

**From:** Ed Davis (edavis@pegasusgroup.us) <edavis@pegasusgroup.us>  
**Sent:** Wednesday, November 4, 2020 1:50 PM  
**To:** WCS\_CISFEIS Resource  
**Cc:** Bud Albright; USNIC; Ed Davis (edavis@pegasusgroup.us)  
**Subject:** [External\_Sender] RE: Comments by USNIC on the NRC DEIS on Interim Storage Partners Consolidated Andres County Texas Interim Storage Facility  
**Attachments:** 201104.USNIC Statement on NRC GEIS on Texas Interim Storage Partners Consolidated Interim Storage CISF.pdf

**Docket ID NRC-201 -2031**

**Subject: U.S. Nuclear Industry Council (USNIC) Comments on NUREG-2239, Draft Environmental Impact Statement for Interim Storage Partners LLC's License Application for a Consolidated Interim Storage Facility for Spent Nuclear Fuel In Andrew County, Texas**

Dear James:

On behalf of USNIC, we are pleased to provide the attached comments on the Nuclear Regulatory Commission's (NRC's) draft environmental impact statement (DEIS) for the proposed Interim Storage Partners LLC's (ISP) Consolidated Interim Storage Facility (CISF) in Andrews County, Texas.

Please contact me if you have any questions or require additional information.

**Edward M. Davis**  
**Pegasus Group**  
**202-262-6236**  
**edavis@pegasusgroup.us**

**Federal Register Notice:** 85FR27447  
**Comment Number:** 10393

**Mail Envelope Properties** (BN6PR06MB3570E2869D400D5EF1BA508BC7EF0)

**Subject:** [External\_Sender] RE: Comments by USNIC on the NRC DEIS on Interim Storage Partners Consolidated Andres County Texas Interim Storage Facility  
**Sent Date:** 11/4/2020 1:50:02 PM  
**Received Date:** 11/4/2020 1:50:10 PM  
**From:** Ed Davis (edavis@pegasusgroup.us)

**Created By:** edavis@pegasusgroup.us

**Recipients:**

**Post Office:** BN6PR06MB3570.namprd06.prod.outlook.com

| <b>Files</b>   | <b>Size</b> | <b>Date &amp; Time</b> |
|--|-------------|------------------------|
| MESSAGE  | 751         | 11/4/2020 1:50:10 PM   |
| 201104.USNIC Statement on NRC GEIS on Texas Interim Storage Partners Consolidated Interim Storage CISF.pdf | 169011      |                        |

**Options**

**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**



United States Nuclear Industry Council  
1317 F Street NW Washington, DC 20004

November 4, 2020

Mr. James Park  
Project Manager  
U.S. Nuclear Regulatory Commission Office of Administration  
Mail Stop: TWFN-7-A60M  
Washington, DC 20555-0001

ATTN: Program Management, Announcements and Editing Staff

Subject: Docket ID NRC-2016-0231  
U.S. NIC Comments on NUREG-2239, Environmental Impact Statement for  
Interim Storage Partners LLC's License Application for a Consolidated Interim  
Storage Facility for Spent Nuclear Fuel in Andrew County, Texas

Dear Sir:

On behalf of the over 75 companies that comprise the membership of U.S. Nuclear Industry Council (USNIC), we are pleased to provide comments on the Nuclear Regulatory Commission's (NRC's) draft environmental impact statement (DEIS) for the proposed Interim Storage Partners LLC's (ISP) Consolidated Interim Storage Facility (CISF) in Andrews County, Texas.

ISP has applied for a license to construct and operate a CISF in Andrews County, Texas that would allow for the consolidation and storage of used nuclear fuel (UNF) in a centralized location rather than stored at numerous locations around the country. As proposed, the operation of the CISF would greatly enhance the management of UNF and allow shutdown reactor sites around the country to be fully decommissioned and repurposed for other uses. In addition, the CISF when placed into operation will provide enhanced flexibility in UNF management for operating nuclear plants.

Moreover, the USNIC firmly believes that the CISF would not obviate the need for a permanent repository for disposal of UNF and high-level radioactive waste and that the NRC licensing process of the Yucca Mountain repository should be expeditiously completed.

As the lead Federal agency responsible for environmental review under NEPA for commercial nuclear facilities, the NRC evaluated the environmental impacts of the proposed CISF for the

storage of UNF and Greater-Than-Class C waste, along with a small quantity of mixed oxide fuel. The results of the NRC review and evaluation are documented in draft NUREG-2239. The NRC draft EIS includes the NRC staff's evaluation of the environmental impacts of the proposed action related to NRC issuing a license for the facility and authorizing the initial phase of the project to store up to 5,000 metric tons of UNF for a license period of 40 years.

### **USNIC offers the following comments on the draft EIS:**

#### **General**

USNIC finds that the draft EIS prepared by the NRC represents a thorough and comprehensive review of the environmental impacts associated with the proposed action of authorizing the construction, operation, and decommissioning of the ISP's CISF in Andrews County, Texas at the proposed site that was evaluated by the NRC staff.

The NRC staff found that the environmental impacts of the proposed action were determined to be "**Small**" for the majority of the resource areas evaluated by the NRC, including Land Use, Transportation, Air Quality, Public and Occupational Health and all other environmental impacts, except for Ecology with vegetation impacts evaluated to be "Small to Moderate" and Socioeconomic impacts on population growth and beneficial impacts on local finances were evaluated as "Small to Moderate".

USNIC agrees with the preliminary NRC staff recommendation for "issuance of a license to ISP authorizing the initial phase of the project, unless safety issues mandate otherwise", (Abstract, p. iii).

#### **Specific Comments:**

##### **Safety of Used Fuel Storage**

The NRC found that CISF impacts to public and occupational health would be "SMALL." USNIC agrees with this finding, and that the finding is supported by the fact that used nuclear fuel has been stored safely in the United States and abroad since the 1950s.

##### **Safety of Used Fuel Transportation**

The NRC found that the impacts of transportation of used fuel to the proposed CISF in Andrews County, Texas and, eventually, from the CISF to a repository for permanent disposal would be "SMALL." USNIC agrees with this finding, and that the finding is supported by the fact that used nuclear fuel has been transported safely in the United States and abroad since the 1950s<sup>1</sup>. Over 4,000 shipments of used nuclear fuel have been made safely over the U.S. highways and rail roads since 1964.<sup>1,2</sup> In addition, the U.S. Department of Energy has transported to the Waste Isolation Pilot Project in New Mexico nearly 12,000 shipments of transuranic since 1999 without incident<sup>3</sup>. Finally, the NRC's most recent update of the agency's risk assessment of used nuclear fuel transportation confirms the safety and exceedingly low risk of both routine and accidental radioactive releases from transporting used nuclear fuel<sup>4</sup>.

### Benefits of a CISF

Given the current stalemate over the permanent disposal of used nuclear fuel, development of CISFs such as the proposed Interim Storage Partners facility would offer flexibility to commercial titleholders through the availability of storage services at an optimized, purpose-built commercial facility pending transfer to the DOE. The operation of the proposed CISF would provide a safe and effective storage capability for spent nuclear fuel from numerous nuclear plants that have been decommissioned and await DOE performance under the Standard Contract. Consolidation of this material would facilitate successful site license termination and confirm for these communities the legacy of safe, responsible commercial nuclear power generation.

Respectfully,



Bud Albright  
President & CEO  
U.S. Nuclear Industry Council &  
U.S. Under Secretary of Energy (2006-2008)

### References:

1. American Nuclear Society (ANS), Position Statement #18
2. Connolly, K.J. and R.B. Pope, "A Historical Review of the Safe Transport of Spent Nuclear Fuel", Oak Ridge National Laboratory, ORNL/SR-2016/261 Rev. 1., 2016.
3. U.S. Department of Energy, Waste Isolation Pilot Plant, "Shipment and Disposal Information: Shipments Received As of May 15, 2017," available at [www.wipp.energy](http://www.wipp.energy)
4. NRC NUREG-2125, Spent Nuclear Fuel Transportation Risk Assessment, January 2014.