

**From:** Eliza Martin <Eliza.Martin@house.texas.gov>  
**Sent:** Tuesday, November 3, 2020 12:15 AM  
**To:** WCS\_CISFEIS Resource  
**Subject:** [External\_Sender] Comment to US Nuclear Regulatory Commission:  
Docket No. 72-1050; NRC 2016-0231  
**Attachments:** NRC Letter - Rep. Howard.pdf

Please find Texas Representative Donna Howard's comments regarding Docket No. 72-1050; NRC-2016-0231 attached.

Sincerely,  
Eliza Martin  
Office of State Representative Donna Howard  
(P): 512-983-4756  
(E): eliza.martin@house.texas.gov

**Federal Register Notice:** 85FR27447  
**Comment Number:** 10215

**Mail Envelope Properties** (866ee1470d904f71bd3a185978b10acc)

**Subject:** [External\_Sender] Comment to US Nuclear Regulatory Commission: Docket No. 72-1050; NRC 2016-0231  
**Sent Date:** 11/3/2020 12:15:17 AM  
**Received Date:** 11/3/2020 12:15:33 AM  
**From:** Eliza Martin

**Created By:** Eliza.Martin@house.texas.gov

**Recipients:**

**Post Office:** house.texas.gov

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	273	11/3/2020 12:15:33 AM
NRC Letter - Rep. Howard.pdf	810767	

**Options**  
**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
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**Expiration Date:**  
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## DONNA HOWARD

STATE REPRESENTATIVE

DISTRICT 48

October 29, 2020

Office of Administration  
ATTN: Program Management, Announcements and Editing Staff  
U.S. Nuclear Regulatory Commission  
Washington, DC 2055-001

Re: Docket No. 72-1050  
NRC-2016-0231

Dear Office of Administration,

The Nuclear Regulatory Commission (NRC) has recommended approving an application to store high-level nuclear waste in Andrews County, Texas. As a member of the Texas Legislature, I am writing to convey my strong opposition to the proposal to store high-level nuclear waste in Andrews County, Texas. The plan calls for the storage of 5,000 tons of nuclear waste on a concrete pad in dry-cask storage containers. Subsequent additions could result in the total storage rising to 40,000 tons of high-level nuclear waste. The numerous economic, environmental, and logistical concerns raised by local stakeholders, as well as Governor Abbott and Governor Grisham, warrant a rejection of Interim Storage Partner's (ISP) application to store nuclear waste in Texas.

Andrews County, located in the Permian Basin Region, is the largest producing oilfield in the world. As such, it is a matter of alarm that the proposed sites in the area do not provide the deep geologic isolation required to minimize the risks of accidents that would cause the major disruption of vital infrastructure and supply chains. In the case of an accident, it is also not clear who would incur the cost of cleanup, Texas taxpayers or ISP.

There are also a number of logistical questions that call into question the sensibility of the application. As proposed, the license would authorize the storage for a 40-year period, but the license could be renewed for an additional 20 years—or until a permanent facility is established. While the Andrews County proposal may be promoted as temporary, there is no tenable federal strategy on how to dispose of the waste permanently. A solution on the issue of the permanent storage of nuclear waste has evaded Congress since 1982. Without clear guidance from the federal government, an interim storage strategy under the control of a private company is merely a de facto long-term repository of highly radioactive and dangerous waste.

While I do not represent the western part of the state, having a temporary storage site anywhere in the region requires that the waste be transported via rail and highways near all the major cities in Texas. Any accident, such as a derailed train or delay in transport, threatens the health and livelihoods of millions of Texans.

Allowing the interim storage of high-level nuclear waste will endanger the safety of the region and Texas in its entirety. One horrible accident—a fracking induced earthquake, a radiation leak, a disaster while transporting the material—can lead to catastrophic consequences. Due to the many risks associated with this project, I reiterate my opposition to this proposal and urge you to reject this application to store hazardous radioactive materials in Texas.

Sincerely,

A handwritten signature in cursive script that reads "Donna Howard". The ink is dark and the signature is fluid and legible.

Rep. Donna Howard