



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 12, 2020

Kevin Kamps, *et al.*
Radioactive Waste Specialist
Beyond Nuclear
7304 Carroll Avenue, #182
Takoma Park, MD 20912

Dear Mr. Kamps:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to the e-mail message representing Beyond Nuclear and 129 other organizations that you submitted to the members of the Nuclear Regulatory Commission on November 5, 2020, regarding the Interim Storage Partners (ISP) Consolidated Interim Storage Draft Environmental Impact Statement (DEIS). Your message includes wide-ranging comments on the license application and the DEIS and ultimately requests that the NRC deny the license application.

Some of the concerns raised in your message bear on matters currently before the Commission in an adjudicatory proceeding. Given that this contested proceeding is ongoing, and the Commission must remain impartial during the pendency of the proceeding, it would be inappropriate for the Commissioners to discuss or comment on these contested matters at this time.

Those aspects of your message commenting directly on the DEIS will be referred to the staff for consideration.

A copy of your message and this response will be served on the participants in the ISP Consolidated Interim Storage Facility proceeding.

Sincerely,

Annette L. Vietti-Cook

From: [Kevin Kamps](#)
To: [CHAIRMAN Resource](#); [CMRBARAN Resource](#); [CMRCaputo Resource](#); [CMRWright Resource](#); [CMRHanson Resource](#)
Cc: [NRCExecSec Resource](#)
Subject: [External_Sender] Fwd: Beyond Nuclear's 32nd set of public comments, re: Docket ID NRC-2016-0231, and report number NUREG-2239, NRC's DEIS, re: 129-organization coalition comment letter opposing ISP/WCS's CISF
Date: Thursday, November 05, 2020 1:47:35 PM

----- Forwarded message -----

From: **Kevin Kamps** <kevin@beyondnuclear.org>
Date: Tue, Nov 3, 2020 at 11:47 PM
Subject: Beyond Nuclear's 32nd set of public comments, re: Docket ID NRC-2016-0231, and report number NUREG-2239, NRC's DEIS, re: 129-organization coalition comment letter opposing ISP/WCS's CISF
To: <wcs_cisf_eis@nrc.gov>

129-organization coalition comment letter re: Docket ID NRC-2016-0231/Report Number NUREG-2239, the U.S. Nuclear Regulatory Commission's Interim Storage Partners/Waste Control Specialists Consolidated Interim Storage Facility Draft Environmental Impact Statement

Submitted via: <WCS_CISF_EIS@nrc.gov>

Dear U.S. Nuclear Regulatory Commission (NRC) Commissioners and Staff,

This public comment is in response to the Draft Environmental Impact Statement (Docket ID NRC-2016-0231) regarding Interim Storage Partner's (ISP) application for a license to build and operate a "Consolidated Interim Storage Facility for Spent Nuclear Fuel in Andrews County, Texas" (NUREG-2239).

The undersigned organizations oppose ISP's proposal and ask that the NRC halt its licensing in order to protect public health and safety, the environment and our economy. It appears from the Draft Environmental Impact Statement (DEIS) and other license application documents that there would be no dry cask transfer facility (Dry Transfer System, DTS) at the proposed site, which means there would be no way to repackage waste. The site is not designed for long-term disposal, but a dangerous *de facto* permanent surface dump could result if waste casks or canisters are damaged or corroded and cannot be moved.

ISP's application to store radioactive waste in Texas would bring in 40,000 tons of irradiated nuclear fuel from nuclear reactors around the country. 90% of those reactors and their irradiated nuclear fuel are in the eastern half of the country; 75% are east of the Mississippi River.

The plan would target a Latinx community with forever deadly highly radioactive waste. **The waste would be stored above ground in a region prone to earthquakes, sinkholes, temperature extremes, wildfires, and intense storms and flooding, all of which can increase contamination risks.** ISP's scheme would exacerbate existing environmental injustice and threats to the Ogallala and other aquifers. WCS is already a national dump for so-

called "low-level" radioactive wastes and other hazardous materials.

In addition, the URENCO USA uranium enrichment facility is right next to the WCS/ISP site. In fact the two nuclear complexes are on one former ranch that straddled the New Mexico/Texas border. The majority Hispanic town of Eunice, New Mexico -- through which every single one of the 3,400 irradiated nuclear fuel rail casks bound for ISP would pass -- is within just a few miles of the WCS/ISP site.

Consolidated interim storage facilities (CISFs) are an illegal approach that does not solve the highly radioactive waste problem. The Nuclear Waste Policy Act of 1982, as Amended, prohibits the U.S. Department of Energy (DOE) from taking ownership of commercial irradiated nuclear fuel, unless and until a permanent repository is licensed and operational. In illegally considering this application, the NRC has ignored expert testimony, widespread local, regional, and even national opposition, and many tens of thousands of written and oral comments.

The Draft Environmental Impact Statement (DEIS) is deficient because *it fails to:*

- Account for disproportionate impacts to low-income communities of color (environmental justice communities) in the American Southwest and along transport routes there and nationwide.
- Detail transportation routes and consider nationwide risk to millions of Americans along transport routes.
- Consider the risk of leaks, contamination, sabotage/intentional attacks, or severe transportation accidents.
- Include a plan to repackage leaking waste casks and a plan to move waste when required.
- Complete the required alternatives analysis by considering Hardened On-Site Storage (HOSS), at or near reactors, as an alternative to Consolidated Interim Storage.
- Consider lessons learned from past accidents, nor the potential for future radioactive waste accidents to cost hundreds of millions to billions of dollars to clean up.
- Detail cumulative impacts of the proposed facility and nearby sites -- including the Holtec CISF, URENCO and the Waste Isolation Pilot Plant, in New Mexico -- on workers, local residents, and the environment.
- Analyze potential for groundwater contamination, including of the Ogallala, and other aquifers.
- Address the open secret that Orano/Areva desires to reprocess the irradiated nuclear fuel, which would cause large-scale releases of hazardous radioactivity to the environment.
- Acknowledge that "interim storage" at ISP could last not decades, nor centuries, but forevermore; *de facto* permanent surface storage, combined with eventual container failure and inevitable loss of institutional control, would result in catastrophic releases of hazardous radioactivity downwind, downstream, up the food chain, and down the generations.

On behalf of our members and supporters, our organizations oppose Consolidated Interim Storage Facilities at this and other sites, including Holtec International/Eddy-Lea Energy Alliance's CISF, targeted at Laguna Gatuna in southeastern New Mexico, just 40 miles from WCS. The DEIS fails to adequately analyze environmental and cumulative impacts and the socioeconomic risks of the two proposed CISF applications in the same local area. The NRC should protect public health and safety, the economy and the environment, by halting the application processes and denying the licenses for both ISP's and Holtec's proposed facilities.

We also oppose as unacceptably dangerous the plan to multiply transport risks, and the environmental justice burden, that is inherent in Consolidated Interim Storage. As ISP/WCS itself admitted in its Environmental Report (Revision 2, Chapter 2, Figure 2.6-1, Transportation Routes, Page 2-78), the outbound shipments from the CISF, heading to Yucca Mountain, Nevada for permanent burial, would travel through the very same communities in New Mexico, Texas, and Oklahoma that had already seen the inbound shipments, carrying irradiated nuclear fuel from eastern reactors, to the CISF in the first place. These outbound shipments could number in the several tens of thousands if the irradiated nuclear fuel is repackaged at WCS (itself a hazard to workers and local residents), into smaller-sized TAD (Transport, Aging, and Disposal) containers, required for compliance with DOE's Yucca repository design plans. CIS makes no sense, and would significantly increase transport risks and EJ burdens.

Last but not least, ISP/WCS, as well as NRC, simply assuming that Yucca Mountain will be the permanent dump, is wrong and unacceptable. Yucca Mountain is on Western Shoshone land. The 33-year long attempt to dump highly radioactive wastes there is a violation of the "peace and friendship" Treaty of Ruby Valley of 1863, signed by the U.S. government with the Western Shoshone, the highest law of the land, equal in stature to the U.S. Constitution itself. It is also an environmental justice violation, considering the deadly radioactive fallout already suffered by the Western Shoshone, and others, downwind and downstream from the Nevada Nuclear Weapons Test Site. In addition, just like ISP's proposed facility, the Yucca dump would not be: consent-based; scientifically-suitable; regionally equitable; nor intergenerationally equitable.

For all the above reasons and more, we maintain that the DEIS for ISP's application is inadequate, and further that the license for the high-level radioactive waste "consolidated interim storage" facility should be denied. In conclusion, highly radioactive wastes from atomic reactors around the U.S. should not be brought to Texas – but instead be isolated on or near the current nuclear power plant sites, in Hardened On-Site Storage (HOSS), until there is an environmentally just and scientifically sound option available.

Sincerely,

Nevada, New Mexico, and Texas (the states targeted by the Yucca Mountain, Holtec, and ISP dumps) Organizations:

Alliance for Environmental Strategies

Rose Gardner, Co-Founder, Eunice, NM

Citizen Action New Mexico

Dave McCoy, J.D., Executive Director, Albuquerque, NM

Citizens for Alternatives to Radioactive Dumping (CARD)

Janet Greenwald, Coordinator, Dixon, NM

Concerned Citizens for Nuclear Safety

Joni Arends, Co-Founder & Executive Director, Santa Fe, NM

Diné No Nukes

Leona Morgan, Co-Founder, Albuquerque, NM

Energía Mía

Alice Canestaro-Garcia, Visual Artist/Pájara/Energía Mía Volunteer, San Antonio, TX

Indigenous Rights Center.Org

Norman Patrick Brown and Peter Clark, Directors, Albuquerque, NM

Multicultural Alliance for a Safe Environment

Susan Gordon, Coordinator, Albuquerque, NM

Native Community Action Council

Ian Zabarte, Secretary, Las Vegas, NV

NevadaDesertExperience.org

Pegasus Collonge, Secretary, Las Vegas, NV

Nevada Nuclear Waste Task Force

Judy Treichel, Executive Director, Las Vegas, NV

Northeast New Mexicans United Against Nuclear Waste

Ed & Patty Hughs, Members, Quay County, NM

Nuclear Free World Committee of the Dallas Peace and Justice Center

Mavis Belisle, Co-Chair, Dallas, TX

Nuclear Issues Study Group

Eileen O'Shaughnessy, Cofounder, Albuquerque, New Mexico

Nuclear Watch New Mexico

Jay Coghlan, Executive Director, Santa Fe, NM

The Peace Farm

Cletus Stein, Board Member, Amarillo, TX

Public Citizen Texas Office

Adrian Shelley, Texas Office Director, Austin, TX

San Diego Mission

Rev. Larry Bernard OFM, Pastor, Jemez Pueblo, NM

Save Andrews County

Elizabeth Padilla, Andrews, Texas

Sierra Club (including Rio Grande and Lone Star Chapters)

Wallace L. Taylor, Counsel, Cedar Rapids, IA

SouthWest Organizing Project (SWOP)

Alejandría Lyons, Environmental Justice Organizer, Albuquerque, NM

Southwest Research and Information Center

Don Hancock, Albuquerque, NM

Sustainable Energy & Economic Development (SEED) Coalition

Karen Hadden, Executive Director, Austin, TX

Tarrant Coalition for Environmental Awareness

Lon Burnam, Fort Worth, TX

Tularosa Basin Downwinders Consortium

Tina Cordova, Co-Founder, Albuquerque, NM

Veterans For Peace Santa Fe Chapter

Kenneth E. Mayers, Chapter Secretary, Santa Fe, New Mexico

Wheeler Peak Progressives

Janet Warner, Leadership Team, Angel Fire, NM

Additional Organizations:

Abalone Alliance Safe Energy Clearinghouse

Don Eichelberger, Staff, San Francisco, CA

Alliance for a Green Economy

Andra Leimanis, Communications & Outreach Director, Syracuse, NY

Alliance to Halt Fermi 3

Keith Gunter, Board Chair, Livonia, MI

Atlanta Grandmothers for Peace

Bobbie Paul, Treasurer, Atlanta, GA

Baltimore Phil Berrigan Memorial Chapter Veterans for Peace

Ellen E. Barfield, Co-Founder & Coordinator, Baltimore, MD

Beyond Nuclear

Kay Drey, President of the Board of Directors, & Kevin Kamps, Radioactive Waste Specialist, Takoma Park, MD

Canadian Coalition for Nuclear Responsibility

Gordon Edwards, PhD, President, Montreal, Quebec, Canada

Cape Downwinders

Diane Turco, Director, Cape Cod, MA

Center for Energy Research

Chuck Johnson, Board Member, Salem, OR

Chesapeake Physicians for Social Responsibility

Gwen DuBois, MD, MPH, President, Baltimore, MD

Citizen Power, Inc.

David Hughes, President, Pittsburgh, PA

Citizens Awareness Network

Deb Katz, Executive Director, Shelburne Falls, MA

Citizens' Environmental Coalition

Barbara Warren, RN, MS, Executive Director, Cuddebackville, NY

Citizens' Resistance at Fermi Two (CRAFT)

Jessie Pauline Collins, Co-chair, Redford MI

Clean Water Action New Jersey

Janet Tauro, NJ Board Chair, Long Branch, NJ

Coalition Against Nukes

Priscilla Star, Founder and Director, Sag Harbor, NY

Coalition for a Nuclear Free Great Lakes

Michael J. Keegan, Chairperson, Monroe, MI

Coalition on West Valley Nuclear Wastes

Joanne Hameister, Member, Springville, NY

Concerned Citizens Of Lacey Coalition

Paul Dressler, Co-Chair, Forked River, NJ

Concerned Citizens for SNEC Safety (CCSS)

Ernest Fuller, Vice Chairman, Saxton, PA

Connecticut Coalition Against Millstone

Nancy Burton, Director, Redding, Connecticut

Council on Intelligent Energy & Conservation Policy (CIECP)

Michel Lee, Esq., Chairman, Scarsdale, NY

Covid 19 Global Solidarity Coalition (CGSC)

Harry Cason, Member, Washington, DC

Crabshell Alliance

Regina Minniss, Treasurer, Baltimore, MD

Don't Waste Arizona

Stephen Brittle, President, Phoenix, AZ

Don't Waste Michigan

Alice Hirt, Co-Chair, Holland, MI

Eco-Logic, WBAI-FM

Ken Gale, Producer, New York City & Vicinity, NY

Ecological Options Network, EON

Mary Beth Brangan, Co-Director, Bolinas, CA

Ecology Party of Florida

Cara L. Campbell, Chair, Fort Lauderdale, FL

Environmental Justice Taskforce of the Western NY Peace Center

Charley Bowman, Chair, Buffalo, NY

Erwin Citizens Awareness Network, Inc.

Linda Cataldo Modica, Vice President, Jonesborough, TN

Food & Water Action

Wenonah Hauter, Executive Director, Washington, DC

FOR Prevention of Nuclear War

Richard Denton, MD, Sudbury, Ontario, Canada

GA WAND (Georgia Women's Action for New Directions)

Cee'Cee' Anderson, Atlanta, GA

Grassroots Environmental Education

Patti Wood, Executive Director, Port Washington, NY

Green State Solutions

Mike Carberry, Founding Director, Iowa City, IA

Healthy Environment Alliance of Utah (HEAL Utah)

Scott Williams, M.D., M.P.H., Executive Director, Salt Lake City, Utah

Heart of America Northwest

Peggy Maze Johnson, Board Member, Seattle, WA

Hudson River Sloop Clearwater, Inc.

Manna Jo Greene, Environmental Director, Beacon, NY

Indian Point Safe Energy Coalition (IPSEC)
Judy Allen, Steering Committee Member, Putnam Valley, NY

LEAF of Hudson Valley (Legal Environmental Aid Fund)
Rio Hito, Vice President, Suffern, NY

League of Women Voters of Buffalo/Niagara
Joan T. Parks, President, Buffalo, NY

Lone Tree Council
Terry Miller, Chair, Bay City, MI

Los Angeles Alliance for Survival
Jerry Rubin, Director, Santa Monica, CA

Manhattan Project for a Nuclear-Free World
Mari Inoue, Co-founding member, New York, NY

Michigan Stop the Nuclear Bombs Campaign
Vic Macks, Steering Committee, St. Clair Shores, MI

Mid-Missouri Peaceworks
Mark Haim, Director, Columbia, MO

New England Coalition on Nuclear Pollution
Clay Turnbull, Trustee, Brattleboro, VT

New York Solar Energy Society
Wyldon King Fishman, President and Founder, Bronx, NY

(NNWJ) National Nuclear Workers for Justice
Vina Colley, Co-Founder, Portsmouth, OH

No Nukes Action
Steve Zeltzer, Chizu Hamada, San Francisco/Bay Area, CA

North American Water Office
George Crocker, Executive Director, Lake Elmo, MN

Northwatch
Brennain Lloyd, Project Coordinator, North Bay, Ontario, Canada

Nuclear Age Peace Foundation
Alice Slater, New York, NY

Nuclear Energy Information Service
David Kraft, Director, Chicago, IL

Nuclear Free Takoma Park Committee

Jay Levy, Chair, Takoma Park, MD

Nuclear Guardianship Project

Joanna Macy, Founder, Berkeley, CA

Nuclear Information and Resource Service (NIRS)

Diane D'Arrigo, Director, Radioactive Waste Project, Takoma Park, MD

the Nuclear Resister

Felice & Jack Cohen-Joppen, editors and coordinators, Tucson, AZ

Nuclear Watch South

Glenn Carroll, Coordinator, Atlanta, GA

Nukewatch

John LaForge, Co-Director, Luck, WI

NYC Grassroots Alliance

Jill McManus, Event Coordinator, New York, NY

NYC Safe Energy Campaign

Ken Gale, Founder, New York, NY

NYCD16 Indivisible

Iris Hiskey Arno and Natalie Polvere, Co-Chairs Environment Committee, Bronx and Westchester, NY

Occupy Bergen County

Sally Jane Gellert, Bergen County, NJ

On Behalf Of Planet Earth

Sheila Parks, EdD, Founder, Watertown, MA

Oak Ridge Environmental Peace Alliance

Ralph Hutchison, Coordinator, Oak Ridge, TN

PeaceWorks - Kansas City

Ann Suellentrop M.S. R.N., Board Member, Kansas City, KS

PHASE (Promoting Health and Sustainable Energy)

Susan H. Shapiro, President, Nanuet, NY

Physicians for Social Responsibility (PSR), National

Jeff Carter, Executive Director, Washington, D.C.

Physicians for Social Responsibility - Kansas City

Ann Suellentrop M.S. R.N., Project Director, Kansas City, KS

Physicians for Social Responsibility-Los Angeles

Denise Duffield, Associate Director, Los Angeles, CA

Port Hope Community Health Concerns Committee

Faye More, Chair, Port Hope, Ontario, Canada

(PRESS) Portsmouth/Piketon Residents for Environmental Safety and Security

Vina Colley, President, Portsmouth, OH

Proposition One Campaign for a Nuclear-Free Future

Ellen Thomas, Tryon, NC & Washington, D.C.

Public Citizen, Inc.

Tyson Slocum, Energy Program Director, Washington, DC

Redwood Alliance

Michael Welch, volunteer, Arcata, CA

Rocky Flats Nuclear Guardians

Joanna Macy, Advisor, Berkeley, CA

Rocky Mountain Peace and Justice Center

Judith Mohling, Coordinator, Nuclear Nexus, Boulder, CO

Safe Energy Rights Group (SEnRG)

Nancy Vann, President, Peekskill, NY

Samuel Lawrence Foundation

Bart Ziegler PhD, Community and Environmental Medicine, President, Del Mar, CA

San Clemente Green

Gary Headrick, Cofounder, San Clemente, CA

San Francisco Bay Physicians for Social Responsibility

Robert M. Gould, MD, President, San Francisco, CA

San Luis Obispo (SLO) Mothers for Peace

Molly Johnson, Member of the Board, San Luis Obispo, CA

SERV (Support and Education for Radiation Victims)

Dennis Nelson, Director, Kensington, MD

Snake River Alliance

Leigh Ford, Interim Executive Director, Boise, ID

Stand Up/Save Lives Campaign

Maureen K. Headington, President, Burr Ridge, IL

Statewide Organizing for Community eMpowerment (SOCM)

Ann League; Executive Director; Tennessee

Stop the Algonquin Pipeline Expansion (SAPE)

Suzannah Glidden, Co-founder, North Salem, NY

Syracuse Cultural Workers

Andy Mager, Sales Manager and Social Movements Liaison, Syracuse, NY

Tennessee Environmental Council

Jeffrey Barrie, CEO, Nashville, TN

Three Mile Island Alert, Inc.

Eric Epstein, Chairman, Harrisburg, PA

Toledo Coalition for Safe Energy

Terry Lodge, Convenor, Toledo, OH

Tri-Valley CAREs (Communities Against a Radioactive Environment)

Marylia Kelley, Executive Director, Livermore, CA

Valley Watch, Inc.

John Blair, President, Evansville, IN

Vermont Yankee Decommissioning Alliance

Debra Stoleroff, Steering Committee Chair, Montpelier, Vermont

Western Massachusetts Science for the People chapter

Kimberly Medeiros, Amherst, MA

Western North Carolina Chapter-Physicians for Social Responsibility

Terry Clark, MD, Asheville, NC

Women Changing the World

Cee'Cee' Anderson, Atlanta, GA

Women's Energy Matters

Jean Merrigan, Fairfax, CA

Women's International League for Peace and Freedom, U.S. Section

Darien De Lu, President, Des Moines, IA

Youth Arts New York/Hibakusha Stories

Robert Croonquist, Founder, New York, NY

Please address and rectify your woefully inadequate "hard look" under NEPA, re: this health-, safety-, and environmentally-significant, as well as legally-binding, subject matter above.

And please acknowledge your receipt of these comments, and confirm their inclusion as official public comments in the record of this docket.

Thank you.

Sincerely,

Kay Drey, President, Board of Directors, Beyond Nuclear

and

Kevin Kamps, Radioactive Waste Specialist, Beyond Nuclear

--

Kevin Kamps
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Beyond Nuclear aims to educate and activate the public about the connections between nuclear power and nuclear weapons and the need to abolish both to safeguard our future. Beyond Nuclear advocates for an energy future that is sustainable, benign and democratic.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
INTERIM STORAGE PARTNERS LLC) Docket No. 72-1050-ISFSI
)
(WCS Consolidated Interim Storage Facility))
)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Letter from NRC Secretary Annette L. Vietti-Cook to Kevin Kamps of Beyond Nuclear, et al**, have been served upon the following persons by the Electronic Information Exchange:

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WCS CISF - Docket No. 72-1050-ISFSI

Letter from NRC Secretary Annette L. Vietti-Cook to Kevin Kamps of Beyond Nuclear, et al

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Dated at Rockville, Maryland,
this 12th day of November 2020

Office of the Secretary of the Commission