



# NRC NEWS

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## **NRC Atomic Safety and Licensing Board Denies Evidentiary Hearing on Holtec International's Proposed Spent Fuel Storage Facility in New Mexico**

A Nuclear Regulatory Commission Atomic Safety and Licensing Board has denied requests by several petitioners to hold an evidentiary hearing challenging Holtec International's license application to construct and operate a consolidated interim storage facility for spent nuclear fuel in southeastern New Mexico.

The three-judge board held oral arguments in Albuquerque in January on the standing of the various petitioners and the admissibility of their proposed contentions under NRC regulations. While the judges agreed that some of the six petitioners met the qualifications for standing, they concluded the nearly 50 contentions raised were not admissible for an evidentiary hearing. The judges held that the contentions either were not relevant to the application or did not establish a genuine dispute with aspects of the application.

The NRC's hearing process allows interested parties who might be affected by a proposed licensing action to challenge the application on technical (safety) or environmental grounds. Most hearings are conducted by licensing boards appointed from the Atomic Safety and Licensing Board Panel, a group of administrative judges independent of the NRC staff. Board rulings may be appealed to the Commission.

Holtec, a vendor of dry cask storage systems, has proposed to store spent nuclear fuel from the nation's commercial nuclear power plants at a facility in Lea County, in the southeastern corner of New Mexico. Hearing petitions were filed by Beyond Nuclear, the Sierra Club and the Fasken Land and Minerals and Permian Basin Land and Royalty Owners, which were granted standing. Two other petitioners – a coalition of several different organizations and NAC International, a rival dry storage cask vendor – were denied standing. The standing of a sixth petitioner, the Alliance for Environmental Strategies, was not decided.

The board's [ruling](#), issued May 7, is available on the NRC's [Electronic Hearing Docket](#) on the agency website, under Holtec International 72-1051.