this discussion are only available in English?

Your DEIS fails to accurately account for the salt playas and the environmental conditions out here in the area of the ISP that will contribute to chloride-induced stress corrosion cracking.

Your DEIS also presents a misleading view of the current tectonic state around the proposed site.

Besides the description of the tectonic uplift of the Central Basin Platform as it resides today, it describes the platform as being steeply fault-bounded uplift of basement rocks, and it describes the steep-angle faulting that bounds the platform's edges.

Now, while this description is true for the western flank of the platform, it fails to disclose the heavily faulted nature of the platform itself in and around the site. It fails to report on the cause of the platform's rotation, which is causing major deformation and instability within the platform itself. Due to the nature of the tectonic setting and the degree of rotation, the western side of the platform has greater structural relief, vertical separation, and basement shortening.

I'm trying to be brief, but what I have to say is important because it shows that the area of the ISP site is the least stable region of the Central

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Basin Platform from a structural geology standpoint, and it has undergone more fault reactivation in its history than the rest of the platform.

The DEIS describes the shallow faults in the area. However, most earthquake epicenters in the ISP site are at depths related to the basement faulting.

The risk in the area comes from reactivation of basement faults. They propagate energy faults at the surface, not like ordinary age faulting.

So, the DEIS is severely lacking. It is apparent that you chose to base your DEIS findings and focus your analysis on hazards that are lower risk to the site. Your omission of the obvious risk posed by basement faults voids your finding of low risk and it calls into question the reality of your results overall.

I'd like to discuss the probabilistic seismic hazard analysis utilized in the DEIS. The analysis that is used has been widely discounted by scientists and engineers for decades, as they include parameters known to conjure the constants in earthquake physics.

Major tectonic events have occurred in areas previously deemed low risk by your models. Your models cannot create an accurate risk of future

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

earthquakes. There are multiple scholarly, accredited sources that have discredited the models that you rely upon.

Your data is based on aboveground seismic monitoring stations, which are often moved. That leads to issues of effective measurement, the proper coupling to the earth, and local noise variations. The data reported in your DEIS has only been monitored since the 1970s. Yet, it's being used to determine seismic event risk up to 100 years into the future, or over two times the length of time that has been monitored.

The errors in the models cited in the DEIS are clearly known by the NRC, as you published internal documents discussing the large amount of uncertainties in these models. And you've gone as far as to clearly state that many of the problems with your models will not even be thought of, as they're so limited in scope.

Reliance upon WCS affidavits on basement faulting and your reliance upon faulting models for determining the degree of strength in the cask design, but also the site integrity itself warrants disqualification of your DEIS.

To the listeners, finally, I ask you to visit protectthebasin.com and join us in opposition.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Thank you.

MR. CAMERON: Okay. Thank you again, Monica, for all that information, including some very common-sense points. Thank you.

And, Terry, we're ready to go to the next speaker.

OPERATOR: Okay. And the next comment comes from Richard Faidley, then Erica Gray, Lon Burnam, and Bryce Nieman.

And, Richard, your line is now open.

MR. FAIDLEY: Hi. Good morning. Can you hear me?

MR. CAMERON: Yes, we can, Richard.

MR. FAIDLEY: Yes, good morning, Mr. Chairman and the NRC staff.

My name is Richard Faidley. I live in Austin. I'm speaking against the proposal.

My main opposition centers on the transport of these wastes across Texas. And literally, when you look at the map of where they'll be coming from, they're across the entire United States. It looks like there's facilities all across the Eastern Seaboard, and the waste will be traveling through or skirting around major metropolitan areas, communities like Houston, Dallas, San Antonio, or

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

places further afield, New Orleans, Birmingham, Atlanta, et cetera.

So, even though your analysis says, quote, "There's no projected release of the most severe impacts studied," to me, it raises a question of what kind of impacts were not studied. Did you, for example, take into account sabotage or terrorist attacks?

If 2020, this year, bears witness to one thing, it's that rare events can and do happen. Rare events can and do happen. These events become more likely with large-scale and long-term transport, as what's associated with this project.

So, I find it hard to muster confidence in the long-term projections for safe transportation.

And also, if this does truly end up being a, quote, "interim facility," this is all going to have to be repeated at the end of the life cycle of the facility and taken offsite. I just wonder if that was -- you know, what assumptions were made about that in the report?

And this leads to my second point. More broadly, I don't like the entire concept of, quote, "interim storage," consolidated interim storage, specifically with this proposal. I think it's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

important to entertain the question, what is interim?

I mean, it's supposed to be a 40-year license, but the reality is, the way things play out in this country, this could be a century or more.

We've never successfully entertained or executed a long-term permanent storage solution to nuclear waste after 70 years or more. And now, of course, I'm sure, from your perspective, you would say, well, that's a political statement; that's sort of outside the scope of the application. But it's a reality. It's reality that this waste could very likely be there much longer than 40 years. And I think it has to be incorporated into your studies.

So, my fear, I guess compounding this, is that this project may end up hindering or even precluding efforts to develop the kind of permanent solutions that we need.

In summary, as near as I can tell, this facility, in its mode of operation and, basically, what it's intended to do, will be no different from the interim storage facilities and techniques where the waste is now. So, I can't see what we're achieving by moving it all the way across the country. We need to be focused on long-term solutions and not a band-aid approach, as is being proposed here.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Please halt licensing of the facility.
Thank you.

MR. CAMERON: Okay. Thank you. Thank you, Richard, for joining us today and offering those comments.

Could we go to the next commenter, Terry?

OPERATOR: Yes. Our next comment comes from Erica Gray, then Lon Burnam, Bryce Nieman, and Elizabeth Padilla.

And, Erica, your line is now open.

MS. GRAY: Hello, can you hear me?

MR. CAMERON: Yes, yes, we can.

MS. GRAY: Yes, my name's Erica Gray, I'm in Henrico, VA, and I'm also a member of the Sierra Club.

First of all, I wanted to state that I am in agreement with the previous commenters that are in opposition to this proposal. These online meetings are inadequate to address this dangerous proposal. If NRC wanted US citizens', stakeholders' input on this proposal for temporary, parking lot-style high-level spent nuclear reactor fuel dump, then it should be advertised on TV and all local and national news channels. Perhaps then the public could actually be involved.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

What's really being proposed here is asking the public -- is for approval for a sacrifice zone and for dangerous transportation of high-level waste going through our cities and states. It's really a ridiculous proposal.

Since no permanent site, should I say sites, have been found, this proposal is simply an attempt to circumvent the laws originally written to deal with high-level reactive spent fuel waste. And you know, being I'm here in Virginia, I am -- Dominion Energy and EPRI made us home to the experimental high-burnup fuel project.

The cask was originally loaded in November of 2017, a mere three years ago. It was stated in 2014 that this project was necessary to know how the spent fuel will behave in transport and in long-term storage.

The NRC must not put the cart before the horse, and you guys have been very good at doing that for years. We do not know the results yet from this cask. They said it was going to be for ten years, studying it, and then it was going to be sent to a facility to be opened that doesn't exist yet. So this whole thing is just basically a boondoggle.

The only responsible and valid action for the NRC to take is the no-action alternative. Thank

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

you very much.

MR. CAMERON: Okay, thank you. Thank you, Erica for including that comment on the high-burnup fuel study. Thank you. And I think next we have Lon Burnam, that's B-U-R-N-A-M, I believe. And he may be coming to us from The Roundhouse in Fort Worth. So can you put Lon on, Terry?

OPERATOR: Yes, and your line is now open.

MR. BURNAM: Hey, yes, we're coming to you from The Roundhouse in Fort Worth, Texas, where there's about 13 to 14 rail tracks. It's a little quiet right now, so I'm glad of that. But it's been pretty noisy this morning. We are literally less than 100 yards from the traffic control tower here.

I am Lon Burnam, I'm representing the Lone Star Chapter of the Sierra Club. And let's just be real clear, we don't want it. We object, we don't consent, and we will probably be involved in litigation in opposition to this.

But I have a couple of questions before I begin with my comments. First of all, this conference call is the fourth conference call, and I heard earlier that this is the last of any public input, any kind of meeting at all. So Chip, tell me, are the faceless bureaucrats still on, are they still

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

listening, or do they -- or am I just talking to you?

MR. CAMERON: No, they're all here, Lon, listening very carefully to you. They know your comments are important, and they're all here. And this may be the last public meeting for --

MR. BURNAM: It better not be, it better not be. There better be some in-person meetings.

Listen, I understand that the transcripts are supposed to be available five days after, but I have not found them yet. Do you know whether or not any of the transcripts from the previous three public teleconferences are available?

MR. PARK: Lon, this is Jim Park. The transcripts from the first two meetings are publicly available through the ADAMS site, as well as on the NRC's project page for this licensing application review.

MR. BURNAM: Great. And the last two will be available sometime next week, correct?

MR. PARK: Yes, that's -- I'm certain about the one for last Thursday's meeting, and I'll see when I get the transcript for this meeting. But my hope is yes, it'll be up next week.

MR. CAMERON: Okay, Lon, let's go on.

MR. BURNAM: Yeah, I'm going to cut to the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

bottom line. One of the questioners said what are we achieving. It's real simple. One of the signs that we had here for our rally earlier was stop corporate greed. What we are accomplishing is transferring the financial responsibility from the people that created the mess to the taxpayer.

And you're proposing to transport that mess to our communities in Fort Worth, which is the reason we're here at The Roundhouse today, to make it clear to you. We don't want it, it's too close to us.

The reason we were at the Regional Office two weeks ago, we want to make it clear to you, you could have, should have been able to organize a public meeting in that four-story building. I'm going to the City Council meeting next week, where they make arrangements for people to appear in public and speak to their city council.

We're here today because I want to make sure you guys are clear that if you do this to us, it is likely that these trains will be spending the night within 50 yards of where I'm sitting right now. We don't want that to happen. We now these casks are not safe from the standing leaking standpoint. We also know they're not safe with the terrorist situation sitting in our yard.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And so please reconsider what you're trying to talk to us about. You know, I spent over two and a half years working with a working group study group with the national Sierra Club. Our bottom line is we screwed up, we should stop making this mess, but it should be hardened on site until otherwise we get a permanent, not a temporary, site because it's completely inappropriate.

So I'm calling on you to stop pandering, NRC, to corporate greed and start looking out for the public health and the public interest. And the PSR guy doctor said we must prevent what we cannot cure.

If you do this to us, we cannot cure it. You will destroy the property values potentially of where I'm sitting right now and in many other communities across Texas. Our governor's made it clear, we don't want it.

We think this is a sham of public participation. I have nine graduate hours in state and regional planning, all devoted to public participation, so I know a sham when I see one.

Thank for the opportunity to speak for a fourth time, but I would really prefer the opportunity to look you guys in the eye and go point by point over the problems with this EIS. Thank you for your time.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

MR. CAMERON: Okay, thank you, Lon, and be careful out there. Terry, could we have the next speaker please.

OPERATOR: Yes, our next comment comes from Bryce Nieman, then Elizabeth Padilla, Mary Jane Williams, and Bob Hendricks. And Bryce, your line is now open.

MR. NIEMAN: Thank you so much. We really appreciate the opportunity to comment today. I'm the Director of Communications and Legislative Affairs for the Keller Independent School District in Keller, Texas, just up the road there from Lon.

My comments are in regards to the transportation of these materials, specifically the utilization of the Union Pacific Railway. Keller ISD serves an area of 51 square miles in northeastern Tarrant County, TX. We have just over 35,000 students, 4,000 employees, 42 campuses, and our boundaries overlap the borders of 11 different cities, including portions of northern Fort Worth.

Of our 42 schools, 13 of them are located within half a mile of the Union Pacific Railway, which runs north to south straight through the heart of our school district.

And within that distance are also densely

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

populated residential neighborhoods and businesses and highly trafficked thoroughfares, including Texas State Highway 377, which runs right alongside the railway through our district. And there are eight other major roads that intersect the railway within our district boundaries.

We understand the exact transportation routes have not yet been finalized, however, we also know that transporting these materials involves risks, including radiation exposure, the potential for accidents, or even, as people have mentioned, the possibility of purposeful, malicious attacks that could result in catastrophic consequences for our community should these rail lines be used for these purposes.

So out of concern for the safety of our students, employees, the families and residents of Keller ISD, Keller ISD opposes the transportation of high-level radioactive waste, spent nuclear fuel, or any other harmful materials over this railway or by any other means through our school district.

Thank you again for your time, we appreciate it.

MR. CAMERON: Okay, thank you. Thank you, Bryce. Incredibly important to hear from someone

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

with the school and student perspective on this, so thank you for that.

And Terry, can we have the next speaker, I believe Elizabeth.

OPERATOR: Yes, we have Elizabeth Padilla up next. Then Mary Jane Williams, Bob Hendricks, and Eileen O'Shaughnessy.

And Elizabeth, your line is now open.

MS. PADILLA: Okay, hello, can everybody hear me?

MR. CAMERON: Yes, yes, yes.

MS. PADILLA: Okay. Hello, my name is Elizabeth Padilla. I am an Andrews County resident and a concerned citizen. I am also a mother of four children. And I am a member of Save Andrews County. And I'm also a member of the Permian Basin Coalition.

I would like to begin today by stating that I do not consent and that I strongly oppose to the consolidation of high-level nuclear waste in my county, in Andrews County. Also, I also oppose to the consolidation of high-level nuclear waste in New Mexico as well.

I think that we have all come to a point in discussion where we all know, including you NRC staff members, of the non-viability of these two proposed

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

projects in the Permian Basin. So with this being said, I want to go back in time of when WCS was granted the license to store low-level waste.

Okay, I think it's very important that we go back, back in 2008 and in 2009, during the review for this license, TCEQ members, Commissioners, and experts made various reports on the proposed WCS project site and considered it a wet region in which the storage of this low-level waste would hold risks of possible water contamination, okay.

Now, upon realizing that the license would be granted anyway, these honorable men resigned rather than to sign off on these licenses that were granted to WCS for the storage of the low-level waste.

We then had the then-Executive Director of the TCEQ, which helped grant the license, we then had him, just a couple of months after the license was granted, quit his position as the Executive Director of the TCEQ and become a lobbyist for WSC.

So before we even talk about granting a license to WCS for the high-level waste, which by the way you know it is illegal for you to do this because of the Waste Policy Act of 1982, in which it clearly states that a permanent underground repository must first be established to store the spent waste.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

That is, you know, being this said, I request a complete investigation, a complete and transparent investigation on the initial licensing of the Interim Storage Partners for WCS. What happened, why did these people get licenses in the first place if there weren't supposed to? Okay.

So in regards to the draft Environmental Statement, we are going to consider many, many factors.

This is a matter of national security, okay. And I feel that this draft Environmental Statement is lacking a lot of deep information. I just feel that way.

And finally, my question to you, NRC members, the one who are -- all of you, the ones who are listening to me right now. I know that you go home to sons, to daughters, to grandchildren. I want to tell you something. Your son, your daughter, your grandchildren, you family members, your loved ones, they're on the same ship as we are here in Texas and in New Mexico if this waste is transported across the United States.

Remember, you, your family members, your loved ones we are all on the same ship. So please, please reconsider, reconsider this. I know that this is the craziest idea, that we cannot do this. We cannot -- you cannot allow these two companies to consolidate

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

this waste and to have this waste transported across the nation throughout many communities. Through your communities. Just please reconsider this.

And that's pretty much all I have to say.

Thank you for listening and thank you for your time.

MR. CAMERON: Okay, thank you. Thank you, Elizabeth. And including that history of the WSC site. Thank you very much.

And Terry, can we go to our next commenter?

OPERATOR: Yes, our next comment comes from Mary Jane Williams, then Bob Hendricks, Eileen O'Shaughnessy, and Barbara Warren. And Mary Jane, your line is now open.

MS. WILLIAMS: Hi, can you hear me?

MR. CAMERON: Yes, we can.

MS. WILLIAMS: Okay. I'm a private citizen. I've belonged to many, many groups over the last 40 years worrying about nuclear everything.

None of it has ever done any good because of the Atomic Energy Act, which gives people like you guys all the power and people like us no power. But here are my comments about this particular problem.

There's no guarantee whatsoever that this will be a temporary waste site. Let's be realistic.

Even a deep, underground waste site like Yucca

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Mountain will threaten all future generations' water supply in the Nevada region. But the idea of an above-ground or shallow sites being safe, containing material from all over the United States safe from earthquakes, fires, even nuclear bombs is pure wishful thinking.

What happens if no deep burial sites for these fuel rods is ever built? I don't believe a deep burial site will ever be approved. No state wants it, ever has or ever will. I hope to just keep the fuel rods in hardened casks, underground they should be, separated far apart, right there where the waste is generated.

Therefore, when there is a catastrophe, at least the environmental damage will be fairly localized. Only, I say only, two or three states would be contaminated for hundreds of thousands of years if the fuel rods caught fire at one of our nuclear plants.

That would be horrible enough. But a national catastrophe that you are preparing as you approve this so-called interim waste site would be the worst environmental catastrophe in history, short of nuclear war.

Please think of this: in the lifetime of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

this waste, the United States of America will disappear. Future civilizations will rise and fall, rise and fall. The only constant in all that future time will be our foolish, selfish generation's legacy of nuclear waste. Thank you.

MR. CAMERON: Okay, thank you. thank you very much, Mary Jane, for those comments.

And could we go to the next speaker, Terry.

OPERATOR: Yes, our next comment comes from Bob Hendricks. Then Eileen O'Shaughnessy, Barbara Warren, and Al Braden. And Bob, your line is now open.

MR. HENDRICKS: Thank you. Can you hear me?

MR. CAMERON: Yes, yes, we can, Bob.

MR. HENDRICKS: Okay. I do agree with everything the people opposed to licensing this have said in the past. I'd like to address briefly a separate item.

I believe in science. I know you have excellent scientists and solid models. I would like, though, to share a comment that the leading theoretical physicist, living physicist in the world, said at a meeting a year ago. He was asked if nuclear could be done safely. He said of course it can be done safely,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

but I don't trust people to not cut corners.

When we transfer the responsibility of dealing with nuclear waste from public to for-profit companies, their primary goal is for profit. They cut corners. They look at safety as a cost. What risk, and how much more profit do we get. Many of them have an exit strategy of declaring bankruptcy and leaving disastrous public safety.

You cannot build people's mistakes or people's bad intentions or greed into your scientific models. This particular project could, I believe would exacerbate those issues. First of all, we -- everyone should know this is not temporary storage.

With all the history of the challenge of nuclear storage, it'll be, end up being a permanent storage.

And yet it is being spec'd for temporary storage. That alone creates highly questionable issues.

The second, most of the people opposed to this, the public, understand that transportation, even though your models say there won't be a problem, that's not the way we feel and that's not the way we feel the history has been. We have been assured of so many things that were totally safe, including pipelines, that we -- that then had explosions and leaks, that we don't trust that.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And so even though your models may say that that -- many people have expressed the concerns about that.

And finally, I do think the local populations who are put at risk need to be taken much more seriously. They are the ones who will bear the brunt when this becomes too old a project. When this project ended up receiving even more radioactive materials than it's designed for. When at some point a government official decides well, it may not be good, but's the best thing we can do.

And so I strongly urge that you not license this project. Thank you.

MR. CAMERON: Okay, thank you, Bob, for that comment and that opinion.

And Terry, we're going to hear from Eileen next. But then we would like to put Teresa McDill, I believe it is, from the New Mexico Department of Environmental Management, we'd like to put her on after Eileen. So could you put Eileen on for us.

OPERATOR: Yes, and Eileen, your line is now open.

MS. O'SHAUGHNESSY: Thank you, can you hear me, Chip?

MR. CAMERON: Yeah, I can hear you,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Eileen.

MS. O'SHAUGHNESSY: Great. So my name is Eileen O'Shaughnessy, and I'm an educator and co-founder of the Nuclear Issues Study Group, which is a grass roots, all-volunteer group based in Albuquerque, New Mexico, on occupied Tiwa land.

While this proposed site is in Andrews County, Texas, New Mexico is arguably just as much, if not more, impacted by this proposed site. This waste would travel through Eunice, New Mexico, and the water, resources, and emergency response team would come from New Mexico.

As someone who lives in New Mexico, I am extremely concerned, and I join my voice with the countless others on this call and many others asking you to not move any further with this licensing process.

I support the no-action alternative, which is the safest and most reasonable approach to dealing with the long-term storage of high-level nuclear waste.

This draft Environmental Impact Statement does not adequately address the synergistic and cumulative impacts of this proposed facility, the ways in which multiple industries would interact. The DEIS does not look at this.

This area of the country is already overburdened

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

by the nuclear industry, as we know, as well as oil and gas drilling. The DEIS failed to completely study the potential ways and additional facilities, such as this, would impact the surrounding environment, the land, the air, the water, and the people. Specifically synergistically.

Not to mention, Holtec's proposed site is not far away. A previous caller named Bruce, who was the only pro voice that I've heard, the only supporter so far, and who conveniently also works for the nuclear industry, he said himself that high-level nuclear waste sitting at reactor site is, quote, perfectly safe. This is a great argument for the no-action alternative, and for hardened onsite storage.

Keep the waste where it is. Stop making this dangerous and deadly waste, and don't dump it on marginalized communities.

I want to close my comments by speaking directly to the Nuclear Regulatory Commission. And I want to ask you a simple question. Who will you listen to? I've been a part of this official scoping and now DEIS process for both Holtec and WCS since the very beginning, and I've had this very odd experience of feeling like when I enter these webinars and these calls, that I'm entering an alternate reality.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

After sitting through hours and hours of strong opposition to these dangerous and corrupt projects, after the Republican Governor of Texas and the Democratic Governor of New Mexico have both come out against these projects strongly, after state senators and congressional delegations have spoken out from the Southwest, after 20 resolutions opposing the transportation of high-level nuclear waste have been passed, after thousands upon thousands of salient comments have been submitted opposing these projects, in spite of all of that, somehow, you sit calmly around your horseshoe table and you assure us all will be well.

Somehow, NRC, you have the power to see the future and assure us that there will not be a release of deadly radioactive material. Somehow you have the super-human ability to know that climate change and potential earthquakes from fracking will not be an issue, and that high-level waste will sit peacefully on concrete pads for decades, if not centuries.

Somehow, in the DEIS, you redefined environmental justice so dramatically that you side-stepped the fact that this waste will be traveling through and to communities of color who have already been targeted for dumping. And in your alternate reality, you deem environmental justice concerns

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

irrelevant. And you write that, quote, "No disproportionate impacts on minority or low-income communities will happen."

Again, your reality conflicts with everyone else's. NRC, you are tasked with protecting people and the environment, not with writing an episode of the Twilight Zone. You don't get to create your own reality.

I agree with Sue Schuurman, who said that the NRC has mastered the art of sleight of hand. You are master magicians and science fiction writers. The DEIS, which conclude that this project would have, quote, "Small to Moderate impacts on the environment and surrounding communities," is the ultimate sleight of hand.

We, the public, see through your attempt at rewriting reality. And we invite you back into our shared reality, where we as humanity need to find better, more holistic, environmentally just, and responsible solutions to the problem of high-level nuclear waste. This proposal should go no further.

Thank you.

MR. CAMERON: Okay, thank you. Thank you, Eileen, for those comments. And that was Eileen O'Shaughnessy of the Nuclear Issues Study Group, thank

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

you.

And Terry, do we have Teresa on?

OPERATOR: Yes, Teresa, your line is now open.

MS. McDILL: Thank you, you can hear me?

MR. CAMERON: Yes, we can.

MS. McDILL: Okay, thank you. My name is Teresa McDill, and I represent the New Mexico Environment Department. Thank you for hosting this public meeting and listening to New Mexicans, our tribes and pueblos, and other interested stakeholders.

My department is the authority, and our employees are experts on environmental matters in our state. Our mission is to protect public health and the environment for all New Mexicans for all generations.

The consolidated interim storage facility project in Texas is actually directly on the border of New Mexico with Texas. Groundwater, surface water, and even the prevailing wind direction from the proposed site flow directly to New Mexico. This project would result in over 5,000 metric tons of high-level radioactive waste stored indefinitely, as has been said, for generations to come.

New Mexicans have shouldered and continue

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

to shoulder a disproportionate burden of waste associated with the country's nuclear weapons programs for over 70 years. Now with this project, Interim Storage Partners is asking NRC's permission to have New Mexicans shoulder the risk of storing spent nuclear fuel from nuclear power plants in addition to nuclear defense weapons programs.

This -- in July of this year, New Mexico Governor Michelle Lujan Grisham wrote to the White House and made it clear New Mexico is opposed to interim storage of high-level waste in, of all places, an area with a population that relies on groundwater as its drinking water supply, with well-documented shallow groundwater, and within the oil- and natural gas-producing Permian Basin.

Furthermore, the consequences of a release of radiation due to accidental events pose an unreasonable threat to New Mexico's citizens, environment, communities, and economic industries. These severe consequences are completely preventable by not allowing an interim storage facility on the border of west Texas.

The state of New Mexico will again provide the NRC with a detailed -- with detailed comments on the draft EIS in the coming weeks. However, I do want

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

to preview the grave concerns we identified in the draft EIS.

There is an inadequate analysis of pathways from the site to groundwater and springs in New Mexico. There is a lack of inclusion of all applicable New Mexico state regulatory oversight and environmental impact controls. The EIS failed to provide a thorough evaluation of the radioactive waste characterization. And there is an omission of a full assessment of environmental justice concerns, as was discussed previously.

As presented, the draft EIS negligently fails to meet the requirements of NEPA. We thank you.

Goodbye.

MR. CAMERON: Thank you, Teresa, for those comments from the environmental government agency from New Mexico and for that preview of what you think some of the more important issues are. Thank you for that, and Terry, could we go back to the list. I think Ron?

OPERATOR: Yes, we have Barbara Warren up next, and then Al Braden, John Buchser, and Craig Nazor.

And Barbara, your line is now open.

MS. WARREN: Good afternoon, can you hear me?

MR. CAMERON: Yes, we can, Barbara.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

MS. WARREN: Okay, thank you. My name is Barbara Warren and I live in New York. I want to mention that because one of our concerns is the transportation of spent nuclear fuel that would be through New York. And we know that we would probably have quite a bit of that coming from New England as well. So that has been a major concern. And then I'll start my comments related to the CIS facility.

CIS facilities would be the first of their kind long-term temporary storage facilities for commercial spent nuclear fuel, and they plan to handle enormous quantities in the absence of new comprehensive regulations, or even the requirements NRC adopted in their waste confidence decision.

Instead, NRC merely used existing regulations used for dry storage of SNF at reactors, much smaller facilities for dry storage. At the same time, NRC is ignoring the requirements it adopted fairly recently in 2014 when it adopted the continued storage rule. Radiation-shielded dry transfer systems are required to be constructed at every estate or dry storage facility under this rule.

These heavily shielded facilities, including air filters, would enable remote handling of cask and canisters to transfer SNF to new containers

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

while preventing radiation exposure of workers. The absence of these facilities means there's no way to handle any damaged casks that would arrive or should there be a radiation leakage in the future.

A third point is that Sandia National Labs recently identified significant knowledge gaps for research. Interestingly, most of these gaps relate specifically to CIS facilities. One of those is consequences of containment failure caused by stress corrosion cracking. This work would identify -- would estimate the amount of radioactive releases that would be caused by a through-the-wall crack.

Another one is the effects of corrosion on walls. Another one is non-destructive monitoring of canister degradation as it occurs. Then there's the ability to inspect and repackage SNF into new canisters using a dry transfer system, which we just discussed.

So as you can see, there's a lot of research that still needs to be done and that would apply to CIS facilities. So why would you -- why would we be permitting them first before finishing up the research that's needed?

Another item is essential information should be transparent. Unfortunately, there's little

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

transparency regarding the relationships and responsibilities of the owners and operators of CIS facilities and other controlling or involved entities.

Interim Storage Property -- Partners is proposing to lease property from Waste Control Specialists, which operates a nuclear waste disposal facility in Texas. ISP is a majority-owned foreign company, and that foreign ownership is restricted in the U.S. for nuclear reactors. ISP is owned by Orano, which is ultimately majority-owned and controlled by an entity of the French Government.

However, the Atomic Licensing Board has ruled that an independent SNF storage facility is neither a production or a utilization facility, and thus is not subject to the provision that restricts foreign ownership. However, it should be noted that should Orano apply to engage in reprocessing, it likely would be considered a production facility. Reprocessing is also an issue we're very concerned about.

Basic information pertaining to the principals involved in this CIS proposal and how various responsibilities would be allocated has been deemed proprietary by NRC, effectively denying information that should be readily available.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Clearly, ISP is not proposing ownership but a short-term lease arrangement, as short as 20 years.

However, a short-term lease is obviously inadequate for the hazards, environmental and public health risks involved. Ownership and financial responsibility should be clearly defined for all -- for the full duration of consolidated storage, pending transfer to a permanent repository.

And the public should have the legal and financial assurance that the hazards and risks will not be abandoned and ultimately left to be borne by the public. That is why all the relationships with the principals involved should have been disclosed, and all of the arrangements, who is responsible for what, should have been clearly explained to the public.

NRC's EIS does not reflect the actual contamination and risks at nuclear waste sites across this nation. The nuclear activities, including those related to defense, have contributed to a large number of nuclear waste sites that will need years of complex cleanup efforts, many of them 40 or 50 years old, in which the risks have not been attended to and cleaned up. That dangerous radioactivity and contamination pose health risks to our children and future generations.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

There's an enormous library of documents that detail the number of, and complexity of sites that pose major health risks. And we actually believe that those -- that the extent of those risks would inform what should be evaluated prior to passing judgment on new facilities that NRC is proposing.

In 2019, GAO documented that known costs for remediation of these, the many sites that exist, were actually eight times, currently eight times the annual budgets provided for the cleanup activities. That was in the GAO report 19-28.

So the actual health costs are rarely documented for these sites, and NRC in failing to review the entire national legacy, of period contamination and risks, is really unable to identify most --

MR. CAMERON: Thank you, Barbara, including the mention of the Sandia scientific issues. Thank you very much. And I don't know if Terry if someone's sitting in for Terry, but can the Operator put our next speaker on.

OPERATOR: Yes, this is still Terry, and we have Al Braden next, and then John Bookser, Craig Nazor, and then Brooke Holland. And Al, your line is now open.

MR. BRADEN: Thank you, thank you very

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

much. Can you hear me?

MR. CAMERON: Yes, yes we can, Al.

MR. BRADEN: My name is Al Braden and I live in Austin. I'm a Sierra Club volunteer. Many of us in Austin attended the hearing last August, when this dangerous plan was first discussed, and I'm appreciative of all those speakers who have spoken before me today on this proposal, especially Teresa from New Mexico's Environmental Protection Department, that brought a lot of scientific challenge to it.

I'm absolutely opposed to the NRC rulemaking plan to permit Greater-Than-Class-C transuranic nuclear waste from being delegated from federal DOE and NRC control to state authority. This is an abrogation of responsibility for the safe and deep underground storage of our spent nuclear waste that the AEC and now NRC has failed to accomplish for 60 years.

Sidestepping that responsibility and allowing states like Texas and state agencies like TCEQ to manage a problem that has eluded the federal authorities for all this time is dangerous. And it only comes to the surface, it only appears because it serves the short-term profits of Waste Control Specialists.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

But when they fail or go out of business in 20, 50 years, they've made their money, they're gone, all this stuff is still here. And then it will be up to Texas and Texans to live with it forever.

This high-level, long-lived radioactive waste has no long-term storage possibility in surface or near-surface locations where natural forces such as erosion and manmade risk would allow it spread over vast areas and watershed and through abandoned oil wells to reach deep down into aquifers, which it can be hazardous for hundreds of thousands of years.

Your own data in the studies was limited to 10,000 years, and in that timeframe, which is short timeframe compared to the real risk, shows increasing offsite risk over time. But the study kind of focuses on this hypothetical, inadvertent intruder. What if someone inadvertently comes into this site 500 years ago?

Well, 500 years is a blink of an eye compared to the half-life of these elements that stretches into millions of years. When you chain the half-lives of the radioactive decay together, it's not only the first thing, but it decays into something else, which decays into something else.

This site would be radioactive for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

millions of years. So I don't think we can have it be transported and buried in shallow graves on the Texas plains under the guise of a temporary solution, because you all have shown no ability to come up with a long-term solution. And it would make the radioactive mess far greater than the West Valley disaster in New York state.

Now, I've provided a long, detailed blog and also video testimony of the hearing in August, and I submitted that in my statements back in August. So I think that should be in the record.

But I'm here just to raise that concern again and say once and for all, please do not proceed with this plan. Its only purpose is to provide profits for Waste Control Specialists, and it provides a great, long-term risk for Texas.

I ask you at the NRC to do your real job and find an effective, deep underground, long-term, safe solution. Thank you.

MR. CAMERON: Okay, thank you. Thank you, Al. And we'll check the record for the, what you referenced, and --

MR. BRADEN: Thank you.

MR. CAMERON: Thank you very much. And Terry, could we have our next commenter.

OPERATOR: Your next comment is from John

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Bookser, and then we have Craig Nazor, Brooke Holland, and Lori Williams. John, you may proceed.

MR. BOOKSER: Thank you to Chip and staff for the opportunity to comment on this plan.

My name is John Bookser, I'm a volunteer with the Rio Grande Chapter of the Sierra Club, probably the most impacted area. We cover New Mexico and west Texas, so this is our backyard.

My personal concern, and I think that of my own studies and that of the chapter, is that the risk analysis performed by the NRC does a really poor job of considering all the factors and all the risks.

My background technically is as a mathematician and a computer scientist. And for me, that sort of work is fun, but the results that you're coming up with are highly questionable at best.

I had comments on several areas: transportation, onsite issues, hearings, changing weather. And I'll start on with transportation. I think that's where the risks are highest.

Risk rates, as stated in spent fuel risk assessment, NUREG-2125, are considerably underestimated. Just looking at one data point, the draft Environmental Impact Statement is based on data accidents on rail from '91 to 2007.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

However, if we look at the period 2010-2018, that rate of accidents is 26 times greater.

If that trend continues over the period of time as proposed in this project, which is probably at least 40 years, it's highly worrisome. There will be accidents, virtually guaranteed based on those rates.

The current estimates for all Class 1 rail improvement safety needs in the U.S. is \$450 billion.

I'd be happy to see rail improved, but the NRC should be stating this cost.

If specific rail routes are mentioned, then it may be that that need is significantly diminished, but you're still looking probably at \$100 billion. That's pretty darn high cost. Happy to see that improvement, but let's do that first. Let's mention it in the draft Environmental Impact Statement.

Currently, the risk analysis looks at mid-levels of burnup fuel, but burnup levels are being constantly increased. The burnup levels presently being considered for licensing are -- have been shown to diminish the cladding on the spent fuel. Thinner cladding means greater risk in an accident scenario, that should be considered.

The draft Environmental Impact Statement considers a ten-hour estimate to recover from an

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

accident. A recent example in Vermont was that it took two days to recover an empty spent cask from Holtec.

So it's a time-consuming thing to lift something so heavy and recover it.

If this -- if a spent fuel canister, a whole collection of these fuel rods are in there, it's possible that a bolt could become loose, and the cask will begin to leak cesium-137. That's going to delay a response because the emergency responders need to be kept safe. How about an assessment of that type of scenario?

In conclusion on the transportation area, minimization of transport is probably the safest way to deal with this, not moving it twice, once to a temporary site and then another to a potential long-term site.

Onsite issues. Real time monitoring should be required. A car has these days one heck of a lot of real time systems. This would allow in the case of these casks being stored to quickly address a problem potentially before it becomes much more serious and more difficult to deal with.

What happens if a cask starts to leak? I've been told that probably the easiest way to deal with a leaking cask is to put it into a bigger cask.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Well, you should have a bigger cask available onsite. Murphy gets involved in everything. Unloading and reloading requires workers to be close to the casks, and involves much greater risk than stated.

The risk to the Ogallala Aquifer is significant. A lot of farms and other activities, including the integrity of the human sources of water and for this facility depend upon that aquifer.

And I'm particularly like to stress that the risk to emergency responders in the case of a radioactive accident is very high. I'm quite concerned, and I understand that you can't really present the terrorism risks to the public because that becomes a target for terrorists.

But I think that the -- basically that draws me to the conclusion that a lot of the low to moderate impacts that are projected are not so low, they're mostly high. And what you are creating is a national sacrifice zone. Just say that up front. We want to bail out the existing risks in communities around the U.S. and create a national sacrifice zone.

Hearing at a nearest community. Eunice here in New Mexico is five miles away. It would seem appropriate, despite its small size, this is the people that are most at risk from having to permanently abandon

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

their homes. How about having a hearing there?

Changing weather. The increase in severe weather events is substantial. If I plot out the increase in severe weather accidents or severe events, excuse me, that would project to be much greater risk of huge rainstorms, which hasn't been analyzed, and tornadoes, which is a risk in that area.

And finally, I find it very confusing that over the years I've commented to the Forest Service and the BLM and other entities on environmental impact statements. And the agencies are tasked with assessing and answering to those comments. I do not feel that the NRC is appropriately addressing the comments of the public.

And I think that the NRC is appropriately positioned to consider how to deal with this challenge of spent fuel. I don't deny that that's a difficult problem --

MR. CAMERON: And John, I'm going to have to ask you to --

MR. BOOKSER: That was the end, Chip, your timing was perfect. Thank you.

MR. CAMERON: Okay, and very articulate, very well organized. Thank you very much, John.

And I think we have Shirley as our operator

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

now. Shirley, can you put the next commenter on please?

OPERATOR: Certainly. Our next comment comes from Craig Nazor, and then we have Brooke Holland, Lori Williams, and Rose Gardner. And Craig, you may proceed.

DR. NAZOR: Hello, this is Dr. Craig Nazor, can you hear me?

MR. CAMERON: Yes, we can.

DR. NAZOR: Okay, thank you. I am the Conservation Chair of the Lone Star Chapter of the Sierra Chapter of the Sierra Club. I'm a retired college professor, and I have a long history in environmental issues.

And what is very interesting to me is how so many very intelligent people can look at this issue, and the vast majority of them come up with one, with the same conclusion, where we're talking to a group of people, and I know you guys -- you guys are very nice, you've been very gracious. And I think you're quite an intelligent group. But you can come up with another. And that fascinates me.

I grew up on the shores of Lake Erie in a family of lawyers. And what they taught me is that, number one, words don't say what they mean. And so

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

we have laws, we have guidelines written, but those guidelines can be looked at a different way and interpreted a different way. And this is done for political reasons.

So for instance, I saw the Cuyahoga River burn, I saw a river on fire. And so we passed the Clean Water Act. And now they're trying to rewrite the rules of the Clean Water Act so they cut in at the margins so it can't be interpreted the way it really was supposed to.

There is something called the letter of the law, and there's something called the spirit of the law, and both of those things are important. And I think if you look at the spirit of the law, I think you would see clearly that this is a bad idea.

And the reason you're coming up with something different is because for political reasons, and not you, some maybe above you, has changed the letter of the law so you can come up with a different position on the spirit of the law.

And of course, you know, people have their jobs. They pay well, they have their insurance, they have their retirement. And so it becomes a very difficult situation for everybody. But I think that if you look at this -- for instance, in Austin here,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

they said, you know, we're talking about drought. Well, you're not allowed to mention climate change in Texas.

So they take the drought of the 1950s as the drought of record. Well, when you're assessing the danger to this, we have climate change. You know, droughts are getting worse, floods are getting worse, storms are getting worse.

We have accelerating problems with terrorism. Who would have thought the World Trade Centers would have been blown up and burnt to the ground? You know, the world is increasing and dangerous because of people all -- so many people on the Earth and us not really paying attention to the environmental systems that protect us.

So you can clearly see, we're damaging the environmental systems all over the Earth. So if you want to properly assess this, I think you need to have -- you can't just have a baseline that ends today. You need to look at all the things that are happening and assess it from that point of view.

You know, the other aspect to this, and people have mentioned this, is the money aspect. You know, the Perry Power Plant was built right down from where I live. The Perry Power Plant is now, it was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

built for 50 years, its 50 years are up.

But look at what's happening. Because it's there, there's all kinds of political turmoil going on up there, they're trying to extend it, it's a bad idea, the concrete is getting old. But because of all the money involved in it, they want to push it forward. All these companies, they want to get out of the expense of the nuclear waste.

I remember as a kid, they said nuclear energy would make electricity too cheap to meter, okay.

And that was the rosy projection, and they went into it and now they got their money out of it. And now, oh, my God, there are all these unforeseen consequences. They want to hand it off now to Texas.

I think that's wrong. I think that is deeply, morally wrong. And I think there's a lot of danger in this if you look at the proper baseline. And I really don't think this is a good idea.

Every Sierra Club person I've ever talked to doesn't it's a good idea, and I would say 99% of the people who've commented have said it's not a good idea. So I would ask you to please listen to us, to please look into your heart and see what -- and do what's right.

So thank you very much for taking my

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

comments.

MR. CAMERON: Okay, thank you, thank you, Craig. Do what's right, that's good. Thank you very much.

And just a comment from the facilitator is that we are a little bit past our scheduled time, but we want to make sure that we hear from everybody.

But even given that, we have some people who haven't heard from before, so we're going to go them, they're all in line. And then we have some commenters that we have heard from before, several meetings.

But bottom line is that I'm going to have to set a pretty strict ground rule here for speaking at four minutes. I'll still have some flexibility there, but we're going to have to try to go for four minutes. And so I'll just be quiet and let Shirley put the next commenter on.

Shirley.

OPERATOR: Thank you. Our next comment comes from Brooke Holland, and then we have Lori Williams, Rose Gardner, and Robert Gould. And Brooke, you may proceed.

MS. HOLLAND: Hello, can you hear me?

MR. CAMERON: Yes, we can.

MS. HOLLAND: Yeah, I would like to thank

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

all those who have spoken out in opposition to the proposed consolidated interim storage facility in Andrews County Texas today, and I'm here myself in solidarity with them, as well as those who haven't been able to call in to make comments.

And so due to the inadequacy of these online public hearings put on by the NRC, it is clear by NRC's apparent refusal to extend the comment period, the public comment period until it's safe to have in-person hearings, that they wish to push through this licensing process with as little opportunity for public comment as possible. Or else don't take it as a serious consideration that many who would be able to comment in person are not able to do so virtually.

As for the content of the draft EIS prepared by the NRC, it too is inadequate, incomplete and does little to reflect the reality of the adverse environmental impacts that the transportation and storage of high-level radioactive waste poses for Andrew County Texas and the surrounding areas, as well as all communities and environments along the transportation routes.

While there are many reasons why this EIS is lacking, many of which have been discussed eloquently by those who have spoken in opposition today

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

as well as past virtual hearings, I wish to focus on the violations of the environmental justice principles this proposed CIS would participate in if licensed.

Because the region surrounding the proposed site is populated by a majority of communities of color, it is absolutely necessary for the finalized Environmental Impact Statement to explore in much greater detail how the CIS facility would most definitely perpetuate environmental racism.

As of now, the draft Environmental Impact Statement claims that there is no risk for adverse effects for minority or low-income populations surrounding the proposed sites. But we know that is not true. The final EIS needs to take into account the inherent danger of being exposed to the high radioactive waste along transportation routes or in the event of an accident, just in itself.

But it also needs to take into account the compounded impacts of the historical presence of the nuclear industry in the Southwest, which has disproportionately affected communities of color and indigenous communities since the early half of the 20th Century. And this site, as well as the Holtec site, would be no different.

The fact that two -- these two CIS

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

facilities are up for licensing so close together, both in New Mexico and Texas, is not a coincidence. And as someone's already pointed out, today the Southwest has always been considered a sacrifice zone and its people always considered justifiable sacrifices by the nuclear industry. And with an emphasis on the indigenous and communities of color making up a large portion of the Southwest's population.

And I'm here, and I'm sure many people today in past meetings would agree that we do not consent to that narrative, and we do not consent to this consolidated interim storage proposal. Thank you so much.

MR. CAMERON: Okay, thank you. Thank you, Brooke, for your comments, and for being crisp.

And next we're going to go -- and Shirley, can you put, is it Lori Williams?

OPERATOR: Certainly. Our next comment comes from Lori Williams. And then we have Rose Gardner, Robert Gould and Victor McManemy.

And, Lori, your line is open. Lori Williams.

MS. WILLIAMS: Yes. Hello. I'm sorry, the CART isn't working right now so my sister let me know that I was on speaking.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

I have some concerns, when I mean CART, I'm hard of hearing. I have some concerns with, and I agree with Yenter and Monica, previously. I'm with No Barriers Communication.

And it surprises me that with your guests hard of hearing, deaf, blind, Spanish speakers, it's interesting, if there is a catastrophic issue with the nuclear waste, how are you going to reach those people because they can't hear, see, understand English? And what if they're an only person by themselves?

That's a concern for me. And then also, with the medical issues that can stem from the nuclear waste products.

I am privy to know someone who has medical issues. And this person was born, but it was not clearly decided if it was from the environment.

Those are high risk medical issues to that individual. So not relating it to saying its nuclear, but nuclear is more devastating and damaging when there is something that is in the environment that has caused this person to have to live like this. So, that hits home to me.

And just making sure that you talk about having these hearings open to the people who are in those areas, in the minorities. And they're voices

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

need to be heard.

Those are my concerns. And I'm making it short. And thank you for allowing me to speak.

MR. CAMERON: Okay, thank you. Thank you, Lori for being short, but also raising the issue you did about people with medical issues and how they get notice. Thank you for that.

And, Shirley, can we have Rose? I think Rose is next in line. Rose Gardner.

OPERATOR: Certainly. Our next comment is from Rose Gardner. And then we have Robert Gould, Victor McManemy and Loraine Villegas.

And, Rose, your line is open, you may proceed.

MS. GARDNER: Thank you. Good afternoon.

This is Rose Gardner from Eunice, New Mexico. I live approximately four miles from the rail line that will lead directly to the WCS site.

Actually, I'm closer to the rail line than I am to WCS. I am about a mile and a half from the rail line.

And I speak today in place of the neighborhoods that run along this rail line. You won't see them on these calls, they won't make comments. They've got lives to live and they expect that the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Government will take care of what needs to be taken care.

This morning at 4 o'clock, I listened to the trains come in and from where I live you can tell where the train is, and it sat in one place for ten minutes. And that is in town along the highway, 176, that runs through the community.

Now, radiation is a big question here. How much are these folks going to get zapped when in fact we're talking several minutes sitting there. And this is per every shipment of 3,400 county shipments.

These folks are going to have to sit there.

And they won't even know when it's coming through. And I'm sure the reason is because its rail spur, you have to separate the cars that are going to WCS and leave the other cars on the line.

So there is an activity that happens before it gets to the site. I would like the NRC to definitely check that out please and make sure that they've got accurate information.

Previously, speakers spoke that there was no problem with oil and gas and high-pressure gas lines being affected in this area. That nuclear waste can sit here for an in-determinant time.

And you also provide the information,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

which we already know, that waste is already an interim storage at the site where it was generated. And he said it was perfectly fine.

We'll, I'm in agreement there. So why don't you just leave the stuff there and don't bring it over here because as you can see, the general public, as well as the oil companies, don't want this crap here.

So, keep your stuff, fix the problem, get a permanent repository for this stuff to go and be permanently stored.

I support a no action alternative. I do not support this project, I do not consent to waste moving through my community. And I do not consent to having the NRC only making this decision.

You guys need to reach out and talk to some other folks and get these other questions that people on this line have asked you to look into. And I thank you very much for your time.

And I hope that this will not be a lawless procedure. America has become a lawless country. We do not seem to recognize that there are laws that need to be followed. And even law enforcement doesn't do their job.

So NRC, I'm asking you to please do your job and protect my community from excessive radiation

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

that does not need to be here. Thanks very much.

MR. CAMERON: Okay, thank you. Thank you for those comments, Rose. And also, thank you for showing up and talking at several of the meetings, much appreciated.

And, Shirley, can we go to Robert please?

OPERATOR: Certainly. Our next comment does come from Robert Gould. And then we have Victor McManemy, Loraine Villegas and Kelsey Hersher.

And go ahead, Robert, your line is open.

MR. GOULD: Can you hear me okay?

MR. CAMERON: Yes. Yes, we can hear you, Robert. Go ahead.

MR. GOULD: Thank you. Thank you. My name is Dr. Robert Gould. After working as a pathologist for over 30 years, since 2012, I've been working at the program on reproductive health and the environment at the UCSF School of Medicine.

Since 1993, I've been on the National Board of Physicians for Social Responsibility and served as twice as president in 2003 and 2014.

Since 1989, I've also been president for the San Francisco-Bay Area Chapter of PSR, for which I'm speaking today. And I'd like to express my complete support of the comments left earlier by my

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

PSR colleagues Patrice Sutton and Dr. Elliot Trester.

Representing hundreds of health professionals we want to register our strong opposition for the proposal for bringing 35 metric tons of spent nuclear fuel from across the U.S. of Texas through thousands of shipments over 20 years, for a purported 40 years of onsite storage.

We find that the proposed EIS fails to address significant public and environmental health issues and we call on the NRC to reject the license of the proposed facility. We have major concerns about the sleight of hand in promoting a conflict of, quote-unquote, "interim storage" that it knows its apparent illegality of the federal law whereby no such temporary storage site is to be built or used in the absence of a permanent repository of our nation's waste.

There's been ongoing major problems associated with the development of approval of the Yucca Mountain permanent repository. Because of its own considerable environmental and public health problems, we believe that the assumption of the Texas site would only be operational for 40 years, and instead with a reality, opened the door for inadequate storage of highly dangerous radioactive waste indefinitely.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

We are particularly concerned that this proposed site is in a geographic region despite overwhelming scientific consensus will be severely challenged by unfolding types of global warming. The consequent threats of contamination of air, water, soil of the entire ecosystem.

As such, we note that our Texas Commission on Environmental Quality, that had previously evaluated a neighboring waste control site in Texas had unanimously recommended against placing high-level radioactive waste there because water resources could not be protected, a concern we believe applicable to the current proposal, particularly because of the close enough geographic proximity to the Ogallala Aquifer.

We picked up the assurances offered in the EIS about ICH and water sources are overly optimistic.

There's so many uncertainties about the course and the rate of our climate emergency.

And we support earlier testimony today to allow outside, independent expert review of the current and future integrity of regional water sources expected as the climate change progresses. In addition to other concerns also raised earlier involving expected extremes in temperature that would presumably, negatively impact storage integrity.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

We also support those who have testified about the inappropriate exchanging of a number of safety issues germane to the overall plan. Including potential for radioactive releases during transport and storage.

As such, we want to register our concerns about idealized assumptions around the safety of packaging and transferring high-level waste across the country, given that an estimated significant portion of waste would be derived from high burn-up spent fuel that has greater radioactivity related to decay heat that they will lead to the cladding becoming brittle or may become thinned or elongated which results in potential for failure of handling and transport of waste or prolong storage within dry casks more applicable to temporary storage.

As such, we believe the EIS who's inadequate regarding anticipating that canisters being relieved will be intact and not requiring re-containerization of the anticipated depth of the storage at the site. There's no clear guidelines on that criteria for re-packaging, and no apparent requirements requiring a permitted wet or dry transfer facility to allow transfer to new containers when needed.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

As well, we would want the EIS directly to address the potential environmental risk posed by possible return to waste generators of canisters received have been damaged or unacceptable conditions.

Whereby such transport would provide additional danger to communities along transport routes.

Particularly because of issues raised about train derailments in this morning's testimony, we support calls for NRC to hold additional face-to-face meetings with communities all along the proposed transport corridor and to lengthen the comment period to six months after our current COVID crisis abates to facilitate maximum public input.

In conclusion, we believe that this plan, as with others calling for so-called "interim storage," ignores the immense danger of continuing the nuclear energy industry going in light of better alternatives for our former crisis given the continued generation of highly radioactive waste while we have failed as a society to safely store the massive tonnage of lethal waste generated to date in the absence of any treated thoughtful and environmental protected plan for a permanent storage site that would avoid the pitfalls of the Yucca Mountain site in the design.

Until we, as a society, clearly perform

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

our need to be a more thoughtfully with these immense and dangerous problems we have inherited, and continue to propagate, we can continue to --

MR. CAMERON: Dr. Gould, I'm going to have to ask you to finish up. I know you're finishing.

(Simultaneous speaking.)

MR. GOULD: -- which I'll hide the real scope of our problems while insulated the generators of the waste in a profound health and physical consequences of their operations.

We instead, because of the ominous consequences from all of this, we strongly support the call for a no-option alternative.

MR. CAMERON: Okay, thank you. Thank you, Dr. Gould. Thank you very much.

And, Shirley, could we go to, I guess it's Victor.

OPERATOR: Certainly. And the next comment comes from Victor McManemy. And then we have Lorain Villegas, Kelsey Hersher and Jay Thomas.

So, Victor, your line is open.

MR. MCMANEMY: Yes, thank you. I'm Victor McManemy with Citizens for Alternatives to Chemical Contamination and Don't Waste Michigan.

My main concern, I applaud everyone in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Texas and New Mexico and everybody that's been working on the site itself. My main concern is with the transportation.

Having been a user of Amtrak rail system, this country is in trouble. We all know that. Amtrak is subordinate to the freight systems.

Two, three experiences I've had that give me great concern when this nuclear waste is proposed to being transported. We had to stop at the Mississippi River coming from Flagstaff to Chicago.

We had to stop at Fort Madison on the Mississippi River.

They announced, we will be stopping for 20 minutes because the, I think it's the world's largest swing bridge on the Mississippi, wouldn't close. And we thought, oh, this is interesting.

Another 20 minutes went by, then 20 more minutes. No, the bridge didn't close. It kept going on. I think we waited an hour and a half.

Finally we were able to proceed to Chicago. Everyone missed their joining flights or trains. That was one instance.

Another was coming back, again, Flagstaff to Chicago. We got to Kansas City, all the people in Kansas City boarded, then the announcement came,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

everybody that just got on at Kansas City must leave the train. We're all sitting there going, what's going on.

Then they announced we had to exit the train. Lo and behold, a flood off the Missouri had blown the levee and washed out the entire BNSF tracks.

I don't know how long it took them to get back in there and fix that.

So we had to trust, we got the bus to St. Louis and then they had a train getting us to Chicago. Everybody missed their flights and their joining trains.

Coming from New York, from the Clearwater Festival, got to Johnstown, Pennsylvania, most of you know that location as the devastating flood that killed so many people. Well, we paused in Johnstown, then an announcement came, there's been a washout ahead.

We were able to get by that and got to Pittsburgh, and then the train coming from Pittsburgh was delayed again because of a flood.

Someone mentioned the recent flood from the hurricane that came in over Georgia that washed out the train. On and on, these incidents happen and we're not taking into account the changes that are going on.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

We had a, okay, so that's trains. I will tell you right now, any attempt to barge nuclear waste on the Great Lakes and Lake Michigan, where I'm at, well, we met with very strong civil disobedient resistance under necessity defense.

There are no, there aren't even any places for barges to come in to say Palisades. We'd have to build a pier.

And the other problem now facing the nukes on the sand dunes is the waters of Lake Michigan arising higher, historically since the Pa'O people have been here.

So, just know that the other concern now in Michigan are these renegade vigilantes heavily armed, dangerous people who threaten to kidnap our Governor, threaten to kill law enforcement officers, threaten to storm the Capitol Building.

Some of these were the same people of Michigan Militia that were in on helping blowup the Federal Building in Oklahoma City killing 168 people, including 19 children. These people are dangerous.

They're of way bigger threat in terms of their attempt to disrupt our government, encourage, I say aided and abetted, by this current disturbed individual in the White House.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

I really hope that the NRC will give attention to that particular thing. In terms of the threats that are going to be posed by starting to move this stuff around.

I hoped they beefed up security at Big Rock Point. These people are all over the place.

MR. CAMERON: Okay, thank you. Thank you, Victor. Thank you very much.

MR. MCMANEMY: Okay. I'm sorry for --

MR. CAMERON: No, don't worry. It's always good to hear.

MR. MCMANEMY: -- becoming emotionally involved. And it's a deep concern --

MR. CAMERON: I know.

MR. MCMANEMY: -- believe me. Believe me.

MR. CAMERON: I know. I know. It's always good to hear from Michigan. Thank you. Thank you, Victor.

And could we go on to Loraine, Shirley?

OPERATOR: Certainly. Our next comment would be from Loraine Villegas. And then we have Kelsey Hersher, Jay Thomas and Michelle Lee.

And, Loraine, your line is open.

MS. VILLEGAS: Hello again. Loraine

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Villegas, I'm from the New Mexico side of WCS. And I work in the oil and gas industry. I've been working in this industry for several years now.

And I'd just like to remind you guys that as people who work for the public, I'm just curious as to why you're not extending this a little bit because the rest of the world is on standby during this pandemic and you guys just keep on moving swiftly, so I think, as people of the public that you're considering bringing this into, we deserve a meeting the old fashioned way there is actually people and all of us together.

And also, this, if we're going to find a solution, I think we need to start being honest. And you guys trying to push this off as a temporary facility isn't, it's not, anybody can see that that's not the intention here.

So I think we need to make decisions with sound hearts and minds and not driven by greed and profit.

My family has been here way longer than this industry has and it doesn't feel like the people who are supposed to be representing the public are actually representing the public. It's pretty evident, the amount of opposition that has grown

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

regarding this project and the expansion of it.

You guys are already here and well established, just be happy with what you already have.

Because we know what happens to nations that are driven by greed, they fall. And I think everybody is aware of the current State of America, so we need to start making better decisions.

You guys are going to be long gone, we're going to have to deal with this. My kids are going to have to deal with this. This shouldn't be just a position for you, this is for others too so don't be selfish. All right, thank you guys. God bless everybody.

MR. CAMERON: Okay, thank you. Thank you for that, Loraine. As well as your comments.

And, Shirley, can we go to Kelsey?

OPERATOR: Thank you. Our next comment does come from Kelsey Hersher. And then we have Jay Thomas, Michelle Lee and Cyrus Reed.

Kelsey, your line is open.

MS. HERSHER: Hello, can you hear me?

MR. CAMERON: Yes. Yes, we can, Kelsey.

MS. HERSHER: Great. So as a citizen of New Mexico and a chemical engineer, I would like to comment about the apparent lack of safety in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

transporting this high-level waste and the dangers that it's placing in rural communities that are already overbearing the consequences of this nuclear waste.

We do not, first of all, have the proper infrastructure to move this waste. In the case of an accident during transportation, the risk to emergency responders would be unfairly placed. And then again, there is great environment justice concerns being placed --

MR. CAMERON: Kelsey, excuse me for the introduction --

MS. HERSHER: Yes.

MR. CAMERON: -- or, for the interruption, but we're hearing a background noise like someone is on the radio. I don't know if that has anything to do with you or not but I thought I'd just check if you can sort of cut that off and --

MS. HERSHER: Is that better?

MR. CAMERON: Yes, it seems to be better so why don't you go on. And thank you.

MS. HERSHER: Sure thing. As I was saying, there is great environment justice concerns as this waste is being placed in communities that are, again, being considered sacrificial without, where lives are not being valued equally.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

The NRC environmental impact assessment has failed to acknowledge these dangers. I am calling on you, the NRC members listening, to live up to your motto of protecting the environment of people. Listen to the voices of the people. We are calling on you to do the right thing. Leave the nuclear waste where it is.

If these voices and lived experiences mean nothing to you, perhaps I can bring a subject that you may care about, money. Leaving the waste where it is will cost you less. Transporting this waste will be extremely costly. Please, leave the waste where it is.

Thank you very much for listening to my comment.

MR. CAMERON: Okay, thank, thank you, Kelsey, for coming on.

And next we're going to go to, I believe, Jay Thomas, Shirley, is that correct?

OPERATOR: Yes. We have Jay Thomas up next. Then Michelle Lee, Cyrus Reed and Ed Hughes.

And, Jay, your line is now open.

MR. THOMAS: Thank you. Hello, my name is Jay Thomas and I am the director of transportation and packaging for TN Americas.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

In the previous three sessions, my colleagues and I appreciated the opportunity to not only listen to the comments and concerns from citizens but also to provide information about the transportation of these nuclear fuel in support of the NRC's draft EIS.

In our remarks we detailed how used nuclear fuel shipments have historically been and continue to be safely and securely conducted in the United States and around the world due to strict regulations imposed by regulators and adherence to those regulations by experienced transporters. And therefore, the NRC staff's favorable conclusions in the draft EIS are supported by real life operating experiences.

Regarding transport casks, some modern Type B transport cask designs were evaluated by analytical methods to satisfy the required stringent impacts of fire and water immersion tests.

So why is digital analysis appropriate?

The analytical methods use benchmark data collected from actual physical, impact, fire and immersion tests performed on casks of similar design.

Using digital analyses has been shown to actually improve the safety and durability of the cask design by enabling more, many more scenario variations

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

and iterations that can be obtained solely by physical testing.

And to enhance and confirm these analyses, some cask designers also conduct scale model testing.

For example, if you search on YouTube using "Orano 150 ton," you can watch a 30-foot drop test of our future TN Eagle cask. That's a lot of mass hitting a thick steel floor and the cask performs as designed to keep its contents secure.

For nearly 60 years, thousands of used nuclear fuel shipments have been conducted safely through the United States and they continue today. I am in the used fuel transport business. In fact, the company I work for, Orano, is the world leader in radioactive material shipments, including used nuclear fuel.

And in France alone, Orano completes about 200 used nuclear fuel deliveries every year to its La Hague recycling facility safely and securing.

Regarding rail, it is true that the association of American railroads may limit the speed of the dedicated used fuel transport trains, possibly resulting in the casks and its used fuel to be in public areas for longer durations.

I want to remind us all that it's also been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

detailed during these meetings how these shielded transport casks are required and licensed to keep any emissions well within safety regulations in all instances. And even more, while a limited speed may be thought to extend the transport time, the answer is not so simple because these dedicated trains are given higher priority over normal wheel traffic and thus experience minimal delays during transport.

In closing I want to emphasize that the transport results can speak for themselves. The strong safety culture and robust technology has made a perfect exposure safety record.

During more than 50 years and thousands of used nuclear fuel shipments, not a single accident, not one, has caused harm to people or the environment.

I can also speak from experience, that same safety culture and the same robust technology are being used for developing the Interim Storage Partners consolidated interim storage facility. Thank you for your time and attention.

MR. CAMERON: Okay, thank you, Jay, for that information from the used fuel industry. Thank you.

And, Terri, could we have Michelle?

OPERATOR: Yes. And after Michelle we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

have Cyrus Reed, Eddie Hughes and Kevin Kamps.

And, Michelle, your line is now open.

MS. LEE: Thanks very much. Chip, I just want to thank you for your gracious moderation of these many calls. You do a very good job and we do appreciate that.

MR. CAMERON: Thank you.

MS. LEE: I'm going to try to focus, jump around topics and focus on things that have not been raised by anyone in this call or in the prior calls, which I have been on.

Okay. So the first one is the reality of what we're dealing with right now with COVID. And certainly it's an example of the high consequence, low probability event that the NRC tends to religiously discount.

Aside from the obvious impacts that, you're not having in-person hearings because of COVID and yet, at the same time, you are ignoring the deterioration of safety that maybe potentially happening right now because of reduced inspections because of stressed out workers, because of supply chain issues.

All of these things are going to affect the nuclear industry, are going to affect

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

transportation, are going to affect first responder capability, are going to affect municipalities, are going to affect the ability to do analysis of health impacts. And it spreads across the board, of course.

Because that's just one of these unanticipated, completely unanalyzed realities that gets discounted. So you have to rush the industries.

Industry wants to offload the financial burden and their own burden in other ways of this waste from all over the country.

And yet you're ignoring the impacts on the public. And the impacts are going to create problems, including, by the way, institutional control. Possibly even at the NRC as budgets get cut. So that's one thing.

Another thing, again, I'm jumping around.

Every time my gut wonders when you issue one of these EIS, the DEIS, the Holtec draft EIS, the WCS draft EIS, I also look at who's involved in the preparation.

And I like to just emphasize. I've never seen one single physician, much less the pediatrician, much less somebody who is a geneticist, much less somebody who studies epidemiology.

And that really occurs to me as that is an example that you're operating in a bubble. Because

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

how else could the NRC be complicit and create in allowing these risks to go forward with, because I know, I've worked with people at the NRC for now almost 20 years.

You're good people, you're smart people.

But apparently not focusing on many of the issues that are there in reality. It's not just engineering, it's not just chemistry.

There are many disciplines that interplay with, particular the waste, but with every element of the nuclear that you're completely ignoring. An example. When you're looking at the tests that you've determined are the high accident scenarios for transportation.

You used the Baltimore tunnel fire and you used an overpass collapse. So both of them were, of course, very bad accidents.

However, in both cases the weather was fine, in both cases you did not have large numbers of population at immediate risk. In both cases you were able to get first responders there pretty quickly. And particularly highlighting the issue of, there were not being any nature, extreme weather events going on during each occasion.

And in both instances, even the large

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

potential impact was reduced by occurrences that happened. For instance, with the Baltimore tunnel fire explosion actually broke the water main so the water started going into the tunnel, and that was one of the reasons why the fire didn't continue longer than it did.

So, even when you're looking at accidents, you're looking at it with just very, very narrow paradigms and not looking at, what are the, all the different kinds of accidents for them occurring, what are the real plausible serious risks that could be here.

And --

MR. CAMERON: And, Michelle, I'm going to have to ask you to finish up.

MS. LEE: Okay. So a key aspect with all of that is you're not looking at, going back to COVID and supply chains, and human factor issue, you're not looking at the very, very plausible probability that the fuel, as its being loaded on these trains, is already compromised in a tiny degree that you're not taking into consideration. Combine that with the impacts and the bumpiness and so forth with transportation and then go into an area where it's going to be moved where you're having extreme heat and precipitation events and potential --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

MR. CAMERON: Okay --

MS. LEE: -- seismic events.

MR. CAMERON: -- thank you.

MS. LEE: It's all of the risks combined.

MR. CAMERON: Thank you. Thank you, Michelle, for raising some new issues. And also, for your kind remarks. Thank you.

And, Terri, can we go to Cyrus?

OPERATOR: Yes. And our next comment is from Cyrus Reed. Then Ed Hughes, Kevin Kamps and Timothy Gannaway.

Cyrus, your line is now open.

MR. REED: Thank you so much. I hope you can hear me.

This is Cyrus Reed. I work with Lone Star Chapter of the Sierra Club. I live in Austin, Texas. We've obviously been following radioactive waste issues for many years.

And just by way of context, I have somewhat of a political comment to start before I get to the EIS, which is, back when the Texas legislature privatized the disposal of low-level radioactive waste, we were assured, as part of that commitment by the private company, that there was no intent to bring in high-level radioactive waste to Texas.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And while we had many concerns, and continue to have concerns with the low-level radioactive waste site, we believe there was, that there really was a commitment to the legislature and to the State of Texas that we would not be seeking any sort of storage or disposal site for high-level waste.

So, just somewhat of a political comment that it's very discouraging to have been told, in hearings and in private meetings, that it was not the intent of WCS.

And I know this is a separate company, but it's their land and their one of the investors, to be told something and then turn out it was a bold face lie. So I wanted to make that comment to start with.

The second comment I'll make is, we really do not think this environmental impact statement is adequate for this consolidated interim storage facility. And the reason I say that is, if this is truly a storage facility, that means we're not only bringing in very dangerous high-level nuclear waste to Andrews County, or would be if it were approved, across highways and railways, ultimately we'd also be taking that same waste and, if it's truly an interim storage facility we'd then be taking that same waste back out to a permanent disposal facility.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

So, any EIS really needs to take that into account that it's going there and then it's coming back.

And we don't think the EIS adequately addresses that.

If it's not really, if it really is a permanent disposal site, if it's going to turn into that, then it should be studied as such. And so you can't have it both ways, is basically my comment.

There are some other concerns we have. We don't, I've noticed in the EIS there is a lot of no impact or very small impact. So things like the presence of sinkholes, the potential for earthquakes, we don't think that's been adequately studied given the region there and we'd urge you to re-look at sort of the site suitability given those issues.

Some other comments, I'm trying to be brief, we'll have more extensive written comments later on, transportation routes. There, you know, even in your presentation this morning, you've got some big arrows.

But the transportation routes have not been designated and therefore you're really minimizing potential accidents because you're not really saying where these transportation routes will be. So, again, I think a lot more work needs to be done around transportation.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And around threats from terrorism. Really adequately addressing that. Including, not just at the site but on the routes.

We also feel like you really haven't looked at the cumulative impacts. This site, as it shows in your PowerPoint slides, is not just a proposed consolidated interim storage site, it includes the existing site, hazardous waste site, the landfill.

There is a lot of trucks moving stuff around that site and a lot of cumulative impacts that we don't feel were adequately addressed.

And I think I already mentioned this, but just the fact that this could become a de facto permanent site was not included in your analysis.

We think this is a bad idea, a bad proposal.

And will have disproportionate impacts on people of color living in the southwest, in both New Mexico and Southwest Texas.

Just don't think it's a good idea to move a bunch of waste from all over the country to Southwestern Texas only to, in some future, move it again to a disposal site. We think it's far safer to keep the waste where it is, at nuclear power plants, until we have a permanent disposal site.

And with that, I'll end my comments.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

MR. CAMERON: And thank you for those comments, Cyrus. Nice to hear you again, thank you.

And next we're going to go to Ed Hughes, is that correct, Terri?

OPERATOR: Yes. We have Ed Hughes up next. And then Kevin Kamps, Timothy Gannaway and Leona Morgan.

And, Ed, your line is now open.

MR. HUGHES: Thank you. Can you hear me?

MR. CAMERON: Yes, we can.

MR. HUGHES: Good afternoon. My name is Ed Hughes. And my wife and I, we're private citizens in New Mexico. We're also members of the group called Northeast New Mexicans United Against Nuclear Waste.

This group is primarily ranchers, farmers, small businessmen who were formed, something over three years ago, when the Department of Energy wanted to establish deep, three mile deep bore holes in our area, about two and a half miles from our south ranch fence to store, permanently store, high-level nuclear waste for their weapons program.

Now, this WCS site is one of the things that's being sold, as is economic benefit, economic development. Our actual experience from the bore hole, which Mr. Cameron was part of that, but on the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

other side, is that this is not economic benefit, it is economic replacement.

In fact, the immediate impact is even the possibility of this happening. Our land values went down, plummeted. People could, were financing loans for operation for their ranches and farms, would have to put up more collateral for that. And on, and on.

We very much, I want to very much support those very articulate comments that have been made today and other times in very strong opposition to this project. One of the speakers just, quite a few minutes ago, who worked for a company that actually benefitted from this, financially, stated that there had been thousands of shipments already through the past years.

Well, that's in fact true, but those shipments have been small. Nothing, nothing, absolutely nothing of the weight or scale of what's being proposed here.

When you consider that the governors of both states, of opposite political parties, are adamantly opposed to this site. Many other technical people have come out in opposition and decided that this proposal is actual illegal, as the law stands. Today it's an immoral thing to even pursue this.

Another comment, and some of this involves

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

the gap analysis for Sandia Labs and other technical issues that have been raised, including by Teresa McDill of the New Mexico Environmental Department, these are thousands of canisters.

WIPP has been in operation for something like 20 years. My understanding is, is that even one of these canisters holds the equivalent amount of radioactivity that has already been stored at WIPP over 20 years' time. Just one. And we're talking about thousands over here at WCS and Holtec.

So we are adamantly, adamantly opposed to this. In fact, what this feels like is it's colonization by the nuclear industry of our area, of New Mexico and East Texas. West Texas rather.

Colonization by the nuclear industry who has, looking for all the benefits. And all of the risks are being taken by those who are being colonized.

This is a, not a nuclear sacrifice zone. This is the zone where people live, who have concerns. Most of those concerns have been raised.

The draft environmental impact statement, I still thoroughly agree where the cumulative impact is stated as small over and over and over, is only surfaced analyzed. There needs to be a much more detailed analysis. And real realistic numbers put in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

here.

So, we are adamantly opposed to this project. Thank you for your time.

MR. CAMERON: And, Terri, we have one of the deaf people who wants to get on, and I think that we should hear from them. And I'm just going to ask Kevin to wait a couple of minutes before we put him on.

But I think you should have Sandra McClure on your radar screen. If you could put her on and then we'll, she'll translate the sign language for us.

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

MS. MCCLURE: Hi, can you hear me?

MR. CAMERON: Yes, we can, Sandra.

MS. MCCLURE: Okay. So I'll begin interpreting now.

MS. TAPANG: Hi, good afternoon, my name is Pamie. And I work in the deaf community for support, and I will keep my comments brief today.

And the reason I am here today is because I went to work with one deaf person and they don't understand much English at all. They communicate primarily by sign language.

And their house is actually in a dangerous

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

area, right next to the train tracks. And so, I don't know that they would have any information should there be an explosion or any sort of accident. They would have no information to that accident.

So, I don't know how you plan to report that information or how we could solve that. And that is a big concern that I have, is just the accessibility of information to people who live within that area who may be deaf or hard of hearing and having access to that information.

So, I know that there are many people in that community who are deaf that live close to the train track. I just wanted to bring that to your attention.

Thank you for your time.

MR. CAMERON: Okay. And, Sandra, could you thank Pamie for that comment and tell her that's a very important and legitimate issue to be considered and rectified somehow. Thank you, okay.

Okay, Terri, could we go to Kevin?

OPERATOR: Yes. Our next comment comes from Kevin Kamps and then Timothy Gannaway, Leona Morgan and Diane D'Arrigo.

Kevin, your line is now open.

MR. KAMPS: Hello. Thank you. My name is Kevin Kamps. I serve as radioactive waste

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

specialist at Beyond Nuclear., and also as a board of directors' member of Don't Waste Michigan.

And the first thing I'd like to communicate to Chip is that I've been informed that Dallas County Commissioner, Theresa Daniel, has been waiting for an hour and a half to give comments.

And also, that there has been no repeating of the instructions for how to make comments by pressing *1, so there is concern that people don't know how to do that.

The first thing I'd like to say --

MR. CAMERON: Let me say this, thank you for calling attention to that, we will definitely get her on. I'm sorry to interrupt. Go ahead.

MR. KAMPS: No problem. Yes. I was asked by Dave Kraft, who is Director of Nuclear Energy Information Service in Chicago, to read his short statement because he had to jump off to join a call-in at NRC about COVID-19 and the nuclear power risks. So this is what he asked me to read.

Remarks of former NRC Chair Gregory Jaczko from, entitled, *Decommissioning a New Era for Nuclear Power: A Need for Congressional Oversight*. That was held on Capitol Hill on May 13th, 2019.

And I'm quoting Greg Jaczko. If you think

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

about this, there are a lot of challenges behind this idea of centralized "interim storage."

The first one is that this is essentially permanent storage. And continuing to quote Greg Jaczko, as much as you may hear from people that this is centralized interim storage, it is de facto permanent storage. Because once you move fuel somewhere, it's going to be very hard to move it somewhere else.

And he went on to say, again, quote Greg Jaczko. "The only place and principle you could move it to would be a permanent repository. But right now there are no prospects. Certainly not in the next several decades for any type of permanent repository for spent fuel."

And Dave writes, the length for this quote, which is online, will be provided in written comments by NEIS to NRC and thank you.

The next thing I'd like to say real quick is that NRC and ISP cannot continue to assume Yucca Mountain as the permanent repository. That you need to cease and desist from doing that.

For one thing, it is western Shoshone Land by treaty rights. The Treaty of Ruby Valley of 1863.

And for another thing, the environmental injustice

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

of that proposal in light of the radioactive fallout from the Nevada test site makes it a non-starter.

And the last thing I'd like to say today is to point out that the figure in ISP's environmental report, the sole and woefully inadequate transportation route map provided, which is Figure 2.6-1, transportation routes in Revision 2 of the environmental report, which is in Chapter 2, Page 2-78, shows clearly that certain communities in, especially New Mexico, Texas and Oklahoma, are going to get hit coming and going.

Coming with inbound shipments from the east and then going with outbound shipments, supposedly going to Yucca Mountain, which as I said, is a non-starter.

And what I'd like to point out, in terms of environmental justice analysis, is Oklahoma is called Native America on their license plates. There are numerous Native American tribes in Oklahoma.

There are other people of community. People of color communities, like Black communities in places like Tulsa, in places like the Greenwood District of Tulsa, which suffered the 1921 Tulsa Race Massacre perpetrated by whites against blacks.

And another community on that double

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

whammy route that ISP has admitted to, is Dallas / Fort Worth. Again, African-American communities there.

None of that environmental justice analysis has been carried out by the Nuclear Regulatory Commission. In fact that, woefully inadequate single map from ISP's environmental report does not even appear in NRC's DEIS. Thank you.

MR. CAMERON: Thank you very much, Kevin. And thank David for us also.

And, Terri, we want to get Theresa Daniel on now before we go to Timothy. And could you just repeat the *1 instructions in case she doesn't know that.

OPERATOR: Yes. As a reminder, press *1 on your phone and record your name if you wish to make a comment.

She has not queued up yet to be able to promote her to the next speaker. So I'm not sure if you want to move on with Timothy Gannaway while we wait for her to come in.

MR. CAMERON: So we don't have Theresa yet?

OPERATOR: One moment.

MR. CAMERON: And so --

OPERATOR: It looks like someone just

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

queued in so bear with me one moment, let me check if that's her.

MR. CAMERON: Okay. So, Terri, I'm a little bit unsure of what was happening now. Are we still waiting for Theresa?

OPERATOR: Yes, we are. She still has not dialed the *1 to come into queue.

MR. CAMERON: Okay. Well, I'll tell you what, while we're waiting for Theresa, can you put Timothy on for us?

OPERATOR: Yes, I will be happy to.

MR. CAMERON: Okay.

OPERATOR: And, Timothy, your line is now open.

MR. GANNAWAY: Okay. I'd like to thank the NRC and Staff from the Southwest Research Institute for your time today.

As a resident of Andrews, I am employing you to be prudent and precise in this process. As it is, we have a great deal of concern.

The stress and unease you are creating can be alleviated if you slow down and address our specific concerns. I recognize the NRC's good faith attempt to become compliant with the ADA requirements, but the alternate methods for public participation still

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

restricts persons with disabilities from participating in the same manner that persons without disability can participate.

I'd like to follow-up on my previous comments with a few additional concerns. Decommissioning plants should be included in the draft EIS to adequately evaluate the health and safety risks.

Failure to evaluate the entire timeline of this proposal is a failure to act in the best interest of the public.

The proposal is claimed to be cheaper than the no-action alternative. The draft EIS fails to include details such as storage rates and revenue sharing to adequately evaluate cost comparisons.

Financial stability of the operator's annual facility is relevant too and impacts the health and safety of the public and environment.

As noted by both opponents and proponents, the draft EIS should review the potential impacts to oil and gas reserves and the extraction of these resources. Section 3.2.4 regarding mineral extraction fails to address Andrew County's largest industry, which entirely surrounds the proposed site.

The draft EIS fails to evaluate cybersecurity risks. The WCS CEO left his work email

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

logged into a public computer in 2012 exposing sensitive documents. So safeguarding sensitive information should be part of the safety evaluation.

I'd like to request a delay in the public comment deadline. I do not believe it is appropriate to end the public comment period on election day and could be viewed as a politically motivated attempt to suppress voters or interfere with the election.

Again, I appreciate your time and I urge out to review the numerous public comments and revisit the draft EIS. I hope you'll reject the draft EIS as it is and allow in-person hearings next year when it's safe to do so. Thank you.

MR. CAMERON: Okay, thank you. Thank you, Timothy, very much.

And I believe we do have Theresa Daniel on now. Terri, could you put her on and Theresa can introduce herself to us.

OPERATOR: Yes. And, Theresa, your line is now open.

DR. DANIEL: Wonderful. And I assume now you can hear me?

MR. CAMERON: Yes, we can.

DR. DANIEL: Wonderful. Those are the most repeated words in our society today I'm sure.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

I am Theresa Daniel, Dr. Theresa Daniel, the Dallas County Commissioner. And a while ago the full court signed a resolution to oppose the transporting of high-level radioactive waste. So don't even start on the process of providing licenses and all that kind of stuff.

Would also like to say that Dallas County is not alone, there are four other counties in three other major cities in Texas who have also joined in opposing the transporting of this, of the radioactive waste.

I would like to just very quickly read a short resolution into the record because I think it covers it very well. I'll start it with the first whereas.

Dallas County is committed to protecting the health, welfare, safety and security of its residents with services of the Departments of Health and Human Services, the Emergency Preparedness Training and Exercises provided to the Office of Homeland Security and the Emergency Management and the Parkland Health and Hospital system efforts.

And whereas Waste Control Specialists, WCS, has applied to the Nuclear Regulatory Commission for a license to store up to 40,000 tons of spent nuclear

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

reactor fuel, the nation's most dangerous nuclear reactor waste, at their facility in Andrews County in Western Texas. That waste would soon be shipped by rail or interstate roadway through the Dallas / Fort Worth region.

And whereas transportation routes can be predicted but won't be approved by the U.S. Department of Transportation and Nuclear Regulatory Commission until the licensing would be completed.

Therefore, the spent nuclear reactor fuel should remain secured at or near the site of generation, and be transported only once, when the scientifically viable permanent disposal site becomes available.

And whereas during the transport, if an accident should occur with this spent nuclear reactor fuel releasing only a small amount of radioactivity, it will contaminate a 42 square mile area. A Department of Energy study found that cleanup would cost \$620 million in a rural area and \$9.5 billion in the most heavily contaminated square mile of an urban area.

And whereas additionally exposure to dangerous levels of radioactivity is known to lead to birth defects, genetic damage and cancers. Unsure what exposure to high-level radioactive waste could

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

give a lethal dose.

And whereas our lives, land and aquifers must be protected from radioactive contamination. Which could result from accidents, radiation releases or leaks or terrorist actions during the thousands of spent nuclear reactor fuel waste shipments that could occur for a period of 24 years if consolidated storage is licensed.

Now, therefore be it resolved: The Dallas County commissioners court does not support the transportation of high-level radioactive waste, including WCS's weight of spent nuclear reactor fuel on our railways or highways, through Dallas County, for the purpose of consolidated storage or permanent disposal of high-level radioactive waste in Texas.

That was done on the 4th Day of April in 2017 and signed by all five of the commission, the four commissioners and our county judge. And nothing seems to have changed since then, so I would contend that the resolution is still very relevant.

We're not alone in these concerns, as I've listened to the discussion up to this point for the testimony. Up to this point the Dallas County still stands in opposition, and I very much appreciate the persistence that both you and we have to go through

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

in order to do our best during these COVID limitations.

So thank you for giving me this indulgence.

MR. CAMERON: And thank you, Commissioner, very much. And if it hasn't been sent to the NRC, you might want to send that resolution in to the NRC. So I think that would be good. But it is on the record now. We're taking a transcript, so the NRC has it.

But thank you for hanging in there. And, Terri, I think we have Leona, we have Jan and we have Diane.

And we're going to close the meeting down after we hear from Diane. And we'll go to our senior official, Kevin Coyne, for a closing.

So, I think Leona is next.

OPERATOR: Yes. And, Leona, your line is now open.

MS. MORGAN: Okay. Can you hear me?

MR. CAMERON: Yes, we can, Leona.

MS. MORGAN: Great. Well, good afternoon, Chip, and to the NRC staff. Thank you for hearing all our comments. I know it's been quite a long meeting.

I am calling from Albuquerque and I am with the Nuclear Issues Study Group and I have quite a few

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

comments, but I'll do my best to get through them quickly.

First and foremost, we oppose this proposal for this CIS facility in Texas as it will affect New Mexico. We support a no-alternative option if there really was one that was explored.

It needs to be explored and to show the benefits and the issues with and in contrast to the proposal.

The project as a whole is as everyone has said the DEAS is flawed and the results of the environmental review and everything we are looking at it really doesn't take into account the reality of the situation.

As it was said before, it seems that the NRC is working within a bubble and whether that's a 50-mile radius bubble or even smaller it seems that you all are not accounting for the communities that will be impacted from the transport and all of the people who live near reactors. All of that needs to be accounted for.

In New Mexico, as was stated by our New Mexico Environment Department staffer, Ms. McDill, we should have a hearing here when it is safe to have in-person meetings again.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

NRC must conduct those hearings not only in Texas. Texas had only one hearing last time and they deserve more in-person meetings for the transportation hubs in the eastern part of the State.

In New Mexico, we also deserve in-person hearings as well as in some of the communities that have called for it. I heard a request from California and I know other States are also concerned about the transport.

All of this needs to take place after the international health crisis of the COVID-19 pandemic has passed.

I want to just go to some of the overview that were included in your slides and some of the previous calls, some of the comments that were made on previous calls.

So very quickly, there was a comment that, I think you said it, Chip, that the nuclear energy comments are not germane to this hearing, and they are completely germane because this is the source of the waste and NRC should not allow new or extended use of power plants until we have a permanent way to deal with it, not this band-aid CIS poorly planned solutions.

In some of the slides I disagree with all of the findings that say there are Small or Moderate

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

impacts, especially the comment about the socioeconomic impact as being beneficial is laughable as we know that both Holtec and WCS will have great negative impacts to existing industry.

As was stated by Ed Hughes, this is economic replacement. We already have plenty of economic development in that region. Of course, it is the Permian Basin and there are also ranchers, the dairy industry, and other industries that exist that will be harmed if this proposal goes forward.

One of the statements in the Section 1.7.3 on economics talks about which State and federal entities you communicated with and it doesn't list the Midland Chamber of Commerce which recently passed a resolution opposing CIS and that should be put in the record. I can send a copy of that to you all in my comments.

Yes, so, lastly I just also want to state you did reach out to several indigenous nations and I believe you sent letters to these nations. It is very important to understand how sovereign indigenous nations operate.

When they receive a letter that is not as meaningful as in-person presentations and it is quite necessary that the NRC physically go to these

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

communities that are the most impacted, not just federally-recognized tribes, but also the ones that were listed as the State-recognized tribes.

I would even consider all of the nations in this region, not just the seven that were approached.

MR. CAMERON: Thank you.

MS. MORGAN: So, thank you for the time and I do appreciate you keeping this meeting open. However, this meeting itself is not adequate.

So when you are able to have in-person meetings please do so with adequate language accessibility for all interested parties, including indigenous and Spanish speakers as well as the deaf and hard of hearing community. Thank you, Chip.

MR. CAMERON: Okay. Thank you, Leona. It might not be a bad idea to send the Midland Chamber of Commerce statement into the NRC. I know your comments about indigenous nations are right on, so thank you.

Terri, I did say that we were going to stop after Diane D'Arrigo, but we do want to hear from two more people. It's not going to -- We're already way over, so it's not going to extend us too much, but we do have to end the meeting.

We have Alynda Best and Janet Garcia that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

we want to hear from. So can you put -- I don't know if Jan Boudart is still on or we're going to Diane D'Arrigo, but can you put whoever is on next for us?

OPERATOR: Yes. So we have Diane D'Arrigo, then Alynda Best, Janet Garcia, and Jan Boudart are our final commenters.

MR. CAMERON: Yes, okay. After Jan we're going to close it down. So let's go to Diane.

OPERATOR: Diane, your line is open.

MS. D'ARRIGO: Hi. Diane D'Arrigo, Nuclear Information and Resource Service. People have been talking about individual resolutions that have passed and I wanted to provide the most comprehensive list that I am aware of, although there could be more.

Within Texas, the Counties of Dallas, Bexar County, which is spelled B-E-X-A-R, Nueces, El Paso, and Midland have all passed resolutions against consolidated supposedly interim storage and the transport, the Cities of San Antonio, Midland, and Denton, the Midland Chamber of Commerce, and for Texas this represents 5.4 million Texans.

I think that Leona has mentioned on previous testimonies that the All Pueblo Council Government which represents 20 Nations also has a resolution against consolidated storage and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

transportation, the New Mexico Cattle Growers Association, as you have heard both Governors oppose the proposals, and the State and Pueblo leaders of the All Pueblo Council Governors and then the two State Governors.

Then within the Navajo Nation, the Church Rock Chapter and the Dine Uranium Advisory Committee have passed resolutions as have the Counties of Bernalillo and Santa Fe and McKinley in New Mexico and the Cities of Lake Arthur, Albuquerque, Belen, Las Cruces, Jal, and Gallup.

So I wanted to provide that list, make sure that the Nuclear Regulatory Commission is aware of all of those as a minimum of resolutions that have been passed.

And to reiterate, the call that has been made over and over again that the comment period should be extended until six months after the COVID. The fact that its chosen date is now November 3rd is almost laughable and it really needs to be extended beyond that. Thank you so much.

MR. CAMERON: Okay, thank you. Thank you very much, Diane. Terri, before -- I just have one thing that I forgot to say after Leona.

I think, I don't know if I misheard or not,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

but I think she said something that I made some comment about nuclear energy was not relevant to this proceeding or something like that and I just wanted to say that I did not say that.

It would have been inappropriate for me as the Facilitator to say something like that and I try to avoid that as much as possible.

So at any rate I thank Leona for her comments. Thanks, Diane, for the list. Can we go to Alynda Best next?

OPERATOR: Yes. And, Alynda, your line is now open.

MS. BEST: Thank you. I am just a concerned citizen and I have followed since WIPP all the goings on there and Andrews and I must say that I am truly encouraged by what I have heard today and I really think that there may be some new geological studies that may not be in that environmental impact statement.

I heard some more new things that were not available at least to me about where the aquifers were.

So I am not sure this thing has been studied exactly like it should be.

I was part of a lawsuit against WIPP, God knows how many years ago that was, and when that first

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

sinkhole filled up with water they had to do another one.

So when I heard that sinkholes were not considered a problem, you know, my antenna went up and I said, well, we don't think so, you know, but we don't know because there is so many of them there.

I just think there are a lot of questions and as a business person I thought what a business plan.

If I start a business and if it just becomes a problem I am not going to be left with all the financial backlash from it.

I just think there is some real problems and I would really say let's extend the comment period.

I think we ought to follow the money a little bit more directly.

I want to say thank you to everyone who has spoken. I am very impressed. You all have had very good ideas. Thank you for the opportunity.

MR. CAMERON: Thank you. Thank you, Alynda. Terri, are we going to Janet Garcia next?

OPERATOR: Yes. And, Janet, your line is now open.

MR. GARCIA: Hi.

MR. CAMERON: Hi.

MR. GARCIA: My name is Janet Garcia. I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

am a biology student at UNM and also a farmer with the aim of regenerative agriculture.

I have a brief comment directly to the NRC.

I object to the licensing of this project. I ask that you please consider life over profit.

Communities of color that have disproportionately suffered greatly from nuclear waste are not sacrificial and will not continue to be sacrificed.

Please listen to the statement I made earlier, life over profit. Who does this project not benefit? This is an important question to ask within many different communities.

We know very well that it is false that this waste and this project are not harmful to people, their natural resources, and economy. No matter how much you'll, the NRC, redefine environmental justice people die because of your narrow paradigm.

I sincerely question the humanity of the NRC when they so blatantly disregard life. Thank you.

MR. CAMERON: Thank you. Thank you very much, Janet. We're going to go to our final commenter at this meeting, Jan Boudart. Can you put her on, Terri?

OPERATOR: And, Jan, your line is now

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

open.

MS. BOUDART: Hi. My question starts out with, what is the hurry? This waste is going to last for thousands of years. We don't have to solve the problem of dealing with it in the next ten years.

Also, I am in favor of HOSS. I do presentations on the subject of hardened onsite storage. I have just a few comments about what I have heard today.

The person who said something about the French would laugh at us if we tried to help them with their nuclear waste, I think that comment itself is laughable.

Anyone who has ever seen the movie "Dechets," which means waste in French, would realize that the French have -- The tail is definitely wagging the dog on their nuclear waste and they've got a big problem.

They ended up sending it to the middle of Siberia, which with global warming is going to become prime real estate in the future. This movie came out in 2009 and I haven't been able to locate it online, even the thing that's on the envelope, rk.pd didn't work.

I also wanted to say that as far as the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

environmental justice is concerned the Tribal Nations and the minorities are not the only ones who are being ignored when it comes to environmental justice because nuclear radiation affects women, children, and fetuses to a great extent more than the people that are used for the studies.

The study is directed at a healthy man between 25 and 40, where a healthy woman between 25 and 40 is twice as susceptible. A 10-year-old boy is $\frac{3}{5}$ as susceptible, or $5\frac{1}{3}$, more susceptible and a 10-year-old girl is $5\frac{1}{2}$ more susceptible and a fetus is off the charts more susceptible.

So environmental justice needs to be directed at the female sex and about children and the unborn.

I had to laugh also at someone who complained that Andrews, Texas, is being colonized by the nuclear industry. We are all being colonized by the nuclear industry and I feel that colonization at a deeply personal level.

The latest example is the Development Finance Corporation that without legislation changed 50-year-old law about supporting the marketing of nuclear technology abroad.

This has been against the law for over a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

half of a century and they changed it in one month giving people 30 days to respond and not advertising this so that people even understood the issue and it is changed and we are now supporting nuclear technology abroad.

Then another thing I wanted to talk about was the bubble that the NRC is in. It's a concept bubble. The NRC is having trouble with the concepts outside of its own culture.

They are not the only ones. I have the same problem, no question. But I think one thing that the NRC is ignoring is the socioeconomic impacts that ignore the generational industry of tourism because there are thousands of jobs in the future for tourism.

Those jobs are in west Texas and northeastern New Mexico and along the border of New Mexico and Texas. They are all over. Nuclear waste being plunked down in their center is going to destroy those jobs and it means in the future thousands of jobs.

MR. CAMERON: Jan --

(Simultaneous speaking.)

MS. BOUDART: And so I really appreciate being allowed to speak and I am the last person. I really appreciate that you have let me give my little summary like this. Thank you very much. And thanks, Chip, I have to agree that you have been a very gracious

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

host.

MR. CAMERON: Okay, thank you. Thank you so much for that, Jan. Thanks for being on. I think you have given us comments, like several others at all of these virtual meetings, but thank you for that.

I just want to thank everybody out there for hanging in there with us. I am going to hand it over to Kevin Coyne, our Senior Official, for closing us out. Kevin.

MR. COYNE: Thanks, Chip. Like Chip I want to thank everyone for your participation in today's meeting. We had approximately 160 folks on the teleconference today, another 25 that followed along via the WebEx, so great participation.

We very appreciate your comments and perspectives. In particular, I want to second Chip's thought of appreciating everyone staying with us as we went a little over time to try to hear from as many people as we can, really great discussion, feedback, and perspective.

As we noted earlier all of your comments will be captured in the transcript and we'll review and analyze these comments as we prepare the final environmental impact statement.

I also want to note that the NRC staff takes

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

these meetings very seriously. Your comments provide important information for our environmental review.

To that end, I also want to let you know that from our side, our environmental and safety project managers, frontline supervisors, and management team actively participate in these meetings and are hearing your perspectives.

Just a reminder that this is our final meeting on the ISP interim storage facility draft Environmental Impact Statement, and we ask for your comments on the draft EIS by November 3rd. Thank you.

MR. CAMERON: Okay. I think we are adjourned. Thank you, Terri, and thank Shirley for helping us with this and thanks to our court stenographer, too.

With that we are adjourned and we'll be going offline.

(Whereupon, the above-entitled matter went off the record at 3:34 p.m.)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701