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Docket: NRC-2016-0231

Waste Control Specialists LLC's Consolidated Interim Spent Fuel Storage Facility Project

Comment On: NRC-2016-0231-0317

Interim Storage Partners Consolidated Interim Storage Facility Project

Document: NRC-2016-0231-DRAFT-0365

Comment on FR Doc # 2020-09795

Submitter Information

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General Comment

See attached file(s)

Attachments

201102_nrc-2016-0231-0317_halt_isp_license_for_consolidated_interim_storage

Monday, November 2, 2020

Office of Administration
Mail Stop: TWFN-7-A60M
Attn: Program Management, Announcements and Editing Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Halt Interim Storage Partners' license for consolidated radioactive waste storage -- Interim Storage Partners Consolidated Interim Storage Facility Project (Docket ID: NRC-2016-0231-0317)

Dear NRC Commissioners and Staff,

I strongly urge the Nuclear Regulatory Commission (NRC) to reject Interim Storage Project's application that would lead to the import and storage of 40,000 tons of spent nuclear fuel from nuclear reactors around the country in Andrews County, Texas, for 40 years, or perhaps forever. This environmentally unjust plan and would target a largely Latinx region of the country with the deadliest nuclear waste. The region is unsuitable for storing nuclear waste since it's prone to earthquakes, sinkholes, temperature extremes, wildfires, intense storms, and flooding.

*"It is horrifying that we have to fight our own government to save the environment."
-- Ansel Adams*

Nationwide, this plan would jeopardize the health and safety of millions of people unnecessarily due to risks from potential leaks, sabotage or transportation accidents. Consolidated interim storage (CIS) is an illegal band-aid approach to radioactive waste problems that fails to get the waste into permanent disposal for long-term isolation.

The NRC has ignored local opposition and many key health and safety issues raised in thousands of previous comments and in 100 legal contentions, many of which were backed by expert testimony. The Draft Environmental Impact Statement is deficient, misleading, and denies or ignores reality because it:

- Violates environmental justice. Especially in light of the heightened awareness of institutional racism in this country, I object to bringing the most deadly nuclear waste (comprised of more than 90% of the radioactivity in nuclear power and weapons waste) generated in the US to and through communities of color. The WCS/ISP area is largely Hispanic and has numerous other industrial facilities emitting radioactive and other chemical emissions. The proposed facility would dramatically increase already disproportionate impacts. Environmental injustice is one of the most important reasons why NRC should reject the application. This nation must end environmental injustice and halt disproportionate impacts on people of color. Dumping the most toxic nuclear waste of a whole nation on the largely Latinx Southwest region is the height of environmental injustice.

- Fails to assess the additional risk to the country that one or more CIS sites will cause. Not all waste will be moved from all nuclear power reactors sites to ISP/WCS (or to the Holtec site proposed nearby) thus the CIS sites are *additional* sites requiring massive transport risks, with no guarantee that the sites sending the waste will really be cleaned up.
- Violates the National Environmental Policy Act by segmenting and not including transport impacts. The DEIS fails to detail transportation routes and consider nationwide risk to millions of Americans along transport routes. The DEIS does not show all the potential routes that radioactive waste would travel to get to the ISP site in Andrews County, TX and dismisses the risks from transport even though transport is essential to get waste there. The analyses of the substantial risks of these shipments through most states, over decades, is inadequate. Thousands of shipments, each with more radioactive cesium than released from Chernobyl and more plutonium than released in the Nagasaki bomb would move on our roads, rails, waterways through most states and Congressional districts for decades. Each shipment has the capability of destroying with radioactive contamination the regions through which they move due to accident or deliberate acts of terrorism or sabotage. State of Nevada Yucca Mountain studies found that a single small accident could permanently contaminate 42 square miles of land. Radioactive Waste Management Associates' found that 1370 latent cancer fatalities could result from a rail accident with spent nuclear fuel, with costs of \$145 - \$270 billion for a severe accident. The DEIS ignores available scientific data and wrongly minimizes these risks. Even with routine transport, containers would still emit radioactivity because compete shielding would make them too heavy to move. The DEIS does not, but must, fully consider more shipment miles, years, and risks to move the waste again to a final site. This is an essential part of the overall purpose of an "interim" storage license.
- Relies upon the use of inadequate storage and transport containers and fails to consider the risk of leaks, sabotage or transportation accidents. Although the NRC "certifies" containers, the irradiated fuel cannot be monitored, inspected, repaired or maintained. No containers will last as long as irradiated ("spent") fuel remains dangerous and deadly. There is no plan at ISP for re-containerizing damaged and worn out containers, even though the site could become a de-facto permanent site. In the absence of fuel pools, NRC must require dry transfer facilities so the irradiated fuel can be remotely moved to new, better containers when necessary, but this is absent in the application. The inconsistent predicted lengths for the "interim" storage period range from several decades to a century or centuries to even de-facto permanent timeframes that could dangerously exceed the design and service life of the containers and site design. Transport casks are not designed to meet real world conditions they will encounter on roads, rails and waterways.
- Fails to address the environmental impacts of returning damaged containers of high-level radioactive waste if they arrive in unacceptable condition. ISP's plan is to "return to sender" with no analysis of the logically higher risk of transporting failed fuel and/or containers twice.
- Ignores potential higher risks from damaged fuel and high burnup fuel.
- Fails to include a plan to repackage leaking waste casks and a plan to move waste when required. No hot cell is proposed, which should be mandatory for this type of

facility. There would be no way to repackage radioactive waste from a cracked or leaking canister, and no way to move it anywhere as a result.

- Incorrectly assumes only 40 years of storage even though the waste could be at the site far longer than that, potentially indefinitely. The risks of creating a dangerous de facto permanent site interim were not included, although Former NRC Chairman Gregory Jaczko has said that a consolidated interim storage facility should be viewed as a permanent facility. The DEIS incorrectly assumes there will be a permanent repository elsewhere, despite the only proposed permanent repository at Yucca Mountain having been rightly cancelled in 2010. The ISP/WCS application does not provide protections for long term or permanent isolation and the DEIS ignores this. The more-likely reality—i.e., that the waste will be at the site for much longer than the 40-year license period—is not addressed in the DEIS. This puts the air, water, soil and ecosystem at long term risk from radioactivity. Nuclear waste should not be moved across the country to a site not designed for permanent disposal.
- Fails to complete the required alternatives analysis by considering Hardened Onsite Storage Systems (HOSS) as an alternative to Consolidated Interim Storage and fails to meaningfully consider other alternatives, as required by law. Rather than consider alternatives to moving waste across the country to a consolidated location, the DEIS only considers other consolidation options. It does not analyze the option of NOT proceeding with consolidated “interim” storage and providing safer nuclear waste management at or near the generation sites. The DEIS simply dismisses on-site and near-site storage options because they are not consolidated storage, without full analysis as required by National Environmental Policy Act. This is especially remiss in that consolidated storage is illegal under federal law.
- Fails to consider past nuclear waste accidents that have cost hundreds of millions to billions of dollars to clean up.
- Fails to detail cumulative impacts of the proposed facility and nearby sites on workers, local people, and the environment. Natural disasters or an accident could create cumulative impacts. A fire and a subsequent radiation release at the nearby WIPP site cost \$2 billion to remediate, but this was never mentioned. The DEIS fails to analyze impacts of potential groundwater could have on viability of the storage pad, which must be able to support extremely heavy casks and canisters.
- Fails to adequately assess the radioactive threats to water at and near the proposed site, including the nearby Ogallala Aquifer which spans 8 states, and in transport on and near water bodies across the country including the Great Lakes, Chesapeake Bay, rivers, lakes and oceans. Texas technical reviewers recommended rejecting a license for “low-level” radioactive waste at this same site because it could not protect the water.
- Fails to adequately address threats from terrorism.

It’s time to protect the land, air and water, wildlife, plant life and aquifers of this region and transport regions along the way. Businesses at risk include pecan growers, the ranching and dairy industries, and the oil and gas industry.

“The ultimate test of a moral society is the kind of world that it leaves to its children.”
-- Dietrich Bonhoeffer

Do not curtail the EIS process due to June 4, 2020 Executive Order. No emergency circumstances exist that would justify the NRC gutting or bypassing the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.*, or the Endangered Species Act. I oppose any NRC attempt to curtail or limit in any way a thorough, deliberative inquiry under the National Environmental Policy Act and the Endangered Species Act into all environmental impacts likely to be caused by licensing, construction and operation of the ISP Consolidated "Interim" Storage facility.

Over 80 public interest organizations requested that the NRC suspend all activities involving public input until the COVID-19 crisis is over and then allow 6 months for public comment or other interactions. I ask that the comment period for this application be extended 6 months due to the continuing COVID-19 disruptions and that public DEIS meetings be held as soon as safe in communities along the potential transport routes in Texas (Dallas/Ft Worth, San Antonio, El Paso, Midland, Andrews) and other corridor states, especially in large urban areas.

Regardless, I strongly oppose Consolidated Interim Storage at this, and other sites. The DEIS fails to adequately analyze environmental and cumulative impacts and the socioeconomic risks of the proposed radioactive waste storage application. The NRC should protect public health and safety, the economy and the environment, by halting the application process and denying the license for Consolidated Interim Storage.

"A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise."

-- Aldo Leopold

Thank you for your consideration of my comments. Please do NOT add my name to your mailing list. I will learn about future developments on this issue from other sources.

Sincerely,
Christopher Lish
San Rafael, CA