

From: KarenD Hadden <karendhadden@gmail.com>
Sent: Tuesday, November 3, 2020 6:55 PM
To: WCS_CISFEIS Resource
Subject: [External_Sender] Comment letter from Tonya Kleuskens, from Canyon, Texas - Docket ID NRC-2016-0231 0231
Attachments: Tonya Kleuskens DEIS NRC letter 10-2020.docx

Please accept this comment letter on the ISP CISF application from Tonya Kleuskens who lives in Canyon, Texas.

She was unable to submit it at this time due to a difficult family situation.

Thank you very much for your consideration in this matter,

Karen Hadden
SEED Coalition
512-797-8481

Federal Register Notice: 85FR27447
Comment Number: 10367

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Docket ID NRC-2016-0231 0231
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Washington, DC 20555-0001
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RE: Draft Environmental Impact Statement (DEIS), Docket ID NRC-2016-0231 0231
Interim Storage Project's license application to construct and operate a
Consolidated Interim Storage Facility (CISF) for spent nuclear fuel (SNF) and Greater-
Than Class C (GTCC) waste in Andrews County Texas.

Dear NRC Commissioners and Staff:

I appreciate the opportunity to comment on the application to the Nuclear Regulatory Commission (NRC) requesting licensing a Consolidated Interim Storage Facility (CISF) to store Spent Nuclear Fuel (SNF) from nuclear reactors around the country, in Andrews County Texas. This proposal begins with 5,000 metric tons of uranium (MTUs) [5,500 short tons] for a license period of 40 years with seven subsequent planned amendments to the license, authorizing ISP to store an additional 5,000 MTUs to be completed over the course of 20 years, expanding the facility to eventually store up to 40,000 MTUs [44,000 short tons] of SNF.

Please take no action on the license application from WCS/ISP to construct and operate a consolidated interim storage facility (CISF) for SNF and Greater-Than-Class C waste.

If licensed, Interim Storage Partners (ISP) will construct and operate a consolidated interim storage facility (CISF) for SNF and Greater-Than-Class C waste, along with a small quantity of spent mixed oxide fuel, creating a serious health and safety threat for Texas, the Permian Basin, New Mexico and cities nationwide along transportation routes. This plan could jeopardize the safety of millions of people, creating unnecessary risks from potential leaks, sabotage and transportation accidents. Considering the many complications with siting a permanent SNF repository I am concerned this would potentially create a dangerous, unintentional permanent storage site in Texas, at a site that is not proven to be geologically and hydrologically sound. In addition the necessity of moving this high-level radioactive waste across the country is not supported by convincing documentation, law or funding.

This following is the Reference listed in the DEIS for the need to remove the SNF from reactor sites: 10 CFR

§ 51.23 Environmental impacts of continued storage of spent nuclear fuel beyond the licensed life for operation of a reactor.

(a) The Commission has generically determined that the environmental impacts of continued storage of spent nuclear fuel beyond the licensed life for operation of a reactor are those impacts identified in NUREG–2157, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel."

(b) The environmental reports described in §§ 51.50, 51.53, and 51.61 are not required to discuss the environmental impacts of spent nuclear fuel storage in a reactor facility storage pool or an ISFSI for the period following the term of the reactor operating license, reactor combined license, or ISFSI license. The impact determinations in NUREG–2157 regarding continued storage shall be deemed incorporated into the environmental impact statements described in §§ 51.75, 51.80(b), 51.95, and 51.97(a). The impact determinations in NUREG–2157 regarding continued storage shall be considered in the environmental assessments described in §§ 51.30(b) and 51.95(d), if the impacts of continued storage of spent fuel are relevant to the proposed action.

(c) This section does not alter any requirements to consider the environmental impacts of spent fuel storage during the term of a reactor operating license or combined license, or a license for an ISFSI in a licensing proceeding.

It is clear from this reference that there is not a stated case in the DEIS that can be verified and reasonably supported. Based on the movement of the SNF alone there is no urgent reason for the license application being discussed, to be approved in the next few decades. Making a licensing decision before there is federal law and funding to support the oversight, regulation and funding for WCS/ISP, appears as an industry choice trying to form government policy for their business and financial interests.

5.1.1.3 Co-Located Disposal Facility

Because Texas is an Agreement State, WCS is 17 regulated by the Texas Commission on Environmental Quality (TCEQ) and is licensed by the 18 TCEQ to dispose LLRW and byproduct material in Andrews County, Texas (TCEQ, 2019). 19 Class A, B, and C LLRW is disposed by burying waste near-surface in concrete-lined cells on 20 top of a 183-m [600-ft]-thick red-bed clay, which serves as a natural barrier to infiltration (WCS, 21 2019). The TCEQ's safety and environmental analysis regarding WCS concluded that WCS's 22 actions would protect health and minimize danger to life and the environment (TCEQ, 2008). In 23 addition, WCS can currently store, but not dispose, Greater-Than-Class C (GTCC) and 24 transuranic waste. These WCS disposal and storage capabilities are ongoing at the site.

February 2016, the U.S. Department of Energy (DOE) issued a final EIS titled, "Final 30 Environmental Impact Statement for the Disposal of Greater-Than-Class C (GTCC) Low-Level 31 Radioactive Waste and GTCC-Like Waste." The document evaluated disposition paths for 32 GTCC, and the Final EIS identified the preferred alternative as the WIPP geological repository 33 and/or land disposal at generic commercial facilities. In October 2018, DOE issued an 34 environmental assessment (EA) that provides a site-specific analysis of the potential

environmental impacts of disposing the entire inventory – 12,000 m³ [423,776 ft³ 35] – of GTCC 36 LLRW and GTCC-like waste at WCS (DOE, 2018a). However, DOE’s publication of these 37 documents is not a decision on GTCC LLRW disposal. Under the Energy Policy Act of 2005, 38 both DOE and Congress would require additional actions. The NRC’s actions regarding review 39 of the TCEQ request and determinations regarding GTCC are ongoing. The NRC reviewed the 40 DOE’s Final EIS and EA and developed a draft regulatory basis for GTCC and transuranic 41 waste disposal (NRC, 2019c). Thus, because disposal of GTCC at WCS would require 42 completion of the regulatory basis for GTCC and transuranic waste and actions by DOE and 43 Congress, a detailed evaluation of this reasonably foreseeable future action is not feasible at 44 this time but is included here for completeness.

As a member of the League of Women Voters of Texas, I support promotion of responsible, accountable, and transparent government, which informs the public on decisions impacting their health, safety and quality of life while protecting the environment, as well as contributing to the well-being of those residents who may be disadvantaged or have insufficient resources to defend their interests.

This concern was echoed by numerous public speakers during your four online U.S. NRC Public Hearings, by the request for in-person public meetings addressing the WCS/ISP application, therefore allowing the forty percent of the population of Texas without internet access an equitable opportunity to record their concerns.

Tonya Kleuskens