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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC ONLINE WEBINAR FOR THE DRAFT ENVIRONMENTAL  
IMPACT STATEMENT FOR THE PROPOSED HOLTEC HI-STORE  
CONSOLIDATED INTERIM STORAGE FACILITY

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WEDNESDAY,

SEPTEMBER 2, 2020

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TELECONFERENCE

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The Webinar was convened via  
Teleconference, at 11:00 a.m. EDT, Chip Cameron,  
facilitating.

NRC STAFF PRESENT:

CHIP CAMERON, Facilitator

KEVIN COYNE, Deputy Director, Rulemaking,

Environmental and Financial Support, NRC

JILL CAVERLY, Environmental Review Project Manager,

Environmental Review Branch, NMSS

STACEY IMBODEN, Co-Environmental Review Project

Manager, Environmental Review Branch, NMSS

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JOSE CUADRADO, Licensing and Safety Review Project

Manager, Spent Fuel Licensing Branch, NMSS

JOHN McKIRGAN, Chief, Storage and Transportation

Licensing Branch, NMSS

JESSIE QUINTERO, Acting Branch Chief, Environmental

Review and Materials Branch,

ANGEL MORENO, Congressional Affairs Officer, Office

of Congressional Affairs

KELLEE JAMERSON

ALSO PRESENT:

MIRIAM HOLLADAY JUCKETT, Southwest Research

Institute

MARLA MORALES, Southwest Research Institute

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## P R O C E E D I N G S

11:02 a.m.

1  
2  
3 MR. CAMERON: Good morning everyone. My  
4 name is Chip Cameron. And I'd like to welcome you to  
5 the Nuclear Regulatory Commission meeting to listen  
6 to comments from the public on the draft  
7 Environmental Impact Statement the NRC has prepared  
8 to help the Agency evaluate a license application  
9 submitted by Holtec International to build and  
10 operate a consolidated interim storage facility in  
11 southeastern New Mexico.

12 The EIS is one key part of the NRC  
13 evaluation of whether to grant the license. Another  
14 key part of the evaluation is a public health and  
15 safety review that will be embodied in something  
16 called a Safety Evaluation Review.

17 The EIS is done under the authority of  
18 the National Environmental Policy Act. The Safety  
19 Evaluation Review is done under the authority of the  
20 Atomic Energy Act.

21 Now, this is the last scheduled virtual  
22 public meeting on the draft EIS. And the NRC staff  
23 is looking forward to hearing from you about any  
24 issues you disagree with, issues you might agree

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1 with, issues that haven't been addressed at all in  
2 the EIS, and any supporting documents that you might  
3 want to submit to help the NRC in preparing the final  
4 Environmental Impact Statement.

5 Now, we have staff in the room here at  
6 NRC Headquarters, not only from the Environmental  
7 staff, but also from the Technical Safety Evaluation  
8 staff. And as you'll hear Jill explain later on,  
9 there were some issues that were raised that were  
10 quote, out of scope, unquote for the Environmental  
11 Impact Statement, because they were going to be  
12 covered in the Safety Evaluation Report that the  
13 Technical staff is doing.

14 I thought I'd give you a pictorial  
15 introduction today of the people with me and on the  
16 phone. And we're in a conference room at NRC  
17 Headquarters.

18 And it's a horseshoe-shaped table, very  
19 appropriate at this time of the year. I'm in the  
20 center at the bottom of the horseshoe.

21 Three seats to my right is Jill Caverly.  
22 Now Jill is the Project Manager for the preparation  
23 of the Environmental Impact Statement. And You're  
24 going to hear her summary of the draft EIS in a few

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1 minutes.

2 To Jill's right is Jose Cuadrado. Now  
3 Jose is the Project Manager for the Health and Safety  
4 Review.

5 And you'll also hear from him shortly.  
6 He's going to offer assistance to Spanish-speaking  
7 members of the public who might be with us today.

8 To Jose's right is Kevin Coyne. Kevin is  
9 the Deputy Director of the Division of Rulemaking,  
10 Environmental, and Financial Support here at the NRC.  
11 His division is responsible for the draft EIS.

12 And to Kevin's right we have John  
13 McKirgan. He's at the top of the right part of the  
14 horseshoe.

15 And John is the Chief of the Storage and  
16 Transportation Branch at NRC. And that's where the  
17 Safety Evaluation Report will be produced.

18 Now, going across the top of the  
19 horseshoe is Jessie Quintero. She's at the top left  
20 of the horseshoe.

21 And Jessie is the Acting Branch Chief of  
22 the Environmental Materials Review Branch at the NRC.  
23 That's where Jill does her work. And it's in Kevin's  
24 division.

1                   Now, we also have some expert  
2 environmental scientists who are helping the NRC to  
3 prepare the Environmental Impact Statement. And to  
4 my immediate left is Marla Morales from the Southwest  
5 Research Institute in San Antonio, Texas.

6                   On the phone we also have Miriam Juckett.  
7 She's the Manager of Environmental Programs at  
8 Southwest Research Institute.

9                   We have Kellee Jamerson, and Kellee is  
10 who helps us with all the technology, including  
11 Webex. And we have Angel Moreno. He's from our  
12 Office of Congressional Affairs.

13                   Stacey Imboden, is Jill Caverly's Co-  
14 Project Manager on this draft EIS. And he's not here  
15 today, because he's having a procedure.

16                   Dave McIntyre -- Kellee, can we -- there  
17 he is. He'll be back soon. And if any of you in the  
18 media need to talk to an NRC contract about media  
19 information, there's Dave's contact information.

20                   Okay. We're in a virtual setting today,  
21 which means we're going to be hearing from you by  
22 phone. You can also see the slides on Webex. And  
23 Kellee is going to put a slide up on Webex for you.

24                   You can also go to the chat box on Webex

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1 and post a comment if you're having any technical  
2 difficulties hearing any of the NRC speakers or  
3 anything else.

4 The NRC is not going to finalize this  
5 draft EIS or use it in any decision making on the  
6 Holtec license application until it evaluates your  
7 comment on the draft EIS.

8 Now the NRC's not going to be responding  
9 to comments you make tonight. But they will carefully  
10 evaluate those in preparing the final EIS.

11 So, as I said, we're in a virtual  
12 setting. And we have Olin (phonetic) for our Operator  
13 today. And later we'll have Erin, a new Operator,  
14 join us.

15 But, they are going to instruct you on  
16 how to sign up to speak. How to put you on to talk  
17 to the NRC staff.

18 And like the other meetings, this is  
19 going to be a first come, first serve to speak. And  
20 we're scheduled from 11:00 a.m. Eastern to 2:00 p.m.  
21 Eastern.

22 And we have a little bit more  
23 flexibility, I think, today with the length of your  
24 comments. But, right now I'm going to ask you to go

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1 for, you don't have to go for six or seven minutes.  
2 But I'm going to not cut you off at four minutes like  
3 we had to do in the past.

4 And we're taking a transcript tonight, as  
5 usual. The transcripts from the other virtual  
6 meetings will be available. And Jill will tell you  
7 about that.

8 But Brandon is our Court Reporter. And  
9 he'll be taking the transcript for you. And that  
10 will be available in approximately ten days.

11 Okay. So, when Olin or Erin puts you on  
12 the phone, please introduce yourself, give an  
13 affiliation, if you would like to do so.

14 I'm going to ask Jose to say a few words  
15 in Spanish. If anybody needs help with Spanish  
16 translation, Jose Cuadrado.

17 MR. CUADRADO: Thank you, Chip. Good  
18 morning everyone attending the meeting. My name is  
19 Jose Cuadrado.

20 And I'm going to read a brief message in  
21 Spanish for any Spanish speaking attendees today to  
22 our meeting.

23 (Introduction and directions provided in  
24 Spanish)

1                   MR. CAMERON: Okay, thank you. Thank you  
2 very much, Jose. And we're going to go to Kevin Coyne  
3 now, who's our Senior NRC Official, to give the public  
4 a welcome. Kevin?

5                   MR. COYNE: Thanks Chip. Good morning.  
6 I'm Kevin Coyne and I'm the Deputy Director for the  
7 Division of Rulemaking, Environmental and Financial  
8 Support, which is the group responsible for the  
9 development of the draft Environmental Impact  
10 Statement.

11                   The draft Environmental Impact Statement  
12 is the result of the NRC staff's evaluation of the  
13 environmental impact associated with Holtec  
14 International's proposal to construct and operate an  
15 interim storage facility. And today, we are asking  
16 for your comments on that report.

17                   It's important to note that any comments  
18 received in this webinar forum are handled in the  
19 same manner as those comments received at an in-  
20 person meeting. Your comments presented here today  
21 are recorded and transcribed.

22                   Our staff will review and analyze the  
23 comments, and update the final EIS report as  
24 appropriate. Comments received during this webinar

1 will be made available in a transcript of today's  
2 meeting that will be posted to the NRC's Holtec review  
3 website shortly after the meeting.

4 The NRC staff in its commitment to  
5 openness in this licensing review had planned for  
6 five in-person public meetings. Unfortunately, we're  
7 sorry that under the current public health emergency,  
8 these meetings cannot be held as planned.

9 We are adhering to the New Mexico  
10 Governor's guidelines for public gatherings, and are  
11 following similar guidance from the State to its own  
12 agencies for converting in-person meetings to a  
13 virtual format.

14 Our staff is disappointed that we won't  
15 be able to meet with you face to face and host open  
16 houses prior to the meetings.

17 Over the course of conducting webinars  
18 during the public health emergency, we have learned  
19 that using video puts an extra burden on our servers  
20 and may limit the functionality of the webinar for  
21 participants.

22 Therefore, while you will not be able to  
23 see us via video, please note that our review team is  
24 attending this webinar and are hearing your comments

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1 and perspectives.

2 Further, the webinar is only being used  
3 to share the presentation materials. And these  
4 materials are available on the NRC's Holtec  
5 application review web page.

6 You can download those materials and  
7 review them, or follow along with the presentation  
8 over the telephone.

9 There are several recurring remarks at  
10 our earlier webinars that I would like to address.  
11 The first of those is that the NRC is rushing through  
12 the licensing process. The comment period for the  
13 draft Environmental Impact Statement has been  
14 extended to a total of 180 days. And this provides  
15 ample opportunity for people to comment.

16 This meeting is also being held 20 days  
17 before the comment closing period to provide  
18 additional time to submit comments in writing.

19 If you need any assistance in accessing  
20 the application materials, the draft Environmental  
21 Impact Statement, or submitting a comment, please  
22 contact Jill Caverly for assistance.

23 Secondly, it was our intention to conduct  
24 in-person meetings during the public comment period.

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1 But as we continue to monitor the public health  
2 emergency, the limitations associated with the  
3 response to the emergency has made these in-person  
4 meetings impossible at this time.

5 Finally, we've received several comments  
6 that the NRC is breaking the law by not coming to New  
7 Mexico. We take our applications under NEPA very  
8 seriously.

9 And NEPA requires federal agencies to  
10 provide a 45-day comment period for the draft  
11 Environmental Impact Statement. Neither NEPA nor our  
12 regulations in 10 CFR, Part 51 require public  
13 meetings or in-person meetings.

14 However, the NRC has offered in-person  
15 public meetings in the past because it was our  
16 practice, not a requirement. We understand that many  
17 of the NRC's licensing actions are important to the  
18 community, and we like to talk with you about them  
19 face to face whenever possible.

20 Again, thank you for your time today, and  
21 I'll turn it over to Jill to present the NRC staff's  
22 draft Environmental Impact Statement results.

23 MS. CAVERLY: Okay, thanks Kevin. So,  
24 good morning. Today I'm here to collect your comments

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1 on the NRC's draft Environmental Impact Statement.

2 And the majority of our meeting today  
3 will be dedicated to that. And as Chip mentioned, I  
4 have this short presentation.

5 I'm going to begin with an overview of  
6 the application process, including the differences  
7 between the environmental review and the safety  
8 review.

9 Next, I'm going to move onto an overview  
10 of the application submitted to NRC. I'm then going  
11 to summarize the results of the staff's analysis.

12 I'll cover some of the public comments  
13 received during the scoping process, and the  
14 environmental evaluation and the results.

15 And finally, I'm going to end with  
16 information on how you can access the report and make  
17 comments on the draft Environmental Impact Statement.

18 So, as I go through my presentation, I  
19 will use the term facility and proposed project  
20 interchangeably. The abbreviation CISF stands for  
21 consolidated interim storage facility.

22 Also, I may interchange the applicant and  
23 Holtec, which is short for Holtec International.  
24 Environmental Impact Statement will be abbreviated to

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1 EIS.

2 And finally, staff and NRC staff will be  
3 referring to the staff of the Nuclear Regulatory  
4 Commission. Next slide, please. Next slide, please.

5 Okay. So, as we mentioned the purpose of  
6 this meeting is to receive your comments on the draft  
7 Environmental Impact Statement, or EIS for a  
8 consolidated interim storage facility, CISF.

9 And the NRC is requesting that you review  
10 the draft EIS document and provide comments that are  
11 pertinent to the current licensing action and the  
12 draft EIS report. You have access to the report at  
13 the NRC's website, where it can be downloaded and  
14 read.

15 There are also three ways to comment.  
16 Either by mail, website, or by email. Information  
17 and methods to comment are going to be summarized at  
18 the end of my presentation.

19 As Kevin said, any comments you make in  
20 this forum, as well as through the three other methods  
21 I just identified, will be recorded and entered into  
22 the public docket for this licensing action. Next  
23 slide, please.

24 So, we're going to talk a little bit

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1 about the review process for a license application  
2 for a CISF. Next slide, please.

3 So, this is just to clarify NRC's role.  
4 As an independent regulator, the NRC determines  
5 whether it is safe to build and operate a storage  
6 facility at the proposed site in Lea County, New  
7 Mexico.

8 The NRC evaluates an application for a  
9 facility and determines if a license can be issued.  
10 The NRC does not promote or build nuclear facilities.

11 Also, the NRC doesn't own or operate  
12 nuclear facilities. Our mission and our regulations  
13 are designed to protect the public, workers, and the  
14 environment.

15 Holtec International, or the applicant,  
16 has proposed the location for the interim storage  
17 facility in its application. So, in its role as a  
18 regulator, NRC staff will perform both a safety  
19 evaluation and an environmental review on that  
20 application. Next slide, please.

21 So, this slide is a familiar looking  
22 slide. We often show it in our scoping meetings.  
23 But, it's a schematic of the NRC's licensing decision  
24 process.

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1           And it's here to show you that the NRC  
2 has concurrent reviews occurring during its  
3 evaluation process. You can see from the slide that  
4 the process of licensing is based on three  
5 foundational activities, the environmental review,  
6 the safety review, and the adjudicatory process.

7           The safety review results in a Safety  
8 Evaluation Report. And is based on the Atomic Energy  
9 Act and regulations in the Code of Federal  
10 Regulations. These regulations must be met in order  
11 for a license to be granted.

12           The environmental review results in an  
13 Environmental Impact Statement. This action is taken  
14 because issuing a license is considered a federal  
15 action under NEPA, the National Environmental Policy  
16 Act. NEPA requires federal agencies to evaluate and  
17 disclose environmental impacts of federal actions.

18           And the middle process in this slide is  
19 the adjudication process. And that's a legal process  
20 used for a dispute. Okay, next slide, please.

21           So to look at the safety side of the  
22 review a little bit more. This slide shows you many  
23 of the areas of the safety review, which are required  
24 by the NRC to assure that a design can be constructed

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1 and operated while protecting human health.

2 The NRC's safety staff will evaluate the  
3 design of the CISF and the characteristics of the  
4 construction site to ensure that it will be built and  
5 operated safely. That it will be protective, be  
6 protected from manmade and natural hazards.

7 And that it will protect the public  
8 health and safety. The NRC staff evaluates the  
9 physical security practices to assure that the  
10 facility is protected from intrusion, theft, and  
11 sabotage.

12 The design of structures at the facility  
13 is evaluated to verify it's integrity and ability to  
14 withstand accidents. Other areas such as financial  
15 qualification are reviewed to ensure it meets NRC  
16 standards before a facility can be licensed.

17 In addition, the staff will evaluate that  
18 the facility is capable of withstanding external  
19 hazards, which include things like extreme  
20 temperatures, floods, tornados, and earthquakes.

21 So the safety evaluation determines  
22 whether the facility can be constructed and operated  
23 to protect human health.

24 And you could say that the safety review

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1 in part evaluates how the environment will impact the  
2 design, and whether that design is capable of  
3 providing protection in safely storing spent fuel.  
4 All right, next slide, please.

5 So on the other hand, the parallel  
6 environmental review evaluates what the project will  
7 do to the environment. The environmental review  
8 starts with the current environmental conditions as  
9 its baseline.

10 In the EIS we call this the affected  
11 environment. Each of the resources you see listed  
12 here will be evaluated for impacts to that baseline.

13 So using the baseline data, the staff  
14 will evaluate the changes or impacts to each of the  
15 listed resource areas should the facility be  
16 constructed and operate.

17 So that delta or that change to the  
18 resource, is evaluated. And that change is called  
19 the impact to the resource. And that's what's  
20 disclosed in our Environmental Impact Statement.  
21 Next slide, please.

22 So in order to quantify the impacts, the  
23 NRC uses the definitions of significant levels for  
24 environmental impacts, small, moderate, and large.

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1                   And this scale rises based on the  
2                   destabliling influence to the resource.       These  
3                   definitions are from NRC's staff guidance.   Next  
4                   slide, please.

5                   Okay.  So now we're going to talk a little  
6                   bit about the details of the application.  Next slide,  
7                   please.

8                   The proposed project is located half way  
9                   between the towns of Carlsbad and Hobbs in New Mexico.  
10                  Holtec's project includes the storage facility,  
11                  related buildings and a rail line.

12                  A portion of the rail line is shown on  
13                  the diagram on the right.  And is the loop that you  
14                  see on the east side of the facility.

15                  This rail line continues off the diagram  
16                  to the south.  And then turns to the west and  
17                  continues for approximately five miles to tie into an  
18                  existing rail line.

19                  The area of the rail line not shown on  
20                  this diagram is on the Bureau of Land Management  
21                  controlled area, controlled land.  So Holtec is  
22                  seeking a permit for that action to the Bureau of  
23                  Land Management as a cooperating agency with the NRC  
24                  on the development of this EIS.

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1           In addition, the New Mexico Environment  
2 Department worked as a cooperating agency with NRC on  
3 surface and groundwater resources for their  
4 expertise. Next slide, please.

5           So, on the left side of this slide is an  
6 artist rendering of the proposed action. And on the  
7 right side is a diagram. It's the same diagram that  
8 I showed you on the last slide.

9           The picture on the left is the area  
10 circled in red on the diagram on the right, represents  
11 the current licensing action, which is to build Phase  
12 1 of the spent fuel storage facility.

13           So, if licensed, Holtec would be granted  
14 a license to build and store five hundred canisters  
15 of spent fuel. The additional support buildings,  
16 transfer facilities, and rail line are also included  
17 in Phase 1 of the impact analysis.

18           However, Holtec has stated its intention  
19 to apply for amendments for up to 20 phases, which is  
20 represented by these, the rectangular boxes in the  
21 diagram.

22           So, at full build-out for all 20 phases,  
23 the area would cover 330 acres. Next slide. Okay.  
24 Next slide, please.

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1                   So as I mentioned, the proposed project  
2 would be an in-ground, low profile design. On the  
3 right is a similar design used for spent fuel to give  
4 you some perspective.

5                   The proposed project would use a HI-STORE  
6 Umax system for the storage of spent fuel. HI-STORE  
7 Umax stands for Holtec International Storage Module  
8 Underground Maximum Capacity.

9                   Each one of these modules will hold one  
10 canister of spent fuel. Next slide, please.

11                   Okay. So, to give you some perspective,  
12 we're looking again at an artist rendering of Phase  
13 1 or the proposed licensing action.

14                   So, this would include the five hundred  
15 canisters of spent fuel stored in the underground  
16 system using the Umax canisters. The Umax canister  
17 however, is an engineered canister.

18                   It's designed to passively cool and store  
19 spent fuel for long periods of time. It's constructed  
20 from stainless steel, and has been certified by the  
21 NRC for storage of spent fuel at power reactor sites.

22                   So this means that the manufacturing and  
23 the design of the canister is engineered to meet NRC  
24 requirements for safety. Those include structural

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1 integrity, material integrity, and longevity.

2 The canisters contain spent fuel rods.  
3 There's no liquid inside the canisters that could  
4 leak into the environment.

5 The thickness and internal  
6 characteristics are designed to prevent radioactive  
7 material from escaping under normal and accident  
8 scenarios. And that's achieved by using redundant  
9 welded steel and a robust structural design.

10 The Hi-Store design, which is being  
11 proposed in the current license application will  
12 store the Umax canisters for an initial license term  
13 of 40 years.

14 This means that the NRC is currently  
15 evaluating the design for the facility to ensure that  
16 the facility meets those requirements. Next slide,  
17 please.

18 So, I've added this slide to help clarify  
19 how we broke out the project in our analysis. And as  
20 I mentioned earlier, the proposed action is Phase 1  
21 or five hundred canisters of spent fuel.

22 As stated earlier, the applicant has made  
23 it known that it has an intention, its intention to  
24 request up to 19 additional phases in license

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1 amendments. These are referred to in our EIS as the  
2 full build-out or Phase 2 through 20.

3 So the staff in its discretion decided to  
4 evaluate all 20 phases of the project in its  
5 Environmental Impact Statement. It's important to  
6 understand the NRC is not licensing all 20 phases.

7 The decision to evaluate all 20 phases  
8 was made by NRC staff to provide additional  
9 perspective to the environmental impact.

10 Finally, the staff evaluated the project  
11 in stages, construction, operation, decommissioning.  
12 And that's because each of these stages has unique  
13 environmental impacts.

14 So when appropriate, the staff evaluated  
15 the maximum impact for combined stages for different  
16 phases of a project.

17 So for example, the staff may have  
18 evaluated the construction stage for Phase 2 in  
19 conjunction with the operation stage of Phase 1,  
20 because this would represent the peak impact to a  
21 particular resource. Okay, next slide, please.

22 We can just go and cover some of the  
23 public scoping comments. Next slide, please.

24 NRC opened the scoping period in March

1 2018. And during that time, held one webinar and  
2 five in-person meetings.

3 We received 66, almost 67 hundred pieces  
4 of correspondence and 39 hundred unique comments.  
5 After the scoping period ended, we did review all of  
6 those comments and document them, and responded to  
7 those.

8 And that scoping report is available on  
9 the NRC's docket and website. Next slide, please.

10 So, a lot of the comments we received  
11 during the scoping process had to do with  
12 transportation, location, geology, the volume of  
13 material, water resources, socioeconomic, the EJ, and  
14 of course, external events, flood and fire.

15 We also received comments on items like  
16 potential flooding, compatibility of the Umax system,  
17 design of structural elements, potential for extreme  
18 hazards.

19 And now as you can see from the earlier  
20 slide, these are out of scope from the environmental  
21 review, but our safety reviewers are evaluating the  
22 facility for many of these issues. Okay. Next slide,  
23 please.

24 So, now we're just going to talk a little

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1 bit about the results of the NRC's environmental  
2 review and the draft EIS. Next slide, please.

3 So staff evaluated a 40 year licensing  
4 term. And the spec -- so, with the assumption that  
5 the spent fuel would be removed before any  
6 decommissioning stage would begin.

7 The staff impact analy -- evaluation  
8 characterized the groundwater at the facility and  
9 evaluated storm water overflow or runoff to nearby  
10 playas or lakes. Next slide, please.

11 For transportation and accident, the  
12 staff evaluated traffic and road degradation from  
13 workers and construction vehicles during all stages  
14 and phases of the project.

15 Staff evaluated the movement of the  
16 entire 20 phases of material, or 10 thousand casks  
17 using conservative, representative routes.  
18 Radiological doses and health effects to the public  
19 and workers along the route were conservatively  
20 estimated, and found to be low relative to background  
21 radiation and expected baseline cancer risk.

22 Impacts from transportation accidents  
23 evaluated doses to first responders, workers, and  
24 members of the public. NRC rules require spent fuel

1 transportation canisters to withstand severe accident  
2 conditions.

3 So, an assumption of no release during  
4 accidents was used during staff's analysis. Previous  
5 NRC technical analyses involving spent fuel in  
6 canisters support this no release assumption.

7 Land use at the location of the facility  
8 was also evaluated by staff. The location of the  
9 facility was proposed by the applicant, but the staff  
10 evaluated the applicant's site selection process.

11 It also evaluated the land use within a  
12 six mile radius of the facility. Next slide, please.

13 So, there's a typo on this slide. And  
14 it's the last bullet. And it should be  
15 disproportionately high and adversely affected by,  
16 dash. And so on the left side, there's a typo there.

17 So the environmental justice impact  
18 evaluated the impact on human health and the  
19 environment using well-known guidance from the  
20 Council on Environmental Quality, the Federal  
21 Interagency Working Group on Environmental Justice  
22 and NEPA, and NRC's Guidance and Policy Statements.

23 The region of influence for the analysis  
24 included 115 block groups, which are geographic areas

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1 that include between six hundred and three thousand  
2 people. And those are within the ten counties that  
3 fall either completely or partially within a 50 mile  
4 radius of the CISF.

5 So staff identified potentially affected  
6 minority and low income populations, and performed  
7 the relevant comparisons to the broader geographical  
8 regions.

9 Socioeconomic impacts were evaluated  
10 based on workers, tax revenues, and resource  
11 availability for the community.

12 Tax revenues and economic growth from the  
13 proposed project and from the additional workers in  
14 the area, were evaluated for impact, including use of  
15 public services, schools, housing demands, and that's  
16 all due to the increase pop -- the increased  
17 population in the region. Next slide, please.

18 Okay. So, the next two slides tabulate  
19 the results of the environmental review and the draft  
20 EIS. We summarized it as the proposed action of Phase  
21 1 or five hundred canisters.

22 And separately, the additional phases  
23 that maybe requested in amendments going forward.  
24 Those are listed as Phases 2 through 20, or here

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1 they're identified as additional Phases.

2 On this slide you can see that most of  
3 the impacts are small except for ecology. Next slide,  
4 please.

5 So this is a continuation of the summary  
6 of the impacts. And here you can also see that most  
7 of the impacts are small except for in waste  
8 management, they're small to moderate and  
9 socioeconomic.

10 And those are -- this is just a summary  
11 of the details from the EIS. Okay. Next slide,  
12 please.

13 So, this is where you can go to get  
14 information. The draft Environmental Impact  
15 Statement is available online.

16 There's also readers' guides that are  
17 available in Spanish and English. Those are about 20  
18 page summary documents. It's a place to start.

19 And if you want to explore all of the  
20 application material, you should go to the NRC's  
21 project website. And that has all of the information.  
22 That's where the transcripts will be posted. And has  
23 all the safety information.

24 I should mention that the transcript from

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1 the last two meetings will be posted on that website  
2 probably by tomorrow. But they're also, they're  
3 already available publically on the NRC's ADAMS.

4 So, I think Jose, you -- can you post the  
5 number for ADAMS?

6 MR. CUADRADO: Yeah. Sure.

7 MS. CAVERLY: Okay. Okay, so next slide,  
8 please. Okay. So how to comment. Today we're  
9 recording your comments.

10 We have a court reporter on the line. So  
11 we will, it gives us comments in the transcript, and  
12 we will evaluate all the comments provided here.

13 You can also make your comments at the  
14 Federal Rulemaking Website, Regulations.gov. You can  
15 mail the comments to the NRC through regular mail, or  
16 you can email comments to Holtec-CISFEIS@nrc.gov.

17 So, the comment period is ending in about  
18 20 days. So, we ask that you provide your comments  
19 in the next three weeks, two -- three weeks, almost  
20 three weeks, so that we can address them in the final  
21 EIS.

22 So with that, I think I'm finished. And  
23 we can move onto the public comment portion.

24 MR. CAMERON: Great. Thank you very

1 much, Jill.

2 And Olin, we're ready to hear from the  
3 public. So, if you could, you could put the first  
4 speaker on for us, please?

5 OPERATOR: Thank you. For the question  
6 and answer session, I want to give a quick reminder.

7 If you'd like to ask a question, please  
8 press star one, unmute your phone, and record your  
9 name clearly. Your name is required to introduce  
10 your question.

11 If you need to withdraw your question,  
12 you may press star two. Again, to ask a question,  
13 please press star one.

14 Our first question is going to be coming  
15 from Jack Edlow. Mr. Edlow, your line is now open.

16 MR. EDLOW: Thank you very much. And  
17 good morning to all. First of all, I would like to  
18 say that I support the draft EIS.

19 And I am going to discuss transportation  
20 issues since that's my business. I'm involved in the  
21 transportation of radioactive cargos worldwide.

22 Now, there are lots of different kinds of  
23 hazardous materials in the world. Thousands and  
24 thousands of items.

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1                   They range from Classes 1 through 9. For  
2 instance, Class 1 is explosives. Class 2 is gases.  
3 A Class 3 is flammable liquids.

4                   Well, Class 7 is for radioactive  
5 materials. And in that class there are many forms of  
6 radioactive materials as well. Things like empty  
7 packages, things like fissile materials, things like  
8 natural materials.

9                   And of course spent nuclear fuel as well,  
10 is one type of radioactive material within the  
11 framework of the general hazardous materials.

12                  So, there are lots and lots of shipments  
13 of hazardous materials. All kinds of things on road,  
14 and rail, and air, and sea, and also by pipeline.

15                  And there's lots of forms of radioactive  
16 material. Many, many, many shipments every day.  
17 Millions a year, and most are for radiopharmaceutical  
18 use.

19                  But, spent nuclear fuel also has a lot of  
20 experience. And, I think, based on a lot of the  
21 comments I've heard in last calls, I'm not sure it's  
22 quite understood how much experience has been  
23 obtained in the United States for shipping spent  
24 nuclear fuel.

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1           So in the United States, I'm certainly  
2 aware that it's been shipped as far back as 1963,  
3 because that's the first year that my father, Sam  
4 Edlow, made a shipment, which came from Sweden.

5           It was an Atoms for Peace return shipment  
6 from Sweden via the Port of Savannah. And then by  
7 rail to the Atomic Energy Commission facility in  
8 Idaho.

9           And so since that time, there's been  
10 many, many other shipments to reprocessing plants  
11 that operated at West Valley, New York, and Morris,  
12 Illinois also received many shipments.

13           There were utilities made intra-utility  
14 shipments between power plants for a variety of  
15 reasons. Many, many, many research reactors at  
16 universities all around the country have made  
17 shipments back to the Department of Energy.

18           The Navy of course has had a major  
19 nuclear program and has moved fuel around coming off  
20 their vessels, back to storage and disposal in Idaho.

21           And of course, 40 or 50 research reactors  
22 around the world under Atoms for Peace have returned  
23 spent nuclear fuel to the United States.

24           Now, internationally there's been lots of

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1 other shipments. Japan had large numbers of  
2 shipments to France and to England.

3 And within France there were daily  
4 shipments. Within the UK there were daily shipments  
5 for many years. And you know, other nuclear nations  
6 also make spent fuel shipments.

7 So, there have been many thousands of  
8 shipments over 60 years. And in the United States  
9 now, we probably ship spent nuclear fuel on a weekly  
10 basis.

11 Last, in the last two years, Edlow has  
12 made approximately 100 shipments. Not always on a  
13 weekly basis. Sometimes multiple times in a week.  
14 But, there have been large experience here.

15 So, the routes that we use are planned in  
16 conjunction with the Department of Transportation,  
17 with NRC, and under state guidance as well. So, this  
18 is not done without the knowledge and consent of the  
19 state, and advice of the state.

20 And of course the states are informed  
21 prior to every shipment of spent nuclear fuel. So,  
22 they are aware of what's going on.

23 Security is under the guidelines of the  
24 Nuclear Regulatory Commission. And security plans

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1 exist.

2 They are changed. They are flexible.  
3 They have to deal with the various items, and kinds,  
4 and situations that occur.

5 So, my summary, I would say, I believe  
6 that the transportation of spent nuclear fuel to the  
7 proposed Holtec facility can be managed within the  
8 United States both safely and securely.

9 And for that reason, I thus, I support  
10 the draft EIS. Thank you very much.

11 MR. CAMERON: Thank you, Jack. That was  
12 a helpful, a helpful tutorial.

13 And we're going to go onto the next  
14 speaker. Olin, who do we have next?

15 OPERATOR: Our next is Cynthia Wheeler.  
16 Ms. Wheeler, your line is now open.

17 MS. WHEELER: Hello. Can you hear me?

18 MR. CAMERON: Yes. We can Cynthia.

19 MS. WHEELER: Thank you. My name is  
20 Cynthia Wheeler. I am from Santa Fe and grew up in  
21 Roswell. I'm again making these comments under  
22 protest.

23 The Agency has run them ineptly. There's  
24 one thing that's done very effectively though and

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1 that is to make the public feel that it's talking  
2 into a void. Sometimes I imagine NRC staffers  
3 listening to the call in their offices while  
4 leisurely painting their nails. Now understand that  
5 I'm not accusing anyone of doing that, but the point  
6 is I'll never know. You've lost my trust.

7 We have detailed many times the  
8 following: We don't consent to burying this waste in  
9 New Mexico. Our governor and congressional  
10 delegation join us in that. The DEIS is amiss in  
11 every category it addresses. Most of the impacts are  
12 small, only if nothing goes wrong. And I fail to see  
13 how the NRC could simply assume that nothing could go  
14 wrong.

15 The geology is unstable for this kind of  
16 long-term storage. It doesn't protect the Ogallala  
17 and other water sources. It will have a negative  
18 effect on the economy. No one wants to live near a  
19 nuclear waste dump. Cattle and dairy growers, chili  
20 and pecan growers, they all have a long history of  
21 using this land. One accident will destroy that.

22 Transportation is the greatest hazard in  
23 this plan and it is addressed almost not at all. A  
24 recent study by a radioactive waste specialist

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1 details all the hazards of using rails to move this  
2 waste and you should pay close attention to it.

3 To respond to the first speaker just  
4 before me, I need to say that Dr. Bob Alvarez, an  
5 expert in dealing with nuclear waste systems, has  
6 studied the shipment of high-level nuclear waste and  
7 unequivocally states that we are not ready for  
8 anything on this scale.

9 Holtec is a compromised company with  
10 indictments for bribery and lying on applications  
11 when asked if it had ever been banned from working  
12 with government agencies, which it has. There is  
13 some evidence that the bid for this job was arranged  
14 so that Holtec was the only company that submitted a  
15 bid.

16 And finally there's no compelling reason  
17 except to accommodate Holtec for these meetings to be  
18 rushed during the pandemic.

19 In response to the speaker at the  
20 beginning of the meeting with the NRC, the solution  
21 to a pandemic is not to hold the meetings virtually,  
22 but to wait to hold the meetings when it is safer.

23 My parents' generation made this waste.  
24 They had no idea how to protect us from us and they

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1       proceeded with the incredibly foolish idea that  
2       future technologies would find a way to store it.  
3       One generation should never lay that burden on  
4       another. Now my generation is doing the same thing  
5       and no one has acknowledged the simple fact that no  
6       new technology can change the laws of the physics of  
7       radioactive decay occurring on a planet that moves  
8       things around over long time scales. And it matters.

9               For example, one of the substances you  
10       want to bury here is plutonium-239, half-life of  
11       24,000 years. In 10 half-lives, which is about what  
12       it takes for most of that substance to be decayed,  
13       that's a quarter of a million years. But that's not  
14       the end because plutonium decays into uranium-235  
15       with a half-life of 700 million years. Ten of those  
16       half- lives work out to 7 billion years, and the  
17       planet hasn't even existed that long.

18              Now I'm sure you know that because it's  
19       your job to know it, but we have to remember geology  
20       101 which tells us that the earth is in constant  
21       motion over long stretches of time. But if there's  
22       one thing you can count on it's that the earth will  
23       move, and the continents and oceans that we know have  
24       moved dramatically. Lee County in Southeastern New

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1 Mexico where Holtec wants to bury this waste is an  
2 arid desert, but 250,000 years ago it was covered by  
3 a shallow sea. No one can adequately explain how  
4 deadly and toxic radioactive waste can be securely  
5 and safely kept out of the environment we depend on  
6 when it lasts so long that the environment will have  
7 drastically changed while it's still deadly and  
8 toxic.

9 The bottom line is that you don't want  
10 inept companies and indifferent agencies handling  
11 nuclear waste. I hope those who work at the NRC  
12 realize that their job is different from every other  
13 job, that the burden that they carry to protect the  
14 public from this waste is heavy and that they not  
15 forget it. And once again to quote Dr. Jonas Salk  
16 who invented the polio vaccine, our greatest  
17 responsibility is to be good ancestors. Thank you.

18 MR. CAMERON: Okay. Thank you for  
19 joining us again, Cynthia, and for that quote from  
20 Dr. Salk.

21 And, Olin, who do we have next?

22 OPERATOR: Our next is Jan Lundgar.

23 Ms. Jan, your line is now open.

24 MS. BOUDART: Is it -- are you talking to

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1 me? Is it my line?

2 OPERATOR: Yes, ma'am.

3 MR. CAMERON: I think it is.

4 MS. BOUDART: Oh, it's Boudart. B-O-U-  
5 D-A-R-T. Jan Boudart. And I would like a very short  
6 response to Jack Edlow and to Cynthia Wheeler.

7 The first response to Mr. Edlow is that  
8 his -- he deserves congratulations with his company  
9 for -- oh, I've got this written down because I wrote  
10 it for last time. I got the impression that Edlow  
11 Nuclear Transportation Services is self-regulating,  
12 and I think he showed that today. This seems to have  
13 worked okay which is certainly a wildly improbable  
14 exception, so he deserves to be congratulated. With  
15 self-regulation commercial enterprises like Boeing  
16 and Energy Harbor in --

17 MR. CAMERON: Jan, we seem to have lost  
18 you.

19 (No audible response.)

20 MR. CAMERON: Oland, is there something  
21 wrong with Jan's line or anything we could do?

22 OPERATOR: Unfortunately her line just  
23 disconnected.

24 MR. CAMERON: Okay. Well, we'll see -- if

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1 she comes back on, please put her on so we could let  
2 her finish her comments, but in the meantime can we  
3 go to the next speaker?

4 OPERATOR: Absolutely. We have Elaine  
5 Walker.

6 Ms. Walker, your line is open.

7 MS. WALKER: Hello. Is that me?

8 MR. CAMERON: Yes.

9 MS. WALKER: Okay.

10 MR. CAMERON: We hear you.

11 MS. WALKER: It's Kalene. Kalene Walker.

12 Let's see. Regarding the transportation,  
13 these are -- never has this quantity of radioactive  
14 isotopes been transported in one package. These are  
15 -- there's a Chernobyl disaster worth of radiation in  
16 each canister.

17 I make this comment with great -- I'm  
18 greatly discouraged by the ability of the NRC to -- I  
19 don't believe that they can properly manage the  
20 nuclear industry, the combination of ISGs. Where  
21 they can make Interim Staff Guidance regulation Title  
22 X Part 72, Part 71 has been completely stripped of  
23 their power through the process of ISGs, exemptions,  
24 amendments and the 72.48 process. If you look at

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1        what's happened at San Onofre with the Holtec system,  
2        with Holtec loading the Holtec system, you'll see  
3        what we have going on here.

4                    I don't have my thoughts together well  
5        enough to speak right now, but the NRC has only been  
6        analyzing this for 40 years. This is like hundreds  
7        of years you should be analyzing. Where is your  
8        ability to repackage this stuff? When are you going  
9        to require a hot cell? These canisters, they can  
10       have leaking helium. There's no contingency plan if  
11       a canister drops and the fuel is damaged. There's no  
12       facility in the United States capable of handling  
13       this.

14                   The fact that Holtec is not even thinking  
15       that that's a requirement, the whole thing is so  
16       egregiously irresponsible. I'm wondering what is the  
17       mentality, what is the reason? Do people think that  
18       the nuclear waste likes to be stored all clustered  
19       together, that all the canisters want to be stored  
20       together? Why would you move all of this stuff across  
21       the country so it can all be clustered together?  
22       There's absolutely no need for such a massive  
23       dangerous project. There is -- the lack of  
24       responsible oversight on this is egregious and

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1 dangerous. Period. Thank you.

2 MR. CAMERON: Thank you, Kalene.

3 Olin, who is next?

4 OPERATOR: We have Rose Gardner.

5 Ms. Gardner, your line is now open.

6 MS. GARDNER: Thank you. I am Rose  
7 Gardner from Eunice, New Mexico. I'm with the  
8 Alliance for Environmental Strategies. I am making  
9 comments under protest today. The Alliance for  
10 Environmental Strategies strenuously opposes the  
11 Holtec International Project for CIS. The National  
12 Waste Policy Act does not allow for this license to  
13 be issued to any privately-owned corporation to take  
14 the high-level waste from commercial reactors.

15 The failure of the NRC to satisfy the  
16 public with these poorly-run and moderated webinars  
17 are an example of government waste, as usual.

18 I would like to invoke my friend's name.  
19 His name is Noel Marquez. He is from Artesia, New  
20 Mexico. He is a co-founder of the Alliance for  
21 Environmental Strategies. He is a well-known  
22 community artist and activist. He was instrumental  
23 in helping pass the Lake Arthur, New Mexico  
24 resolution against Holtec.

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1           The last time I saw Noel speak in public  
2 was at the NRC scoping meeting in Carlsbad. He was  
3 rudely interrupted by the moderator Chip Cameron. He  
4 was not allowed to finish his comments. Fortunately  
5 people opted to give him their time so he could finish  
6 his comments. Well, folks, he can't speak anymore.  
7 He can't speak against Holtec. He is physically  
8 unable to do so. So I will speak for him.

9           He opposes this Holtec project and is  
10 against the process which targets our Hispanic  
11 community with disgraceful and dangerous projects  
12 like WIPP, Holtec, Urenco, Waste Control ISP, and  
13 others. I would ask that the NRC give one minute of  
14 silence and recognize those that are unable to speak  
15 and to comment to you today or any day, like my friend  
16 Noel. Thank you.

17           MR. CAMERON: Thank you, Rose. Sorry to  
18 hear about Noel, and we will gladly give one minute  
19 of silence to anybody who is unfortunate to have a  
20 physical malady such as Noel. So we're going to start  
21 one minute now. And I'll time it and then I'll go  
22 back to the operator.

23           (Moment of silence.)

24           MR. CAMERON: Okay. We're back. Thank

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1       you.

2                       Thank you, Rose.

3                       And, Olin, who do we have next?

4                       OPERATOR: Our next Paul Blanch.

5                       Mr. Blanch, your line is now open.

6                       MR. BLANCH: Good morning. Can you hear  
7 me?

8                       MR. CAMERON: Yes. Hi, Paul.

9                       MR. BLANCH: Hi. Is that Chip Cameron I  
10 hear?

11                      MR. CAMERON: That is. That's me. That's  
12 correct.

13                      MR. BLANCH: God, I haven't seen you for  
14 a long time.

15                      Anyway, my name is Paul Blanch. I reside  
16 in West Hartford, Connecticut. I have more than 50  
17 years nuclear experience. I'm a registered  
18 professional engineer. I am an expert, a system  
19 expert for a group, public interest group surrounding  
20 the San Onofre Nuclear Power Plant. I have studied  
21 extensively not only the regulations, but also the  
22 technical details associated with the Holtec UMAX  
23 canisters, and I have worked with headquarters, with  
24 Andrea Koch and other people.

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1                   We have petitions submitted, FOIA  
2 requests submitted. But I thought this was an  
3 opportune time to get two of my concerns on the  
4 record. And these are concerns that have never been  
5 raised before that I am aware of. And this involves  
6 not only the environmental impact, but also the  
7 safety aspects of the Holtec system design as it may  
8 impact the storage in New Mexico. And I've been  
9 through this time and time again. I was through it  
10 this morning in a report I got that was posted to  
11 part of this meeting.

12                   And that concern, my first concern is  
13 helium. Inside the multipurpose canister, which is  
14 half-inch to five-eighth-inch thick stainless steel  
15 -- it contains fuel up to somewhere around 37 to 45  
16 kilowatts of heat being generated and is surrounded  
17 by helium pressure, and that pressure is in the range  
18 of anywhere from 45 to 100 pounds depending on the  
19 temperature.

20                   I have researched -- the concern that  
21 many of us have is what is the impact of helium  
22 leakage? Helium is used to isolate the fuel, to  
23 prevent corrosion, but also it's a heat transfer  
24 medium to allow the heat transfer from the fuel to

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1 the environment. So I ask myself the question what  
2 happens if we lose helium pressure?

3 Now this is only five-eighths of an inch  
4 thick max. If we remember many years ago where six  
5 inches carbon steel hole eroded through the head of  
6 a reactor. We know these things age. Being an ex-  
7 Navy person I'm familiar with the *Thresher* and the  
8 *Scorpion*. We know those reactor vessels, even though  
9 they're six inches thick stainless steel, they have  
10 been breached.

11 Now when I go through the licensing  
12 documentation, I come upon the most incredible  
13 statement that I think I've seen in licensing  
14 documents, and I ask myself and I ask the NRC what  
15 happens if we lose helium? What happens to the  
16 radioactive releases? What happens to the fuel  
17 temperature?

18 As I review those documents in many  
19 places, including the document that we're talking  
20 about today, it says that helium leakage is a non-  
21 credible event. What this is saying is the NRC  
22 somehow has determined that it's impossible for  
23 helium to leak out.

24 Now it takes me to Interim Staff Guidance

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1 No. 18, which is helium leak rate testing, which only  
2 tests the welding at the top of the canister to make  
3 sure that weld has high integrity. The fact that the  
4 NRC somehow has determined that five-eighth-inch of  
5 stainless steel leakage is incredible given the  
6 experiences we've had with materials and six-inch  
7 reactor vessels and so on and so forth, the fact that  
8 is incredible, and they claim that issue is addressed  
9 in ISG-18, it is not. The NRC is not being  
10 forthcoming in their statements.

11 I have asked Andrea Koch for the basis  
12 for the NRC to determine -- and Holtec to determine  
13 that this is an incredible event, not possible, not  
14 possible in a million years with a million canisters.  
15 This is ludicrous from a practical standpoint, from  
16 an engineering standpoint and I wouldn't want to be  
17 around these when we don't even consider the breach  
18 of a canister. Not only that, we don't know what the  
19 temperature of the fuel will be and we don't know  
20 what the radioactive releases will be; not if, but  
21 when these canisters are breached.

22 That is a very, very serious issue. To  
23 my knowledge it has never been brought up before. I  
24 obviously am pursuing it. This will impact every

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1 canister whether it be the UMAX canister or above-  
2 ground canisters. There is an impact if you lose  
3 helium.

4 My second issue is a little more subtle  
5 and that has to do with the location. If I look back  
6 at some of the NRC licensing documents, which I have  
7 in front of me on my computer, has to do with natural  
8 gas pipeline hazard risk determination. This is a  
9 study that is done by -- let me get it here  
10 -- Framatone ANP. I have a document number. I don't  
11 have the ML number. But basically -- and I have a  
12 lot of experience with gas lines in the proximity of  
13 nuclear facilities.

14 What this study states -- and this is  
15 discussed also in the application. But this study  
16 states here; and I'll gladly provide the NRC with a  
17 copy of it, that a 16-inch gas line located 1.8 miles  
18 away from a nuclear enrichment facility, which is a  
19 low radioactive material containment, is  
20 unacceptable. Now we have many gas lines where this  
21 new facility is being proposed, and there are some  
22 analysis within the FSAR and Environmental Impact  
23 Statement.

24 But there is no explanation as to why we

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1       have an NRC approved study that says it's  
2       unacceptable and all of a sudden because of the need  
3       it becomes acceptable. It's just incredible to me.  
4       And we've had a recent Inspector General report on  
5       this gas line issue. It was issued in February of  
6       this year. And now the NRC has put out false  
7       information, to me.

8               So those are my two comments and I'd like  
9       to have them formally considered. I will continue  
10      working with headquarters in Region IV on those  
11      issues, but I want this issue on the table. And again  
12      I am a professional engineer and Chip Cameron and I  
13      have known one another and have a mutual respect for  
14      one another, and I'm sure that Chip will assure that  
15      we get a resolution to this. Thank you very much.

16             MR. CAMERON: Thank you. Thank you,  
17      Paul. And I just want to just affirm that mutual  
18      respect. And thank you for those specifics. And if  
19      there's some documents that you could submit on this  
20      to the NRC, that would be great. And I hope you're  
21      well.

22             MR. BLANCH: I am very well. I've never  
23      been better, Chip.

24             MR. CAMERON: Fantastic. Fantastic.

1 Olin, who is our next speaker?

2 OPERATOR: We have Barbara Warren.

3 Ms. Warren, your line is now open.

4 MS. WARREN: Good afternoon. My name is  
5 Barbara Warren. I'm a registered nurse with a  
6 master's degree in environmental health science and  
7 Executive Director of Citizens' Environmental  
8 Coalition, which is based in the State of New York.  
9 Our organization and our members are very concerned  
10 about the weak plans for consolidated interim storage  
11 as well as the fact that required transportation has  
12 not been adequately studied.

13 Today I want to discuss a particular  
14 topic. We will be providing detailed comments later  
15 on before the 22nd, but today I want to discuss  
16 entropy.

17 NRC has concluded that there will  
18 primarily be small impacts associated with the Holtec  
19 CIS proposal. The law of entropy or the second law  
20 of thermodynamics along with the first of  
21 thermodynamics comprised the most fundamental laws of  
22 physics. Entropy is the subject of the second law  
23 and energy is the subject of the first law and their  
24 relationship are fundamental to an understanding not

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1 just of physics but of life. The law of entropy tells  
2 us that disorder always increases. It tells us that  
3 anything and everything will always move from order  
4 to disorder.

5 Significant energy is required as a  
6 result to maintain the order that is absolutely  
7 necessary to prevent the dispersal of long-lived  
8 radionuclides into the environment and into human  
9 beings. Human and organizational failings,  
10 inadequate budgets and other priorities always limit  
11 our collective ability to successfully contain  
12 radioactivity and prevent public exposure. Effects  
13 on future generations are an example of  
14 intergenerational injustice.

15 As a nation we have failed at achieving  
16 the required isolation and are paying the price at  
17 many nuclear facilities around the country. WIPP,  
18 Hanford and Savannah River are just a few of the  
19 hundreds of sites that collectively need thousands of  
20 years of work just to temporarily contain and limit  
21 the dangerous disorder that the law of entropy  
22 guarantees at these sites.

23 We are all facing a new threat from the  
24 current proposals for interim storage of spent

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1 nuclear fuel, one of the most hazardous substances on  
2 earth according to the U.S. Government Accountability  
3 Office. Unfortunately NRC has thus far demonstrated  
4 that will only offer weak requirements and oversight  
5 of a very dangerous and potentially catastrophic plan  
6 for large quantities of spent nuclear fuel. We are  
7 collectively very afraid. Thank you.

8 MR. CAMERON: Okay. Thank you, Barbara.  
9 Very interesting about entropy. Thank you for  
10 bringing that up.

11 And, Olin, can you put the next speaker  
12 on, please?

13 OPERATOR: Absolutely. Michelle Lee.

14 Ms. Lee, your line is now open.

15 MS. LEE: Am I now being heard?

16 MR. CAMERON: Yes.

17 MS. LEE: Okay. Great. So I'd like to  
18 just talk briefly on a personal level and then bounce  
19 off some of the notes that Paul Blanch raised. And  
20 I'm glad he gave me the intro there.

21 But on the personal level, I really never  
22 paid attention to nuclear as an issue even after I  
23 was in the Soviet Union four years after Chernobyl  
24 and spoke to people there. Now that might have given

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1 me pause, but I had such confidence in the American  
2 regulatory system.

3 I spent my first decade professionally as  
4 a litigator and did Pentagon procurement fraud cases,  
5 so I have very deep understanding of the frailties of  
6 human beings and what you -- is nicely called the  
7 human factor. And as astonishing as it always was to  
8 me that corporations would engage in deceit and fraud  
9 and neglect when it came to the lives of American  
10 service men and women, I still believed very much  
11 that the regulatory system in this country was  
12 robust.

13 I then went for an advanced degree and  
14 became an investigator. After 9/11 I took a three-  
15 month leave of absence to work on issues relating to  
16 Indian Point and never went back because; and that's  
17 the only reason, because my absolute astonishment of  
18 how abysmal the regulatory scheme is and frankly how  
19 influenced the NRC is.

20 And when I talk about influence, I'm  
21 really talking about the political appointee level,  
22 but that percolates down to every single level of the  
23 NRC. And it's not an issue of -- it's something we've  
24 seen in many, many other areas, but the difference is

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1 when you're talking about nuclear power and nuclear  
2 waste, the consequences of undue influence are  
3 drastic and potentially catastrophic.

4 There are I know -- I have spoken to many  
5 people over the years at the NRC. There are many of  
6 you who are working as hard as you can to protect the  
7 public and to press against the pressure that you're  
8 getting from the industry. I am going to implore you  
9 to press harder. Do it internally, but press harder  
10 because this whole scheme of nuclear waste  
11 transportation and storage in states that are full of  
12 gas pipelines and other gas/fossil infrastructure, as  
13 well as how being incredibly vulnerable to wildfire,  
14 heat wave, drought -- it's absolute sheer insanity.

15 Going to the second point and to build  
16 upon more of what Paul said, over the years looking  
17 and going -- I went very much in depth into the  
18 background literature involving this Holtec site in  
19 New Mexico. Much of what the NRC relies upon is  
20 outdated. It's outdated standards. It's ASME  
21 guidelines that were around decades ago.

22 You're not taking into consideration  
23 climate reality. You're not taking into  
24 consideration particularly the climate reality in New

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1 Mexico and Texas with this enormous amount of extra  
2 heat, the potential for dust storms, potential for  
3 out-of-control wildfires, the potential for first  
4 responders to not be able to mitigate an event. And  
5 of course those kinds of risks are attendant all over  
6 the country in the transportation scheme which is  
7 variable -- a wide variety of weather events, a wide  
8 variety of natural disasters and the idea that this  
9 massive transportation of material that can  
10 absolutely wipe out the vitality of a large region  
11 overnight.

12 And again, I go back to my experience in  
13 the Soviet Union after Chernobyl. The ability that  
14 -- that that risk is not taken into consideration,  
15 all the unknowns are not taken into consideration,  
16 that future terrorists is not being taken into  
17 consideration, that human error, gross human error  
18 and frailty is not taken into consideration I find  
19 astonishing and I again beg those of you within the  
20 Agency to not allow this to happen. Do whatever you  
21 can. Press -- push back. Thank you.

22 MR. CAMERON: Okay. Thank you. Thank  
23 you, Michelle. Thank you for that encouragement.

24 And, Olin, can we go to the next speaker,

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1 please?

2 OPERATOR: Absolutely. We have Jan  
3 Boudart.

4 The line is now open.

5 MR. CAMERON: Oh, good.

6 MS. BOUDART: Hi.

7 MR. CAMERON: Welcome back, Jan. Welcome  
8 back.

9 MS. BOUDART: Thank you. I don't know  
10 where I dropped out. I very enthusiastically gave my  
11 report and then realized that I was no longer being  
12 heard. And is there any possibility that the person  
13 who is doing the recording could let me know where I  
14 dropped out?

15 MS. CAVERLY: Can we do it from the start  
16 again?

17 MR. CAMERON: Well, you know what, in  
18 order to have some context here, you didn't -- you  
19 weren't on very long when you dropped off, so, Jan,  
20 would you mind just go from the start and take your  
21 time and then we'll get the whole coherent piece in.  
22 Okay?

23 MS. BOUDART: Okay. So I'm trying to  
24 reconstruct it. I was making a comment on Section

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1 3.12.3, the radiation protection standards in the  
2 IES. And I jumped -- I had something to quote from  
3 that part of the IES, but I was afraid it would take  
4 me too long if I tried to quote everything. So I  
5 jumped to line 14 on page 3-97, Exposures to Radiation  
6 Present an Additional Risk of Cancer or a Severe  
7 Hereditary Effect. And I added -- that is a quote.  
8 And my own part is or heart, lung, kidney, stomach,  
9 intestine, cataract, arthritis, hearing loss, nerve  
10 damage, capillary damage, et cetera. The failure to  
11 acknowledge other than cancer diseases is a major  
12 omission from this section.

13 And then on line 15 of the same page, I'm  
14 quoting, the annual dose limit of the International  
15 Atomic Energy Agency as well as the NRC set to protect  
16 members of the public from the harmful effects of  
17 radiation is one millisievert, which is 100 millirem,  
18 period. The additional risk of fatal cancer  
19 associated with a dose of one millisievert calculated  
20 using the scientific methods of the International  
21 Commission on Radiological Protection.

22 And I interrupted that sentence with my  
23 own response, which is this is the biggest testimony  
24 that we should stop making rad waste and this project

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1 is designed to justify our not ceasing to produce  
2 spent fuel.

3 My response to Mr. Edlow, because that  
4 was -- I missed Paul's -- most of Paul's, which I'm  
5 very sorry about, but I'll pick it up in the  
6 transcript. I had a response to Edlow and Wheeler  
7 today. More information on the ICRP protection  
8 analysis should be given. The ICRP from 2007 is  
9 referenced, but I looked up the ICRP from 2000 and  
10 found much material including what I was looking for,  
11 but a major omission of internal dose.

12 Internal dose is a problem rarely treated  
13 and much more serious consideration than external  
14 dose. Internal dose is measured by monitoring the  
15 body itself and is often given in a different unit,  
16 the becquerel per kilogram body weight, a reference  
17 to other diseases and references to non-reference man  
18 individuals like fetuses and pregnant women. And I  
19 got this from the ICRP, quote, reference animals and  
20 plants.

21 So they don't mention reference man, but  
22 there was this quotation on page 56: Quote, the  
23 strongest statistical evidence for the induction of  
24 these non-cancer effects at affected doses of the

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1 order of one sievert derived from the most recent  
2 mortality analysis of the Japanese atomic bomb  
3 survivors followed after 1968. And there's a  
4 reference. That study has strengthened the  
5 statistical evidence for an association with dose  
6 particularly for heart disease, stroke, digestive  
7 disorders and respiratory disease.

8 A few lines later we get this: Quote, it  
9 is also unclear what forms of cellular and tissue  
10 mechanisms might underlie such a diverse set of non-  
11 cancer disorders. While recognizing the potential  
12 importance of the observation of non-cancer diseases,  
13 the Commission; and I guess that's the ICRP, judges  
14 that the data available do not allow for their  
15 inclusion in the estimation of detriment following  
16 low-radiation doses less than about 100  
17 millisieverts.

18 A millisievert is one one-thousandth of  
19 a sievert, and 100 of those is one-tenth of a sievert.  
20 This agrees with the conclusion of UNSCEAR of 2008  
21 which found little evidence of any excess risk below  
22 one gray. End of quote.

23 Okay. Do you want to look up their new  
24 unit and try to visualize the relationship between a

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1 gray and a sievert, a millirem or a millisievert? My  
2 point -- I've done this. I've tried to figure this  
3 out and it is really an imbroglio to try to go into  
4 these units and decide what the heck they're talking  
5 about.

6 My point, the nature of the EIS is so dry  
7 it is devoid of real caring about the subject who  
8 will be given low-dose, long-lasting radiation. I  
9 feel this way about Mr. Edlow of Edlow Nuclear  
10 Transportation Services' testimony from August 26th.  
11 He emphasized the success of his company, the lack of  
12 accidents and the NRC has adequately -- and said the  
13 NRC has adequately addressed the transportation  
14 issue. There was no acknowledgement of the effects  
15 of low-level, long-term radiation.

16 In addition, I got the impression that  
17 Edlow Nuclear Transportation Services is self-  
18 regulating. This seems to have worked okay, which is  
19 certainly a wildly improbable exception, so he  
20 deserves to be congratulated with self-regulation of  
21 commercial enterprises through Boeing, Energy Harbor  
22 in Ohio, Exelon in Illinois or any nuclear utility.  
23 Even Mr. Edlow's company with its wonderful  
24 reputation will change hands at some point with

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1 unknown results for self-regulation.

2 So my basic point -- well, let's see.  
3 The ICRP 2000 applying a linear no-threshold dose  
4 response assumption is on the order of one in 20,000.

5 Oh, here's what I wanted to say. This  
6 -- they say that one in 20,000 people will get a  
7 cancer, and 500 of those will get a fatal cancer.

8 Now I'm assuming that they're talking  
9 about reference man. If you take this reference man  
10 at that time and place and you take 10 -- you take  
11 little boys at the same time and place, for every two  
12 reference man who gets a cancer, five of those little  
13 boys will get a cancer. I had this wrong the last  
14 time I testified, and I do apologize. I had doubled  
15 it.

16 But for two reference men getting a  
17 cancer five little boys will get a cancer. And for  
18 two reference men getting a cancer 10 little girls  
19 will get a cancer. Nobody knows the number of  
20 stillbirths or fetuses born with hereditary problems  
21 or just problems in their own little bodies. These  
22 things are not really measurable, but we know they  
23 are a lot. So this small increase in lifetime risk  
24 can be compared to the baseline lifetime risk of one

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1 in three for anyone developing cancer and one in five  
2 for anyone developing a fatal cancer.

3 Okay. Let's see. I think that's about  
4 all I have to say about the inadequacy of Section  
5 3.12.3. And of course my basic point, and I think  
6 everybody who is looking at this understands we have  
7 to stop making high-level radioactive waste. We have  
8 to stop making spent fuel because the interim storage  
9 facility in New Mexico is a method where we can get  
10 it out of sight and continue making it. We need a  
11 different solution that includes the end of the  
12 production of spent fuel.

13 Are you still hearing me?

14 MR. CAMERON: Yes, Jan. And I just want  
15 to thank you for all of that very complicated  
16 -- explaining what seems very complicated. But thank  
17 you for coming back on and talking to us. And we're  
18 going to go --

19 MS. BOUDART: Before I go I want to thank  
20 you for letting me back on. I just didn't -- I did  
21 this whole thing and then I realized nobody could  
22 hear me. So anyway, I'm very glad that you let me do  
23 it. Thank you.

24 MR. CAMERON: Thank you.



1 Olin?

2 OPERATOR: Our next caller is going to be  
3 Ed Hughes.

4 MR. HUGHES: Hello? Can you hear me?

5 MR. CAMERON: Yes.

6 MR. HUGHES: Good morning. Well, it's  
7 still morning here. I guess it's afternoon there.

8 I want to -- I have spoken at each one of  
9 these -- this is the fourth of a series of -- I've  
10 made comments, different comments at each one. I  
11 have -- I want to make a comment basically addressed  
12 -- that has been addressed by the New Mexico  
13 Environmental Department. I'm quoting a letter,  
14 parts of a letter, May 18th, 2020. This is actually  
15 through the National Nuclear Security Administration.  
16 It's not the Nuclear Regulatory Commission. But it's  
17 from James Kenney, Cabinet Secretary of the New  
18 Mexico Environmental Department.

19 But parts of this letter, it's talking  
20 about the Environmental Impact Statement for a  
21 statement of pit production. That's not this topic  
22 of today, but this letter very much addresses the  
23 Environmental Impact Statement there and I know the  
24 Environmental Department made some of the same

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1        comments concerning the EIS we're speaking about  
2        today.

3                    First of all I would like to say I just  
4        wholeheartedly support the comments that have been  
5        made thus far concerning opposition and problems with  
6        the EIS.  These are issues that have been discussed  
7        among many of us to various degrees and I really  
8        appreciate those who have come on and very adroitly  
9        addressed these things thus -- so far today.

10                    As far as the transportation issue which  
11        is supposedly out of scope by the slides that were  
12        shown this -- earlier, that's very much part of this  
13        environment -- possible impacts and I -- there's  
14        nothing in the scope that is being proposed by Holtec  
15        that's ever been done about any nuclear materials.  I  
16        heard the -- everything else has been much, much  
17        smaller, a much smaller scale.  This is just orders  
18        or magnitude.

19                    But I want to go to this letter from the  
20        Environmental Department, point 4.  If there's given  
21        a disproportionate burden of public health and  
22        environmental risk that the State of New Mexico bears  
23        related to nuclear energy and weapons programs.  This  
24        is being addressed -- this is somewhat historical,

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1 but it very much pertains to what we're talking about.

2 Goes onto say: Uranium mining and  
3 milling, legacy contamination at national  
4 laboratories, disposal of Defense waste at WIPP and  
5 the proposed indefinite storage of commercial spent  
6 nuclear fuel has long created risks to public health  
7 and the environment in the State of New Mexico that  
8 are disproportionate greater than such risks to the  
9 general population of the United States. And I think  
10 that this proposal just magnifies the risk that is  
11 being put upon the state.

12 Part of this, there was -- in the slides  
13 that were shown it was shown that the -- as far as  
14 socioeconomics that there was low risk, all that sort  
15 of -- stating that it's low doesn't make it so, but  
16 health risks are part of that. And part of that has  
17 to do with the demographic data.

18 I want to -- in the United States  
19 Hispanic or Latino populations average about 18  
20 percent; in New Mexico, 49 percent. American Indian  
21 in the United States about 1.3 percent; in New Mexico,  
22 10.9 percent. Persons in poverty 11.8 percent; New  
23 Mexico 19.5 percent, almost 20 percent. There is a  
24 process that goes on that's called pollution shopping

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1 and it has to do with agencies or people who have  
2 high polluting industries or products such as  
3 -- nuclear waste is probably the most deadly -- and  
4 go to areas that are high demographics and  
5 populations such as Latino or Indian or persons in  
6 poverty. They think they're more vulnerable, which  
7 in fact they are, to these kinds of things. And  
8 that's part of what's going on here in Southeastern  
9 New Mexico.

10 And I want to go on -- talk about draft  
11 -- the letter goes on to talk about failure to  
12 demonstrate that the proposed action will achieve  
13 environmental justice for the high percentage of  
14 minority and low-income populations in the State of  
15 New Mexico. They've already suffered  
16 disproportionately high adverse human health and  
17 environmental effects of the U.S. Department of  
18 Energy programs.

19 Environmental justice deficiencies in  
20 the Draft EIS. And this pertains to this EIS as well.  
21 Failure to identify and evaluate the cumulative  
22 history of adverse human health and environmental  
23 effects on New Mexico's vulnerable populations.

24 And with that I want to go all the way

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1 back to the Trinity site. It was -- it has been  
2 documented that after the Trinity test in New Mexico  
3 that death in the womb and infant mortality had a  
4 very significant increase for the following year or  
5 two. And that's not even talking about the impacts  
6 of mining and all of the other things that have been  
7 going on in New Mexico since that time.

8 There's also a failure to evaluate  
9 release scenarios from the proposed action such as  
10 transportation or storage that might adversely affect  
11 vulnerable populations in New Mexico. Just from the  
12 fact that this Environmental Impact Statement only  
13 evaluated, quote, normal operation, which had no  
14 -- nothing about cask failure or transportation  
15 issues or human error, as has been so very well  
16 brought up, makes this a laughable document in my  
17 opinion.

18 To go on, there's also repeated yet  
19 unsubstantiated assertions that cumulative  
20 environmental impacts from the proposed action would  
21 be either not notable or not expected. Saying that  
22 that is the case does not make it true. And I think  
23 that has already been pointed up today as well as in  
24 earlier times that this action is ludicrous. This

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1 -- what is being proposed is ludicrous.

2 I recently retired after 40-plus years in  
3 the Federal Government and I know from my experience  
4 that bureaucracies as such have no conscience. And  
5 it's been stated at the very beginning of this that  
6 there's already been -- the comment period has  
7 already been extended once or twice or three times,  
8 which clearly shows that this is purely  
9 administrative. It can be extended again. It can be  
10 put off until this  
11 -- and to say that the COVID thing we're under right  
12 now just kind of overrides any other consideration,  
13 it's going to be very short is ludicrous.

14 Administratively you certainly -- the  
15 Nuclear Regulatory Commission certainly has the  
16 authority and the power to extend this comment period  
17 as far as needed until we're past this crisis, until  
18 we can have the in-person meetings, until we can do  
19 the things that are -- that have been earlier agreed  
20 to by NRC and have since been set aside.

21 So again I speak in opposition to what's  
22 happening. This -- we have been pulled into this  
23 game and it seems that it was stacked against us in  
24 a very real way, those that oppose this.

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1           I just want to say too that it's been  
2 mentioned -- I've been to not only the scoping hearing  
3 a couple years ago, but been listening in on these  
4 current hearings as well. I've talked about the  
5 -- just the thing that New Mexico needs to do this  
6 just out of supporting and out of just being a good  
7 state.                   You know, we have paid our dues  
8 in New Mexico. We have -- as has been stated by this  
9 letter from the Environmental Impact Department, New  
10 Mexicans; and I'm a third generation New Mexican and  
11 my wife and I were both born and raised in New Mexico  
12 -- we have paid our dues, more so, disproportionately  
13 high than the rest of the country. So I think the  
14 idea that the rest of the country, every other state  
15 is adamant in getting rid of this waste, why in world  
16 should we take the risk?

17           And how do you justify New Mexicans  
18 taking the risk of all of this coming to New Mexico  
19 on a, quote, interim storage, which Rick Perry when  
20 he was Secretary of Energy said it's quite likely  
21 going to be permanent storage, not built to the  
22 specifications of Yucca Mountain, but an at-surface  
23 interim storage, who is actual -- according to  
24 Holtec's guarantee the casks themselves are only

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1       guaranteed for 25 years, and yet we're licensing for  
2       40 and has -- we could go on and on, but this whole  
3       process is extremely, extremely immoral in my  
4       opinion.

5                   And while bureaucrat -- the bureaucracy  
6       doesn't have a conscience, I'm assuming as has been  
7       spoken earlier by Jan, that many of you within the  
8       NRC very much do. Push back. This needs to be  
9       stopped by A real Environmental Impact Statement that  
10      takes in all of the risks including that of failure  
11      of many kinds needs to be analyzed. Thank you.

12                   MR. CAMERON: Okay. Thank you very much,  
13      Ed. And I hope you can submit that letter that you  
14      mentioned from the New Mexico Environmental  
15      Department to the NRC as part of --

16                   MR. HUGHES: I'd be glad --

17                   MR. CAMERON: -- your comments. Okay.  
18      Thank you.

19                   Olin, who do we have next?

20                   OPERATOR: Next caller is Kevin Kamps.

21                   Mr. Kamps, your line is open.

22                   MR. KAMPS: Thank you. Can you hear me?

23                   MR. CAMERON: Yes, we can.

24                   MR. KAMPS: Thanks. This is Kevin Kamps,

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1 radioactive waste specialist at Beyond Nuclear and  
2 Board of Directors member with Don't Waste Michigan,  
3 and I am commenting on something that took place in  
4 the last of these public comment webinar call-in  
5 sessions. It was on August 26th, 2020. A commenter  
6 named Nick Maxwell of We the Fourth in Hobbs, New  
7 Mexico, who is a long-time Holtec CISF opponent, and  
8 ELEA watchdog, raised an allegation of bribery  
9 associated with this scheme, bribery and kickback.

10 Before allowing Nick Maxwell a second  
11 opportunity to submit verbal public comments towards  
12 the very end of the hours-long session, NRC meeting  
13 facilitator Chip Cameron warned Maxwell that he and  
14 presumably the rest of the assembled NRC staff did  
15 not want to hear any more about bribery allegations.

16 As a Federal Government official Chip  
17 Cameron had no right to censor Nick Maxwell's free  
18 speech. This not only violated Nick Maxwell's First  
19 Amendment free speech rights, but it also violated  
20 Nick's rights under the National Environmental Policy  
21 Act to submit any public comments regarding the  
22 Holtec ELEA CISF scheme that he chose to make.

23 After all, Nick Maxwell's allegations of  
24 bribery are bolstered by dozens of articles in the

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1 media over the past couple years. And of course it  
2 goes without saying the NRC's flippant lack of  
3 concern about Holtec's and allegedly also ELEA's  
4 penchant for engaging in bribery and kickback schemes  
5 is shocking and outrageous.

6 After all, how can NRC fulfill its  
7 mandate to protect public health, safety and the  
8 environment when it looks the other way as its own  
9 licensees engage in such serious criminal wrongdoing  
10 as bribery and kickback schemes, not to mention  
11 providing false information; that is, lying under  
12 oath as has taken place in New Jersey by Holtec's CEO  
13 Krishna Singh?

14 How can a company that behaves in this  
15 way be entrusted with the storage and transportation  
16 of forever-deadly, highly radioactive commercial  
17 irradiated nuclear fuel and greater than Class C, so-  
18 called low-level radioactive waste?

19 Incredibly despite Beyond Nuclear's and  
20 Mining Awareness' raising of these issues of Holtec's  
21 penchant for engaging in bribery and kickback schemes  
22 in their July 2018 public comments during NRC's  
23 environmental scoping phase regarding this CISF, and  
24 despite the extensive media coverage from 2019 to

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1       2020, the words bribe and bribery do not even appear  
2       in the 488-page NRC Holtec CISF Draft EIS published  
3       by NRC in March 2020, but again the Agency is behaving  
4       as if the bribery conviction in which Holtec was  
5       involved and additional allegations of Holtec  
6       attempting bribery and kickback schemes simply never  
7       took place.

8                   And so to clarify for the record what I'm  
9       referring to, back in 2018 during environmental  
10      scoping myself as well as Mining Awareness documented  
11      a conviction for bribery in Alabama at the Tennessee  
12      Valley Authority's Browns Ferry Nuclear Power Plant  
13      in which Holtec's CEO Krishna Singh was implicated.  
14      And then as I mentioned when Krishna Singh then  
15      applied for a \$260 million tax break in New Jersey,  
16      the money used to build Holtec's current headquarters  
17      for fabrication of the very containers that would be  
18      used in this particular scheme, that has all been  
19      well-documented by major media coverage.

20                   Despite raising these allegations the  
21      U.S. Nuclear Regulatory Commission then delivered an  
22      early Christmas present to Holtec International on  
23      December 20th of 2018. NRC decided that, quote, NRC  
24      regulations do not specifically address bribery, end

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1 quote. The shocking statement came after an NRC  
2 official investigation that lasted nearly five  
3 months, and the closure letter was barely a page long.

4 Are concerned citizens and watchdog  
5 groups like ours supposed to activate the U.S.  
6 Department of Justice to investigate these bribery  
7 allegations since NRC has flippantly washed its hands  
8 of the matter? NRC has done this despite Holtec's  
9 involvement in a bribery scheme that led to a  
10 conviction. NRC is behaving like that bribery  
11 conviction never took place.

12 Specifically Holtec's CEO Krishna Singh  
13 attempted to bribe industry -- in addition Holtec's  
14 CEO Krishna Singh also attempted to bribe industry  
15 whistleblower Oscar Shirani of Commonwealth Edison,  
16 Exelon, as well as NRC's own dry cask storage  
17 inspector Dr. Ross Landsman into silence regarding  
18 widespread serious quality assurance violations in  
19 the design and fabrication of Holtec containers for  
20 high-level radioactive waste storage and transport  
21 used extensively throughout the U.S. power industry,  
22 nuclear power industry.

23 So in the Alabama affair Holtec was  
24 eventually fined \$2 million and received a 60-day

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1       disbarment for doing business with the Tennessee  
2       Valley Authority, and that disbarment was the very  
3       subject matter of the Krishna Singh then lied about  
4       under oath when he applied for that massive New Jersey  
5       tax break.

6                   And so I will be submitting for this  
7       record the 20 news articles that document all this.  
8       And what it boils down to is that NRC in its own  
9       regulations has corporate character and corporate  
10      integrity regulations that would also apply not only  
11      to Holtec International, but to its CEO Krishna  
12      Singh.     And it is my conclusion that NRC is  
13      essentially waiving these regulation requirements in  
14      allowing this applicant to get this far in this  
15      proceeding.   Thank you.

16                   MR. CAMERON:   Okay.   Thank you, Kevin.   I  
17      think the facts will show that I gave Mr. Maxwell six  
18      minutes of uninterrupted time to talk about bribery,  
19      racketeering and whatever, and because we had extra  
20      time I allowed people to come back on again.   And all  
21      I was saying to Mr. Maxwell was we've heard enough  
22      about racketeering and bribery.   Do you have anything  
23      else?   And that is on the transcript.

24                   And, Olin, who's next?

1                   MR. KAMPS: I disagree with your analysis  
2 there, Chip.

3                   OPERATOR: We have Becky Halpin.

4                   Ms. Halpin, your line is open.

5                   MS. HALPIN: Thank you. Can you hear me?

6                   MR. CAMERON: Yes.

7                   MS. HALPIN: Great. Hello and good  
8 morning. I'm Becky Halpin and I would certainly hope  
9 that people would be able to talk as much as they  
10 want to about any topic including bribery. Thank  
11 you.

12                   I also protest the unjust format of this  
13 meeting requiring access to the Internet and phone  
14 connection at the same time. This requirement makes  
15 it impossible for many people who might want to  
16 participate to be heard. Voices are being silenced.

17                   I would also like to note that robust  
18 virtual meeting platforms are widely available and  
19 used all around the world. If the NRC cannot figure  
20 out how to acquire and use a platform that would give  
21 video access to the Commissioners without stressing  
22 their server makes me wonder how they are equipped to  
23 manage this highly technical review process. And I  
24 think that's a very fair observation in today's day

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1 and the way that we all handle business today. It's  
2 an easy thing to do.

3 True and appropriate public hearings need  
4 to be held in person when the COVID crisis is passed.  
5 It constitutes abuse of regulatory power to certify  
6 something as safe that is obviously and blatantly  
7 extremely dangerous. The risk to population centers  
8 all across the nation as this highly radioactive  
9 material is transported in these five-eighth-inch  
10 thick flimsy containers is astronomical should any  
11 accident or incident occur.

12 There is likely a 100 percent probability  
13 that an accident or incident will occur that spills  
14 this radioactivity into a community over the many  
15 years and thousands of trips these dangerous  
16 materials will make through our cities. Given the  
17 inadequate state of our rail lines to transport these  
18 overweight railcars carrying this radioactive  
19 material and the large number of rail accidents we  
20 currently see every year, we have a clear recipe for  
21 radiologic disaster.

22 The world is awash in weapons of war such  
23 as shoulder-fired rockets that could easily pierce or  
24 explode these transportation containers. There is a

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1 large and very active black market for shoulder-fired  
2 rockets. Additionally ammunition from legally-  
3 acquired rifles and weapons could pierce these  
4 containers.

5 It is irresponsible not to assume from  
6 the get-go from the very outset that these  
7 transportation containers would become every  
8 terrorist's dream. These containers, these canisters  
9 on railcars would be especially inviting terrorist  
10 targets when the canister is moving through or parked  
11 in urban population centers, in a port, next to a  
12 military installation or close to critical  
13 infrastructure of any sort. Radioactive  
14 contamination of an entire city is not just possible,  
15 but probable under the naïve and dismissive planning  
16 put forth in this application. Saying that  
17 something is safe in no way renders it so.  
18 Transportation of this material across the country in  
19 these thin inadequate and easily identifiable  
20 canisters is an offering to the gods of chaos. This  
21 deadly radioactive material should stay where it has  
22 been generated until there is a plan to entomb it in  
23 an appropriate facility for the millennium that it  
24 will be radioactive. We should not be dragging it

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1 across our nation endangering millions of people in  
2 the process until we have a final solution.

3 Dumping this dangerous waste in the  
4 desert in containers that will deteriorate and leak  
5 radiation with no effective plan other than in 25 or  
6 40 years or so we'll think of something is a testament  
7 to how desperately nuclear plant operators want to  
8 just get rid of this stuff regardless of the fact  
9 that there is no safe place to put it. There is no  
10 plan to park this waste anywhere but here in the  
11 desert in New Mexico and across state lines in Texas.

12 This permit is not really for temporary  
13 storage and should be denied. Thank you very much.

14 MR. CAMERON: Okay. Thank you, Becky.

15 Olin, can we go to the next person?

16 OPERATOR: We have Patricia Marida.

17 I apologize if I mispronounced the name, but,  
18 Patricia, your line is open.

19 MS. MARIDA: Hi. Can you hear me?

20 MR. CAMERON: Yes, we can hear you,  
21 Patricia. And we did get your last name correct,  
22 Margarita?

23 MS. MARIDA: I say Marida.

24 MR. CAMERON: Okay.

1 MS. MARIDA: I'm for Columbus, Ohio, and  
2 I just want to say that I'm submitting the comments  
3 under protest because we can't verify that the NRC  
4 decision makers are receiving them. And I want to  
5 say that you need to include New Mexico's  
6 congressional delegation or staff so that they can  
7 verify the validity of the hearing format. And the  
8 comment period should be extended until after the  
9 COVID emergency has ended and it's safe to have mass  
10 gatherings, and then they should be conducted in  
11 person in several locations in New Mexico like it was  
12 originally promised by the Nuclear Regulatory  
13 Commission. And then I want to say that there's no  
14 compelling reason for these meetings to be rushed.

15 And they -- this waste needs to stay  
16 where it is and be stored much more safely right now  
17 where it is. Moving it is just all kinds of problems  
18 and trouble. It's insanity warmed over. The idea of  
19 an interim and centralized is unnecessary and  
20 dangerous. So either the waste must be moved again  
21 or it is a permanent site. So those aren't viable  
22 choices. Moving the waste for no reason  
23 with the inevitable accidents would take decades and  
24 overload

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1 -- of course you've heard enough -- I think should  
2 have heard a lot about the nation's D-plus rated  
3 infrastructure, rated in 2017 by the American Society  
4 of Civil Engineers. And I think it's gone downhill  
5 since then. And it's been stated by numerous  
6 authorities that it's absolutely unsatisfactory, the  
7 -- our nation's infrastructure system. So mostly  
8 -- it was mostly below standard.

9 And then I just want to add in conclusion  
10 that the influence of the industry and of Holtec's  
11 -- and the money that they are making and the money  
12 they are willing to spread around in order to  
13 influence decision making is very concerning to me.  
14 So that's  
15 -- I wanted to conclude my statement by saying that.

16 MR. CAMERON: Okay. Thank you for  
17 joining us, Patricia, for those comments.

18 Olin, who is next?

19 OPERATOR: We have Lon Bonald.

20 Mr. Bonald, your line is open.

21 MR. BURNAM: Can you hear me?

22 MR. CAMERON: Yes, we can, Lon.

23 MR. BURNAM: Okay. Just for the record  
24 the name is Lon Burnam, B-U-R-N-A-M, and I am

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1 participating today, Chip, under protest. I finally  
2 buckled down and recognized that I had an ethical and  
3 moral responsibility to represent the Lone Star  
4 Chapter of the Sierra Club in these fraudulent  
5 proceedings, but you know, we've been around the horn  
6 enough to know that in the first place it's not even  
7 a legal request.

8 In the second place to be dismissive of  
9 the fact that they are under any number of areas of  
10 scrutiny because of their illegal activities and to  
11 be dismissive of this concern is just absurd to me.

12 And then in third place to artificially  
13 bifurcate this project and pretend that it doesn't  
14 have a negative impact on Texas is simply the most  
15 egregious attack on the whole Environmental Impact  
16 Statement I've seen in a long time.

17 And, Chip, as you well know I was in the  
18 Texas legislature for 18 years, so I saw a lot of  
19 egregious attacks on process and I saw a lot of  
20 agencies that -- performing and behaving as if they  
21 were captains of the industry. And of course I've  
22 long ago begun to assume that that's the case with  
23 the NRC.

24 But on a point of process I want to point

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1 out not that I'm authorized to speak on behalf of the  
2 League of Women Voters, but this whole fast-track  
3 streamlined inappropriate approach to citizen  
4 participation is an insult to the democratic  
5 processes that this country has come to expect. And  
6 from the Sierra Club's standpoint this division of  
7 environmental concerns should and will be challenged  
8 in the courts. I agree with every previous speaker  
9 and their comments that they had to be -- had to make,  
10 but on behalf of the Lone Star Chapter of the Sierra  
11 Club, frankly, I spent enough time wasting my breath  
12 with you guys. I'll submit my letter in writing.

13 MR. CAMERON: Okay. Good, Lon. We'll  
14 look forward to that writing and it's nice to see  
15 that you're still on the job, too. So thank you.

16 Olin, do we have another speaker?

17 OPERATOR: We do. Patty Hughes, your  
18 line is now open.

19 MS. HUGHES: Thank you. Can you hear me?  
20 Hello?

21 MR. CAMERON: Yes.

22 MS. HUGHES: Okay.

23 MR. CAMERON: Yes, we can hear you.

24 MS. HUGHES: First of all, I'm making my

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1        comments under protest for the reasons that you've  
2        been hearing.

3                    One of your officials said at the  
4        beginning of the meeting that the NRC had a commitment  
5        to openness, and I just want to make the observation  
6        if you had input from a state's national delegation  
7        and person after person giving you reasons why in New  
8        Mexico webinars are not adequate. This process is  
9        not open, so your commitment to openness is at best  
10       inadequate.

11                    At the first webinar that we've had in  
12        these last two weeks an NRC official signaled that  
13        despite the protest about the webinars that you would  
14        not be impacted by our concerns and announced at the  
15        end of that meeting that you would proceed with the  
16        webinars. So I think at that point we saw the writing  
17        on the wall and saw it as disrespectful.

18                    I have a question: How is it that this  
19        facility is called interim when as other speakers  
20        have said, even the Secretary of Energy says that  
21        it's not?

22                    You say that -- to another point you say  
23        that you will ensure that the Holtec facility will be  
24        built and operated safely, but you are ignoring data

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1 from a New Mexico Environment Department that you  
2 called earlier a cooperating agency. That is in exact  
3 conflict with your assertions that you made in the  
4 EIS concerning the existence of standing water and  
5 groundwater at the Holtec site.

6 My question is -- well, actually a state  
7 official told me that your own data shows that there  
8 is shallow groundwater at this site. Do New Mexico  
9 citizens have to wait for an accident or our  
10 Environment Department to be proved right?

11 Next you assert that the socioeconomic  
12 impact is small to moderate, and it's moderate due to  
13 positive impact on the economy. Again, information  
14 that you have gotten -- the expert on the New Mexico  
15 economy is our governor. I would ask you to read her  
16 letter which doesn't agree with you that is again in  
17 exact conflict with the statement that you made. So  
18 our governor doesn't agree that the socioeconomic  
19 impacts of this would be small to moderate. Neither  
20 would the governors of South Carolina, Illinois or  
21 any other state agree that the impacts would be small  
22 to moderate. It's not that impacts are small. It's  
23 because in your eyes New Mexico and its citizens are  
24 small. And you are the ones who have made that clear.

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1                   Lastly, does the NRC have any internal  
2 checks for -- or standards for when they have so  
3 disproportionately burdened a state with the nation's  
4 nuclear waste that they have broken it?

5                   And in my opinion, my husband and I went  
6 through an ordeal three years ago where the DOE tried  
7 to drill a bore hole on a ranch adjoining our ranch.  
8 We saw our property values go to zero. We saw the  
9 banks react. We saw families who had been there for  
10 five and six generations see that if that happened  
11 that they would have to pull up stakes and go  
12 somewhere else. Our experience was that storing  
13 high-level nuclear waste was not economic  
14 development. It was economic replacement of a  
15 sustained economy with the most polluting economy on  
16 the face of the earth.                   Unfortunately Eddy-Lea  
17 Alliance has purported to speak for New Mexico when  
18 they sent -- telling the world that New Mexico wants  
19 its waste. Obviously that isn't true.

20                   An earlier caller asked why move the  
21 waste? The answer to that is that there's national  
22 pressure to get it out of other states. And a DOE  
23 contractor told us on the bore hole project in a  
24 public meeting in Clovis, New Mexico, that New Mexico

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1 has a target on its back that has been perpetuated by  
2 the Department of Energy, by the NRC and by private  
3 companies that think that we're a viable site for  
4 -- to be eternally polluted.

5 I would urge you rather than -- this is  
6 the fourth time I've seen this slide presentation.  
7 At least two of your slides are in direct conflict  
8 with statements that you have received from the State  
9 of New Mexico. I would ask you to consider that most  
10 expert testimony -- and when you describe the impacts  
11 to us, you describe them in a truthful manner. Thank  
12 you.

13 MR. CAMERON: Okay. Thank you, Patty.

14 And, Olin, we're going to go to the next  
15 speaker.

16 OPERATOR: Michael Keegan.

17 Michael, your line is now open.

18 MR. KEEGAN: Thank you. Can you hear me?

19 MR. CAMERON: Yes, we can hear you,  
20 Michael.

21 MR. KEEGAN: Thank you. I'd like to  
22 discuss the pedigree of the environmental report and  
23 the DEIS, and ultimately the final EIS.

24 We go back to the GNEP program and the

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1 work done there in the 2007-2008 era, being done by  
2 Tetra Tech, the parent company, who's been heavily  
3 implicated in fraudulent schemes and falsification of  
4 documentation at Hunters Point and Treasure Island.  
5 A 2.206 petition was brought forward and a multitude  
6 of documents were placed into the record showing from  
7 top to bottom Tetra Tech falsification criminality,  
8 people-went-to-prison-kind of situation. And yet  
9 there the parent company has a spinoff which  
10 developed the GNEP environmental review report, so on  
11 and so forth. And so here comes Holtec a decade later  
12 and picks up and utilizes those GNEP reports and  
13 employs them in their environmental review.

14 So the pedigree of the environmental  
15 review, environmental report, the DEIS and the EIS I  
16 call into question because criminality was involved  
17 way back when. And so I -- it speaks of collusion  
18 and racketeering between agency and a proposal  
19 proponent, Holtec. So really an investigation needs  
20 to be done there.

21 I'm in the Detroit area and I'm very much  
22 concerned about transportation. And there have been  
23 no public hearings, no public education put forth on  
24 this and yet we would be very much impacted because

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1 we're on the roads.

2 As I review the record I see these  
3 multiple amendments, modifications being made to the  
4 casks that are going to be used. Everything is very  
5 fragile in that when it comes to the crucial  
6 information needed it's withheld. All these pieces  
7 are supposed to fit together. What I believe is  
8 needed is a programmatic Environmental Impact  
9 Statement process because there are -- so many moving  
10 pieces that go into place are initiated by the Holtec  
11 proposal. And so do not do it piecemeal. We need to  
12 know from top to bottom in every which way so a  
13 programmatic Environmental Impact Statement is called  
14 for.

15 I have concerns about foreign nuclear  
16 waste coming into the U.S. A hundred and seventy-  
17 three megatons -- hundred and seventy-three thousand;  
18 I'm sorry, metric tons are designated for Holtec. Is  
19 there going to be foreign nuclear waste coming in?  
20 Is Canadian nuclear waste going to be coming in? Why  
21 is the NRC reviewing Canadian cask systems? Why is  
22 that of our interest? Why is the DOE And the NRC  
23 engaged in mock exercises that come from Europe of  
24 freighter, barge, how have you, rail to mid-section

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1 Denver area and call that a successful mock operation  
2 of transfer of spent nuclear fuel?

3 I have concerns about foreign ownership.  
4 I have concerns about disclosure of a private company  
5 at -- LLCs at every level. We don't know. You're  
6 dealing with what I believe to be a criminal operation  
7 and you are aiding and abetting the situation. That  
8 would be a racketeering. So please put the brakes on  
9 this.

10 Reflecting on the gentleman's comments on  
11 a moral obligation to speak out, I certainly feel a  
12 moral obligation to speak out and I want public  
13 hearings in Detroit area, in Chicago area, in New  
14 York area. Everyone's going to be impacted. So  
15 please bring us into the conversation. Thank you.  
16 I'm with Don't Waste Michigan. Michael Keegan.

17 MR. CAMERON: Okay. Thank you and thank  
18 Don't Waste Michigan. Thank you, Michael.

19 And, Olin, can we go to the next speaker,  
20 please?

21 OPERATOR: Absolutely. We have Bruce  
22 Montgomery.

23 Mr. Montgomery, your line is now open.

24 MR. MONTGOMERY: Yes, thank you, Oland.

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1 I appreciate the opportunity to speak.

2 My name is Bruce Montgomery. I am the  
3 Director of the Used Fuel and Decommissioning of the  
4 Nuclear Energy Institute and we represent over 300  
5 members, companies, universities, laboratories both  
6 in the U.S. and abroad involved in the nuclear  
7 enterprise.

8 My personal experience is over 40 years  
9 in the nuclear industry. I've been the chief engineer  
10 at a couple of different nuclear power plants that  
11 have been operating in excess of 40 years, providing  
12 electricity to their communities.

13 Now I've heard a lot of discussion around  
14 rushed discussions or meetings, or public review for  
15 the Draft EIS. I don't think there's anything that's  
16 rushed about this. The opportunities have been  
17 extended at least a couple of times. I believe that  
18 the number of webinars offered the public an  
19 opportunity to comment on this has been probably more  
20 than I've ever seen before for similar activities.

21 I would like to speak in support of the  
22 NRC in issuing this EIS in final form. We speak in  
23 favor of the consolidated interim storage that Holtec  
24 is requesting a license for. We think that this is

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1 an eloquent and proper solution for commercial  
2 interim storage of used fuel.

3 My personal experience includes  
4 independent spent fuel storage facility installation,  
5 design, construction and operation at a couple of  
6 different nuclear power plants. The one I'm most  
7 familiar with is the one that's located in Maryland  
8 on the Calvert Cliffs site. It's been operating for  
9 over 26 years. It's a very innocuous thing to look  
10 at it. It incorporates the same types of designs  
11 that we'll be seeing -- as we have seen across the  
12 country including the one that's proposed for the  
13 Holtec site in New Mexico.

14 But I think that today's discussion of  
15 the three webinars that I have participated has been  
16 a most fulsome discussion of the things that are  
17 directly relevant to the environmental effects that  
18 interim storage would pose to the folks and the  
19 environment around the proposed site in New Mexico.  
20 I'm especially encouraged that folks are paying  
21 attention, that there have been some good discussions  
22 around the socioeconomic impacts of the site.

23 I think those reports that have been  
24 mentioned during the course of these discussions

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1 submitted to the NRC will be taken into consideration  
2 adequately by the NRC reviewers.

3 I think that with regard to the safety  
4 discussions that have been held today -- I think  
5 those, although they're out of scope for today's  
6 discussion, I believe they'll be more than adequately  
7 discussed as part of the Safety Evaluation Report  
8 that the NRC is working on as we speak for the CIS  
9 site in New Mexico.

10 But even though they're out of scope I  
11 think there's a couple of things I'd like to point  
12 out. I think with particular regard to the comments  
13 made by Mr. Paul Blanch, he mentioned that, yes, these  
14 are one-half to five-inch thick stainless steel  
15 canisters that are welded, that they're under 100  
16 -- up to 100 pounds pressure of helium internal to  
17 the canisters. While that's all true, Paul then  
18 conflated potential for degradation of these  
19 canisters with what happened at Davis-Besse where  
20 boric acid leakage from the reactor vessel basically  
21 wasted away the three to six inches of carbon steel  
22 on top of the reactor vessel.

23 One thing that Paul didn't point out is  
24 that there was only a three-eighth-inch layer of weld

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1 stainless steel that was holding up against over  
2 2,000 pounds pressure for the better part of a two-  
3 year operating cycle.

4 So again, you have evidence that's  
5 contrary to what Paul was presenting that shows that  
6 these canisters are extremely robust and aren't in  
7 the environment that they will be in and have been  
8 and across the country really not susceptible to any  
9 sort of accelerated degradation. And the comment  
10 that there's a certainty of degradation is really  
11 -- from an engineering perspective is just not  
12 correct. These will be addressed during the Safety  
13 Evaluation Report and have already been addressed by  
14 the licenses that have been issued by the NRC for  
15 these canisters across the country already.

16 But anyway I'd like to close by saying  
17 that I believe that contrary to a lot that has been  
18 said; and I know I'm kind of speaking alone today, is  
19 that nuclear is the most environmentally-friendly  
20 technology for the production of electricity that  
21 there has ever been and may be for a long, long time.

22 I'd like to congratulate NRC's Kevin  
23 Coyne's group in putting together a very  
24 comprehensive and thorough Environmental Impact

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1 Statement Draft Report and I expect that by the time  
2 they get to the point of issuing a final report it  
3 will exist in pretty much its current state,  
4 hopefully enhanced by some of the comments received  
5 today and in the webinars that preceded this.

6 So thank you very much for the  
7 opportunity for this open discussion. I think this  
8 sort of discussion is really unique to this country  
9 that we live in and we should congratulate the NRC  
10 and the infrastructure that we have for this kind of  
11 discussion. So thank you very much.

12 MR. CAMERON: Okay. Thank you, Bruce,  
13 for those comments.

14 And, Olin, who do we have next on the  
15 phone to talk to us?

16 OPERATOR: We have Karen Hadden.

17 Ms. Hadden, your line is now open.

18 MS. HADDEN: Hi. Can you hear me?

19 MR. CAMERON: Yes, we can, Karen.

20 MS. HADDEN: Hi. Good afternoon.

21 And I would like to start by saying that  
22 these comments today are, likewise, under protest.  
23 As others have discussed, I feel like this process is  
24 inadequate and undemocratic and unfair.

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1           I would like to say that I wholeheartedly  
2           concur with comments made by Kevin Camps, Becky  
3           Halpin, Pat Marida, Lon Burnam, Patty Hughes, and  
4           Michael Keegan. I did not hear the speakers before  
5           that. But they all did a really excellent job of  
6           laying out some of the problems that we're facing  
7           with this license application.

8           I'm very, very concerned with the Draft  
9           Environmental Impact Statement as inadequate. It  
10          fails to adequately acknowledge the risks of the  
11          Holtec site and the long transportation routes  
12          throughout the country.

13          And I want to read to you a statement  
14          that comes straight from an NRC website about the  
15          dangers of high-level radioactive waste. And it  
16          says, "High-level wastes are hazardous because they  
17          produce fatal radiation doses during short periods of  
18          direct exposure. For example, 10 years after removal  
19          from a reactor, the surface dose rate for a typical  
20          spent fuel assembly exceeds 10,000 rems per hour, far  
21          greater than the fatal whole body dose for humans of  
22          about 500 rems received all at once. If isotopes  
23          from these high-level wastes get into groundwater or  
24          rivers, they may enter food chains. The dose produced

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1 through this indirect exposure would be much smaller  
2 than the direct exposure dose, but a much larger  
3 population could be exposed." That is directly from  
4 the NRC website.

5 So, we have a Draft Environmental Impact  
6 Statement that comes out with conclusions of small  
7 impacts on numerous categories. It's really hard to  
8 take apart this DEIS and enumerate the many things  
9 wrong with it. I think it's a good compilation of  
10 facts, but with almost no real analysis. And it needs  
11 to be done over. It's inadequate as a document. It's  
12 inaccurate. It fails to address the very real dangers  
13 that are involved that risk the health of the public,  
14 that risk our economy, that risk the environment.  
15 The whole process is illegal and it should be done  
16 over when the time is right.

17 The public hearings should be held after  
18 the risks of COVID are over, and this proceeding  
19 should not be moving forward until it is legal to  
20 develop a consolidated interim storage site. I don't  
21 favor the development of any consolidated interim  
22 storage site at any point in time, but, certainly,  
23 right now it is illegal under the Nuclear Waste Policy  
24 Act.

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1 Thank you very much.

2 MR. CAMERON: Okay. Thank you, Karen.

3 Thank you very much.

4 Olin, who do we have on next to talk with  
5 us?

6 OPERATOR: We have Diane D'Arrigo.

7 Miss D'arrigo, your line is open.

8 MS. D'ARRIGO: Hi. Thanks.

9 MR. CAMERON: D'Arrigo, Diane D'Arrigo.

10 MS. D'ARRIGO: Hi. Thanks. Diane  
11 D'Arrigo, Nuclear Information and Research Service.

12 I am also testifying under protest. As  
13 was stated, previous calls and other callers have,  
14 other commenters have stated, the call is for in-  
15 person meetings after the COVID crisis is over. And  
16 there is a chance that this COVID crisis will end.  
17 Some people think it won't, but it will. And it's  
18 just not fair and it's just not equitable to expect  
19 people, the average person who could be impacted by  
20 all of this, to put everything aside and go through  
21 hundreds of pages of technical documents, which I  
22 believe they would do after the crisis is over.

23 So, the decision that's being made here  
24 by the NRC, although the claim is that it's for a 40-

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1 year license, it's an irreversible decision. Whether  
2 the site is actually really only temporary, which is  
3 highly question, or whether it is de facto permanent,  
4 the site itself is being sacrificed to the Nuclear  
5 Age. And if that's what people want, then that's  
6 what's going to happen. I do not believe that the  
7 people in New Mexico and along the route do want that.

8 It's an irreversible decision for the  
9 community, for the region, and for the whole  
10 ecosystem. And yet, the NRC is assuming that, presto,  
11 in 40 years there will be no more waste there. It's  
12 going to take more than 40 years to get the waste  
13 there.

14 And also, along the way, in the  
15 Environmental Impact Statement, the assumption is  
16 made that there will be no released of radioactivity,  
17 and that is, again, as others have mentioned, not a  
18 credible assumption.

19 I believe that within each of the  
20 categories that were given below, or whatever  
21 category of concern that the NRC has in the EIS, yes,  
22 there are tricks in the calculations and their  
23 assumptions that need to be questioned.

24 And the issue of the kind of waste, the

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1 application itself does not envision taking high  
2 burnup fuel. It does not envision taking damaged  
3 fuel. So, if such fuel would arrive, rather than  
4 managing it, because it's not licensed to manage it,  
5 supposedly, that kind of material would be sent back.  
6 And I don't think that that's a credible option, to  
7 take damaged fuel or high burnup fuel, and then, send  
8 it back to the reactors from which it came.

9 I think where it is at the reactors is of  
10 major concern, and that a lot more effort needs to be  
11 put into safer storage wherever it is and move it  
12 away from high sea level rise areas. But it needs to  
13 be managed as close as possible to where it's  
14 generated and not moved back and forth across the  
15 country, with the promise of getting rid of it, when,  
16 in fact, it's actually being spread.

17 I believe that this application is a foot  
18 in the door for actually taking high burnup fuel and  
19 damaged fuel, and that there is no -- at neither of  
20 the sites is there a facility envisioned to  
21 recontainerize the fuel or remove it or fix  
22 canisters. There's no dry or wet fuel transfer  
23 facility with good shielding, so that workers could  
24 actually work on the capability of the canister.

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1           So, a major assumption that's being made  
2 is that all of the containers are going to be  
3 perfectly fine for the whole time that the waste  
4 exists at the site. And at which stage would the NRC  
5 eventually require some kind of dry transfer or wet  
6 transfer, some kind of shielded facility to  
7 recontainerize and manage the fuel?

8           The containers are only licensed for  
9 limited time periods, 20, 30, 40, 50 years, and as I  
10 said, the facility's underlying application is only  
11 for 40. So, we're able to suspend this belief to do  
12 this application, be very focused and narrow and not  
13 face the reality; that's the opposition and the  
14 concern that we in the general public have, is that  
15 there are some very unrealistic assumptions in the  
16 Environmental Impact Statement. And we would like  
17 additional time, so that we can help the NRC identify  
18 these and improve this document and this analysis,  
19 and perhaps come to a conclusion that there's a better  
20 alternative all the way around.

21           So, that's some levels of opposition that  
22 I wanted to express at this point and a concern.  
23 Okay.

24           MR. CAMERON: Okay. Thanks. Thank you.

1 Thank you, Diane.

2 And, Olin, who is the next speaker?

3 OPERATOR: We have State Senator Jeff  
4 Steinborn.

5 MR. CAMERON: Oh, good.

6 OPERATOR: Your line is now open, sir.

7 MR. STEINBORN: Thank you. Good morning,  
8 everybody.

9 MR. CAMERON: Good morning.

10 MR. STEINBORN: Or good afternoon. Thank  
11 you.

12 So, I am State Senator Jeff Steinborn,  
13 past Chairman of the New Mexico Legislative Interim  
14 Radioactive and Hazardous Materials Committee, which  
15 is a joint Senate-House committee that meets round  
16 the year. And I am the current Vice Chair of that  
17 Committee.

18 And we had many hearings on the Holtec  
19 proposal and have taken a deeper dive into many of  
20 the issues. And I just have to say -- and I'm going  
21 to reiterate some of what I have said before -- but,  
22 No. 1, I find the EIS, by definition -- well, not by  
23 definition, but, unfortunately, in practice,  
24 deficient and not acceptable, frankly, in terms of

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1 covering the range of issues that are considered  
2 here.

3 And to New Mexicans and a lot of the  
4 people calling in, the transportation issue which is  
5 not part of this, is one of the 900-pound gorillas in  
6 the room because all this waste will come through all  
7 sides of New Mexico and put New Mexicans, give New  
8 Mexicans particular exposure. And that is not  
9 considered at all, and the arguments we've heard of,  
10 "Oh, we will do that later" -- no, transportation  
11 should not be an afterthought. And I think, given  
12 the significance of this proposal, this is a  
13 deficiency that's a fatal flaw in this plan that  
14 should preclude it from moving forward until all  
15 issues have been considered.

16 Beyond that, other deficiencies within  
17 the EIS, obviously, the social justice aspects are  
18 huge. I don't know that a proposal of this scale -- I  
19 know it's difficult to do the kind of work that would  
20 be required to do the due diligence on that, but, as  
21 the NRC previously has said, New Mexicans have not  
22 been proactively reached out to, educated about this  
23 proposal, in a level that could remotely conclude  
24 that their interests, that their considerations, have

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1       been listened to, have been considered. And yet, as  
2       Ed Hughes, a New Mexican, said earlier in this call,  
3       New Mexicans continue, time and again, to pay a  
4       disproportionate price to meet the high cost, the  
5       social cost, of the country's nuclear legacy.

6               Furthermore, you know, during this  
7       pandemic, it is hard to participate. And one of the  
8       disappointing and troubling aspects of the pandemic  
9       I've seen in public life is how it really puts  
10      everybody in a silo. It's hard to engage. People  
11      don't hear about issues unless you have internet  
12      access. And, you know, we definitely in this State  
13      have a digital divide in the same communities where  
14      we're going to be shipping waste through.

15              And yet, I, myself, I hopped onto the  
16      call, and I didn't realize I had to press \*1, for  
17      example. And thankfully, others said, "Hey, you have  
18      to do this to be able to speak." So, there are  
19      technological challenges there.

20              And I would hope, and I'll ask again for  
21      the NRC to push this off until or continue it until  
22      the pandemic over, so that we can recognize those  
23      inherent limitations of what's going on in the  
24      pandemic. It's a matter of basic fairness to the

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1 State of New Mexico.

2 I would point out, also, that -- and I  
3 think it needs to be repeated -- that communities in  
4 the State of New Mexico, including the Governor, but  
5 communities, comprising almost 50 percent of the  
6 State's population, have passed ordinances opposing  
7 this transportation through the State. And in the  
8 State of Texas, a great I think 5 million Texans have  
9 letters of opposition.

10 Now, you know, in contrast to the level  
11 of cooperation we've seen from the federal government  
12 on the west side of the State, what have we seen with  
13 Holtec? We've seen a company that has repeatedly  
14 tried to, as far as I'm concerned, mislead the NRC as  
15 to the level of support with the State of New Mexico,  
16 once even claiming that a resolution passed by a  
17 committee, my committee, that was nothing more than  
18 a number of members signing onto a statement, that  
19 they tried to claim that we had passed a resolution,  
20 which we had not. And I immediately contacted the  
21 NRC.

22 This last January, they hired a team of  
23 lobbyists to oppose legislation that was making its  
24 way through the Legislature to simply have the State

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1 do an evaluation, agnostic of the results, to do an  
2 evaluation of any private high-level facility in the  
3 State of New Mexico, simply to protect its own  
4 citizens. And Holtec hired a team of lobbyists to  
5 oppose that. This is a company that, aside from its  
6 lobbyists, doesn't have any employees living in the  
7 State of New Mexico. So, obviously, you know, that  
8 does not produce trust. In fact, it produces a lot  
9 of mistrust.

10 And finally -- and my time is probably  
11 almost out -- I wanted to say that, you know, New  
12 Mexico is being made to be the guinea pig in all of  
13 this. We're considering a proposal with a lifespan  
14 beyond the lifespan of dry cask storage or  
15 experience. There is no federal permanent  
16 repository. Obviously, New Mexico communities and  
17 the State has all the exposure when it comes to any  
18 accident that should occur.

19 And so, this is a proposal, frankly,  
20 driven by industry, not driven by real national  
21 energy policy, and it's of a level that I recognize  
22 the NRC, the staff, may feel like, well, it is not  
23 your position to consider is it a wise policy  
24 decision; you have a proposal. But I think there,

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1 inherently, is the great fundamental flaw of the  
2 whole thing, that states don't have consent; that a  
3 company and a few individuals can trigger this onto  
4 a state and onto a nation.

5 And I think the NRC needs to take  
6 seriously, and humbled, about its impact of what it's  
7 considering for the residents of our State and the  
8 nation in terms of their transportation risk, and,  
9 you know, expand the scope of this EIS. Frankly,  
10 start over -- I think that would be good -- and  
11 consider that and many more citizens' points of view,  
12 and also, delay this beyond the pandemic.

13 And further, I call on Congress to adopt  
14 a real consent-based approach to this. This is a sad  
15 excuse for a national energy policy.

16 So, thank you all for listening today.

17 MR. CAMERON: Okay. Thank you, Senator,  
18 for those serious comments. Thank you.

19 And, Olin, we're going to try to see if  
20 we can get people who have not addressed us to come  
21 on. So, I think (telephonic interference) about the  
22 \*1. Let's make sure that the people know that they  
23 have to press \*1 to come on to speak. But we're just  
24 going to wait here and see if we get persons who have

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1 not spoken tonight lined up to speak.

2 OPERATOR: Understood.

3 So, again, as a reminder, if you would  
4 like to ask a comment or pose a question, that is  
5 going to be \*1 to get in the queue. Again, \*1 to  
6 enter the queue for questions or comments.

7 (Pause.)

8 Our next question comes from Jerry Lodge.

9 Mr. Lodge, your line is now open.

10 MR. CAMERON: Hi, Jerry. Jerry, are you  
11 on?

12 Is it Jerry or Gary. Terry?

13 (No response.)

14 OPERATOR: We seem to be having a  
15 technical issue with that. One moment. I'll get the  
16 next question up.

17 MR. CAMERON: Okay.

18 OPERATOR: Next, we have Linda Lewison.

19 Ms. Lewison, your line is open.

20 MS. LEWISON: Thank you.

21 My name is Linda Lewison. I'm with  
22 Sierra Club Nuclear Free Campaign National Task Force  
23 and Nuclear Energy Information Service in Illinois,  
24 watchdog on the nuclear industry for the past almost

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1 40 years.

2 I am giving this testimony under protest  
3 that these hearings should wait until after COVID in  
4 six more months, and I support the details of that  
5 that were mentioned before on this call. There's no  
6 reason that they cannot be held safely and in person,  
7 and the Nuclear Regulatory Commission itself has said  
8 that the radioactive waste can be safely stored  
9 onsite for 120 years.

10 We oppose this plan, as does Sierra Club  
11 policy. I would like to cite three points.

12 President Singh of Holtec had said that  
13 he can't guarantee that the casks that they're making  
14 will be safe in these circumstances. There is no  
15 backup for if something goes wrong with these casks.  
16 The Nuclear Waste Technical Review Board, in 2019,  
17 has also said that there is no safe way to transport  
18 and store the waste, either short-term or long-term,  
19 at this time. And in my written testimony, I'll give  
20 the citations for these quotes.

21 It is also important to note that Holtec,  
22 the company itself, is being investigated for  
23 criminal activities in three states. This litigation  
24 is ongoing. So, we are already in a compromised and

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1 corrupted process.

2           There is a conflict of interest of the  
3 NRC, an agency that profits from extending licenses  
4 to these companies. That is, your fees are what  
5 creates much of the budget of the NRC. One has to  
6 ask, since we're discussing environmental impact,  
7 what is the "actual environmental impact," in quotes,  
8 of doing business with such an applicant who is under  
9 investigation in the first place? There is a lack of  
10 trust on the integrity of what Holtec is doing, and  
11 that continues to put the public and the environment  
12 at further risk.

13           In closing, please note that Senator  
14 Bingaman from New Mexico has in the past refused to  
15 endorse any form of interim storage at all, unless,  
16 according to federal law, there is a provision for a  
17 permanent repository that is actually selected and in  
18 place as a physical actuality in the first place prior  
19 to any other plan being put forward.

20           Thank you very much.

21           MR. CAMERON: Okay. Thank you again,  
22 Linda.

23           And, Olin, do we have someone else that  
24 hasn't spoken yet?



1 OPERATOR: We do. Janet Greenwald.

2 Ms. Greenwald, your line is now open.

3 MS. GREENWALD: Thank you for this  
4 opportunity to speak.

5 I'm Janet Greenwald, and I'm Coordinator  
6 of Citizens for Alternatives to Radioactive Dumping,  
7 which is an old organization first formed by citizens  
8 in southeastern New Mexico in 1978.

9 I would like to address several comments  
10 that were made earlier. I was pretty shocked to find  
11 out that Nick Maxwell's testimony was cut off. And  
12 Nick is the person that probably lives the closest to  
13 the proposed high-level waste site. He's a young  
14 computer consultant, and he has taken a lot of time  
15 and put in a lot of energy into monitoring his local  
16 government. And his testimony has to be very, very  
17 valuable because he is actually there at the meetings  
18 when a lot of these decisions were made to move  
19 forward with Holtec International and to go forward  
20 with this project. So, I was shocked to hear that.

21 And also, the remarks made about nuclear  
22 power, that how safe it is, I mean, that kind of  
23 defies common sense at this point, since we've gone  
24 through Chernobyl and Fukushima. Also, it sounds

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1       like this person hasn't looked into the studies that  
2       have been done in Europe in which children that lived  
3       close to nuclear power plants had been shown to have  
4       higher cancer rates.

5               As far as this whole process with this  
6       webinar goes, it's been very frustrating to deal  
7       with. For one thing, in NRC announcements, they do  
8       not say anywhere -- and I have looked over these  
9       announcements over and over again -- that you have to  
10      press \*1 in order to speak. So, how many people have  
11      just stayed on the line waiting for their turn to  
12      speak and have not been able to because they didn't  
13      do that? I tried to speak in the first webinar, and  
14      I did not know about \*1. Other people called me and  
15      said they had thought that they were in line to speak  
16      and that they couldn't speak. So, I know that this  
17      is the reality, and it's an incredible misstep.

18             This whole webinar process leaves so many  
19      people out in so many different ways. The older  
20      people that I have talked to who have definite  
21      opinions on the subject really can't face talking to  
22      people they can't see or cannot even identify. There  
23      is no way that I can reassure them that these are the  
24      right people that they will be speaking to. So,

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1       there's a big gap there. As we know, trust in  
2       government is not real high. So, making the process  
3       so difficult for them, for older people and people  
4       that are computer-illiterate, people who don't have  
5       computers, is a little crazy. I think that it's a  
6       great misunderstanding of whoever decided on these  
7       formats that New Mexicans who have a low median  
8       income, are largely rural, that they could  
9       participate fairly in a webinar process.

10               I would ask you to extend the comment  
11       period until we can have face-to-face meetings with  
12       proper outreach to people. I have talked to a lot of  
13       people who have never heard of these webinars. And  
14       once they hear of them, they don't really feel  
15       confident that they can participate.

16               When we consider environmental justice,  
17       and we only consider 50 miles from the site as  
18       appropriate to consider environmental justice, I  
19       believe a great injustice is being done. This project  
20       will affect all of us. And as we know, New Mexico is  
21       a minority-majority state and it has a low median  
22       income. It's last in its ability to care for its  
23       children. And yet, time after time, the nuclear  
24       industry targets New Mexico.

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1           To think that because some business  
2 people in Carlsbad, and a few other people who will  
3 profit from this project, want this project to come  
4 to New Mexico, is a form of consent is a great  
5 misunderstanding. The State as a whole has had enough  
6 as far as nuclear projects go.

7           I mean, I live downwind from Los Alamos,  
8 where, until a short time ago, there was a support  
9 group here for contaminated Los Alamos workers, until  
10 the leader of that group became too sick to continue  
11 his leadership. We have the downwinders in Tularosa.  
12 And unless you really dig into that subject, you might  
13 think that it's spurious, but those people have  
14 suffered so much from the nuclear industry, and they  
15 have not been given the same consideration as people  
16 in other states.

17           And that's true of New Mexico in regard  
18 to many aspects of the nuclear industry. The attitude  
19 seems to be, well, we've dumped this kind of waste  
20 there; we're doing this kind of dangerous nuclear  
21 project there; we've done the nuclear testing there;  
22 we're making the nuclear bombs there. And even though  
23 people have been contaminated and people are  
24 suffering, we, obviously, can do more dumping because

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1 the State is too poor or too weak to resist.

2 I'm just hoping that this time that is  
3 not true, because it's a true violation of  
4 environmental justice to take a beleaguered minority,  
5 low-resource state and, then, dump everything you can  
6 on it, as if these people, our people, don't count.

7 So, speaking a little bit about the  
8 siting, the latest USGS maps show, as the older ones  
9 did, that the site, the proposed Holtec site, is in  
10 the middle of one of the largest karstlands in the  
11 United States. And karst is a form of geology where  
12 the surface cannot hold rainfall or any other water.  
13 And so, the water percolates down to where the rock  
14 can hold it. Then, it runs along that rock in  
15 discrete channels. In order to find karst, you have  
16 to look for it, and that hasn't been done, or it  
17 certainly hasn't been documented as being done in the  
18 EIS.

19 So, we have to do some kind of, oh,  
20 electronic resonancing where we look down into the  
21 top layers of soil to see what -- down to 500 feet,  
22 let's say -- to see what is going on there. It's  
23 really not a very difficult process. It's fairly  
24 cheap to do, but that hasn't been done at the Holtec

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1 site.

2 The whole EIS, you know, certainly when  
3 it comes to environmental justice and to geological  
4 formations, shows very cursory consideration. It  
5 makes me feel, once again, like New Mexicans don't  
6 count. They're people of color. They're poor. What  
7 does it matter what happens there?

8 So, I feel that the comment period needs  
9 to be extended and people need to be told about this  
10 process. They don't really know at this time.

11 And we do not consent. You know, my  
12 husband and I went to the Blue Ribbon Commission  
13 studies and meetings in Tempe, Arizona. Those were  
14 the closest ones to New Mexico. And there were lots  
15 of ideas bandied about, but, certainly, people felt  
16 that consent should be at least statewide, not a small  
17 group of people in one community, that that would be  
18 consent. So, consent was never defined by the Blue  
19 Ribbon Commission.

20 A lot of money and energy was put into  
21 that project because, as you know, billions of  
22 dollars were put into siting a nuclear waste  
23 repository in Nevada, and all that money was wasted  
24 because the people there didn't consent. Well, the

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1 people here don't consent, either.

2 And so, maybe it looked like the easy  
3 thing to do to just bring the waste here to New Mexico  
4 with all the other waste and nuclear projects that  
5 are here, that this is already a nuclear sacrifice  
6 area. But the nuclear industry, and Holtec in  
7 particular, might be surprised. I think New Mexico  
8 is ready to finally fight back for this unfair  
9 treatment.

10 I want to thank you for this opportunity  
11 to speak once again, and I hope that you truly listen  
12 to these comments and don't just put them in the round  
13 file, where most public comment goes. Thank you.

14 MR. CAMERON: Okay. Thank you. thank  
15 you, Janet. And knowing the NRC staff here that's  
16 with me in the room, they are going to consider these  
17 comments and not just throw them in the round file.  
18 So, thank you for talking to us.

19 And, Olin, if you could just, I guess  
20 just remind people, we're going to limit the rest of  
21 this to people who haven't spoken already tonight.  
22 And if you could just remind people that they need to  
23 hit \*1.

24 And if you could put the next person for

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1 us that hasn't spoken yet?

2 OPERATOR: Absolutely.

3 As you said, if you would like to ask a  
4 question or a comment, it is \*1 to get in the queue.  
5 You will be required to state your name for the  
6 recording. Again, if you'd like to get in the queue,  
7 that's \*1.

8 Our next speaker is Tami Thatcher.

9 Miss Thatcher, your line is now open.

10 MS. THATCHER: Hi. Can you hear me?

11 MR. CAMERON: Yes, we can, Tami.

12 MS. THATCHER: Thank you.

13 I'm Tami Thatcher from Idaho. And, well,  
14 I was an advisory engineer at a Department of Energy  
15 nuclear reactor. And, you know, we had stainless  
16 steel piping for the reactor's primary coolant system  
17 and very careful chemistry control of the water, so  
18 that it had no chlorides. Because it's long known  
19 that stainless steel is susceptible to chloride-  
20 induced stress corrosion cracking.

21 But we did have our water systems  
22 connected to this primary piping, our water being  
23 groundwater, which was actually high in chlorides.  
24 So, you don't have to be talking about ocean water to

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1 have chlorides. You can have groundwater that has a  
2 significant chloride amount, enough to be a serious  
3 risk to stainless steel.

4 And at the plant I worked for, the well  
5 water was isolated by check valves, but they leaked  
6 by, enough for our water that our stainless steel  
7 piping had to be replaced. It had, through wall  
8 stress, corrosion cracking.

9 So, when we're talking about exposure to  
10 chloride, sometimes primary coolant piping that's  
11 stainless steel is protected from that exposure. You  
12 try to protect it from that exposure. Canisters,  
13 however, that have already been packaged maybe 20  
14 years ago already can be exposed to salt air water.  
15 They can be exposed to groundwater sprays. There are  
16 plenty of ways they can have chloride exposure, and  
17 it is proven, and the NRC knows, that you can have  
18 through-wall cracking progress within 20 years.

19 So, I want people to understand that.  
20 So, when the gentleman from NEI, when Bruce  
21 Montgomery from NEI, says there's no accelerated  
22 degradation of the canisters, and he obviously has  
23 the years of experience to know what he's talking  
24 about, he's not being truthful, I suppose. Based on

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1        what I've seen at the NEI website, so many assertions  
2        on that website are completely bogus. I would  
3        recommend to the NRC, when NEI says it's raining  
4        outside, you should assume it's sunny and it's not  
5        raining. Basically, assume the opposite. If NEI  
6        says this is safe, there is no accelerated  
7        degradation, then the fact is it's not safe and there  
8        is accelerated degradation.

9                    What the NRC accepted from Holtec's  
10       application was a risk assessment that had stipulated  
11       that it would not include any age-related mechanisms.  
12       So, you had a risk assessment that just said we're  
13       simply not going to include age-related mechanisms in  
14       calculating the risk of a canister leak, you know,  
15       cracking through a wall.

16                    So, it's completely bogus. People need  
17       to understand the NRC, the NEI, are trying to hide  
18       this problem. They allowed the design of these  
19       canisters, thin-walled canisters that are stainless  
20       steel. Yes, it's good stuff, but you're exposing it  
21       to chlorides. It has all the conditions for through-  
22       wall stress corrosion cracking. Yes, it may take 15  
23       to 20 years for the cracking to go through, but you  
24       need to understand that, once they go through, you're

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1 going to have airborne particulate release from the  
2 canisters. You're going to have trouble shipping  
3 them to a permanent repository, if you did happen to  
4 find one. You have no hot cells for taking the fuel  
5 out of a compromised canister. That is not any part  
6 of the Holtec design.

7 The NRC's monitoring of that airborne  
8 particulate that would be released from these  
9 canisters will be modified to whatever extent needed,  
10 so that they can say, you know, "We can hardly detect  
11 much. The doses are low. Don't worry about it."

12 So, I have to say that's what I think of  
13 your treatment of the canisters and your stipulating  
14 that leaking canisters are outside the scope of your  
15 EIS, when that's going to fundamentally be leaking  
16 radionuclides airborne and affecting your criticality  
17 risk if you do have water involved in potential  
18 leaking into a canister, and criticality concerns.

19 So, I wanted to give those comments, so  
20 that people understand what NEI and what the NRC and  
21 what Holtec are really trying to pull over on you.

22 So, thank you for this opportunity to  
23 comment.

24 MR. CAMERON: Okay. Thank you again for

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1           commenting, Tami.

2                           And, Olin, do we have someone else who  
3           hasn't spoken before on the line?

4                           OPERATOR:     We do.     We have Steven  
5           Sondheim.

6                           Steven, your line is open, sir.

7                           MR. SONDEHEIM:  Thank you.  Thank you.

8                           Yes, that name is mispronounced a lot.  
9           It's Steven Sondheim.  Yes, thank you.  I'm a member  
10          of the Sierra Club.  I'm part of a subcommittee called  
11          the Nuclear Free Campaign.

12                          And I want to agree with everybody that  
13          all this needs to be consent-based, consent-based for  
14          the people in the community, for the people in New  
15          Mexico, for the people in Texas, and, also, for all  
16          the people along the routes.  I live in Chicago now,  
17          which would be a major route.  I used to live in  
18          Memphis, which would be a major route.

19                          I want to mention this problem that Bruce  
20          Montgomery from NEI stated, that -- and I want to  
21          refer, actually, to Davis-Besse, where my wife's  
22          family lives.  They can see it out their window.  
23          Davis-Besse and its stainless steel thing wasn't  
24          discovered -- in fact, they say it was hidden until

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1       it was finally discovered, and it was almost too late.  
2       And the parallel to these casks is that there is no  
3       way to inspect them, to monitor them, to see if  
4       they're leaking, or once they do start to leak, to  
5       remove the waste or to repair them. So, it's blind.  
6       That's just totally unacceptable.

7               As the previous speaker mentioned, there  
8       are corrosive processes, and they wouldn't know if it  
9       happened. That's got to be shored up. In fact, they  
10      say that there are better cask systems that are  
11      thicker and that are also inspectable, monitorable,  
12      and where the problem can be found and fixed or  
13      removed.

14             Those other comments, most of the germane  
15      comments have been made so far. Obviously, we're  
16      against moving all this waste across the country.  
17      Obviously, these casks need to be better. And  
18      obviously, there needs to be public hearings, you  
19      know, face to face, and also, where some of these  
20      technical things that we're challenging you with are  
21      explained, either explained to the satisfaction or  
22      back to the drawing board to be explained.

23             Okay. Well, thank you very much.

24             MR. CAMERON: Thank you. Thank you,

1 Steven, for those comments from Chicago.

2 And, Olin, I wondered if Terry, if you  
3 ever heard back from, I think it was Terry Lodge who  
4 could not get on.

5 OPERATOR: We do actually have Terry  
6 Lodge up now.

7 MR. CAMERON: Oh, good. Good.

8 Hey, Terry.

9 MR. LODGE: Good afternoon. Can you hear  
10 me?

11 MR. CAMERON: Good afternoon. Yes, we  
12 can.

13 MR. LODGE: I'd like to talk  
14 about -- first of all, thank you.

15 I want to join the objections that other  
16 people have been making as to the timing and the lack  
17 of personal attendance to New Mexico by  
18 representatives of the NRC to get comments.

19 This project is years away from becoming  
20 operative, and there's plenty of time, and this is a  
21 decision for the ages because of this possibility  
22 that Holtec could become the substitute for a deep  
23 geological repository. So, this is an incredibly  
24 important decision. It's a national decision. At

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1       least 215 million people presently live, recreate, or  
2       work within 50 miles of the (telephonic  
3       interference). It's absurd and I'm very tired of the  
4       excuse that the NRC is minimally complying with their  
5       clearance NEPA and, also, has to observe New Mexico's  
6       requirements regarding COVID. There's plenty of  
7       time. You could do this in a year, a year and a half,  
8       maybe sooner, if there were any genuine leadership on  
9       resolving the COVID crisis.

10               My comments are these: one of the  
11       glaring absences from the DEIS is recognition and  
12       discussion of the official policy of the Department  
13       of Energy right now regarding the deep geological  
14       repository. They announced, in 2006, that the  
15       intention, the official federal government's  
16       intention, is to require a standardized disposal  
17       canister to be used at whatever repository ultimately  
18       would be chosen. That design has never been  
19       finalized. It is estimated, however, that if you  
20       take the 173,000 metric tons expected there volume  
21       for Holtec, you're taught that, instead of 10,000  
22       deliveries, 10,000 cargoes traveling literally  
23       millions of miles, ultimately, on rail in the United  
24       States, there would be as many as 80,000. And that

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1 depends on a bunch of unanswered questions.

2           There are 12 or more closed reactor sites  
3 right now that do not have any capability to unload  
4 or reload or do anything to remediate the canisters  
5 that they presently possess. That means that they  
6 can't even be loaded into transport canisters of any  
7 type to be shipped to Holtec. So, there is a need  
8 for some high-tech hot cell type of capability, even  
9 to get that waste out of those sites.

10           (Telephonic interference), here they  
11 made it clear in 2006 that they do not accept at the  
12 repository site, basically, the waste that's put  
13 there and they will not repackage it. It will have  
14 to be done upstream, as you know, of the project.  
15 That means either the reactor sites or at Holtec.  
16 And yet, Holtec refuses to permit, and the NRC is not  
17 holding them to require, onsite dry transfer storage  
18 or other means technologically of handling and  
19 reloading the spent nuclear fuel into standardized  
20 disposal canisters.

21           It's also a question mentioned, and  
22 talked about considerably, that for the first 40  
23 years or so -- actually, for the first  
24 century -- Holtec doesn't plan on having the

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1 capability or having DTS onsite. They don't plan?  
2 They don't intend to have any accidents or problems,  
3 storage leakage crises of a radiological sort happen,  
4 which requires a fantasy thought, which is certainly  
5 a characteristic of this entire proposal.

6 So, you have this problem of possibly  
7 having to break the overall volume down into  
8 thousands more canisters, as I say, as many as 80,000,  
9 certainly many hundred thousands, or you have the  
10 problem of Holtec becoming a reloading facility. And  
11 that implicates Holtec's predictions of how much low-  
12 level radioactive waste will be generated at the  
13 site. If Holtec is the locus where the unloading and  
14 reloading into standardized canisters occurs, then  
15 there is going to be literally thousands of  
16 cans -- radioactive material, in other  
17 words -- generated as waste.

18 And presently, the DEIS states a very  
19 minimal amount of low-level radioactive waste,  
20 basically, a few thousand tons over decades. That's  
21 a ridiculous underestimate in any event, but it's  
22 certainly a ridiculous underestimate if Holtec  
23 actually has to repackage all of this material from  
24 the canisters and casks in which the waste arrived,

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1 and has to, basically, try to meet the disposing of  
2 the material that they had not planned on.

3 Another complicating factor is that  
4 presently pending before the NRC is a rulemaking by  
5 another name, a rule, whereby the agency proposes to  
6 re-deregulate what may very likely be low-level  
7 radioactive waste, deregulate as in allowing,  
8 essentially, anybody who wants to develop a landfill,  
9 even one that doesn't comport with state sanitary  
10 landfill requirements, that anybody can open a  
11 landfill and accept radioactive material with zero  
12 follow up, regulation, or oversight by the Nuclear  
13 Regulatory Commission. I think that the effects and  
14 implications of that rulemaking reinterpretation,  
15 whatever the NRC is calling it this week, is --

16 MR. CAMERON: Olin, I think we lost Terry  
17 again for some reason.

18 OPERATOR: I am seeing that on my end  
19 here as well. I do apologize. Stand by just a  
20 moment.

21 MR. CAMERON: Okay.

22 (Pause.)

23 OPERATOR: Mr. Lodge, if you can hear  
24 me -- this is the operator again -- go ahead and press

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1       \*1 again, so I can reopen your line.

2                       (Pause.)

3                       MR. LODGE: Hello?

4                       MR. CAMERON: Hello. Is that Terry?

5                       MR. LODGE: Yes.

6                       OPERATOR: Yes, it is.

7                       MR. CAMERON: Okay. Terry, why don't you  
8 finish up with your comments for us? We lost you  
9 there for a while.

10                      MR. LODGE: I don't suppose anyone knows  
11 what I was saying when you lost me.

12                      MR. CAMERON: Yes, we couldn't hear you  
13 there for a while. You were talking about the NRC  
14 regulation that would address what's called very low-  
15 level waste.

16                      MR. LODGE: Ah, very good. Fine. Thank  
17 you.

18                      I believe that the requirements of NEPA  
19 obligate the agency to take into account the proposed  
20 very low-level waste reinterpretation and analyze it  
21 within the context of the Holtec application, because  
22 of the fact that it well could mean that there must  
23 be more serious attention given to the commitments  
24 for where, and in what manner, low-level radioactive

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1 waste is disposed of, especially given the fact that  
2 it is highly likely -- in fact, it's  
3 inevitable -- that there will be thousands of tons  
4 more low-level radioactive waste generated by the  
5 project than the applicant and the NRC are presently  
6 acknowledging.

7 Thank you.

8 MR. CAMERON: Okay. Thank you for  
9 bringing that to our attention, Terry.

10 And, Olin, do we have anybody on who  
11 hasn't spoken to us yet?

12 OPERATOR: Unfortunately, when the mishap  
13 happened with Mr. Lodge, we lost two participants,  
14 Ethel and, then, I had another name, but,  
15 unfortunately, I don't have what it is. But if you  
16 give me a moment, I'll get another question queue  
17 back up for you.

18 MR. CAMERON: Okay. Great. We look  
19 forward to Ethel.

20 OPERATOR: We have a Karen Berdine.

21 Miss Karen, your line is now open.

22 MS. BONINE: Bonine. Yes?

23 MR. CAMERON: Hi, Karen.

24 MS. BONINE: Hi. It's Bonine,

1 B-O-N-I-N-E. Chip knows how to say it.

2 MR. CAMERON: Okay. We got it. We got  
3 it.

4 MS. BONINE: All right. Yes. The one  
5 word or the two words I really want to repeat: we  
6 need stronger casks, or canisters rather, stronger  
7 canisters. If Germany can build them, why can't  
8 Holtec, or perhaps a more reputable company, a more  
9 believable company?

10 In Japan, during the tsunami at  
11 Fukushima, the canisters and casks that they had  
12 there withstood the incredible, unimaginable force of  
13 the tsunami and the earthquake that accompanied it or  
14 preceded it. It is possible to make canisters or  
15 casks that can withstand immense forces. And we know  
16 that immense forces can and do happen in nature, such  
17 as earthquakes, such as tornadoes, such as  
18 hurricanes, incredible forces, not to mention the  
19 possibility of a terrorist attack on a highly visible  
20 storage facility that is projected to have neatly  
21 arrayed, partially above-ground storage units that  
22 anybody could see from the sky from miles away.

23 And I strongly object to gathering all  
24 this waste in one place, where one accident could

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1 trigger, even in just one cask, a criticality  
2 incident; could create enough energy to trigger  
3 breakdowns of many, if not all, of the other canisters  
4 or casks in the array. I think this is just  
5 foolishness.

6 And it's also illegal because, under  
7 federal law, there cannot be a temporary storage  
8 facility until a permanent repository has been  
9 located and approved.

10 That's all I have to say. Thank you very  
11 much.

12 Did you hear me?

13 MR. CAMERON: Okay. Thank you. Yes,  
14 yes. Thank you very much, Karen, and we did hear  
15 you.

16 And I think we have a new operator. Is  
17 it Sarah?

18 OPERATOR: That is correct, sir.

19 MR. CAMERON: Okay. Sarah, we're only  
20 taking people who haven't spoken to us before, and I  
21 don't know if there's anybody on the list. But there  
22 was one person when Olin was with us, a woman, I'm  
23 assuming a woman, named Ethel. We didn't get a last  
24 name. And he couldn't get her on the line.

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1                   Can you just tell people to press \*1 if  
2 they want to talk to us? So, we're not taking people  
3 who we've already heard from.

4                   OPERATOR: Thank you, sir.

5                   Ethel, if you could at this time press  
6 \*1, we can open up your line, so you may speak.

7                   (Pause.)

8                   MR. CAMERON: We've given --

9                   OPERATOR: And it is -- I'm sorry,  
10 sir -- it is Ethel Rivera.

11                  MR. CAMERON: Oh, good. Ethel Rivera.  
12 Okay, Ethel.

13                  MS. RIVERA: Thank you very much.

14                  I would like to just take a moment to  
15 express my heartfelt regrets that, once again, the  
16 State of New Mexico and the environment are being  
17 used as a trash dump for the trash of the United  
18 States that no one else wants to have.

19                  I want to express my protest of these  
20 webinars which the majority of the American people  
21 that would be affected by these actions that are being  
22 proposed have no idea that this is going on.

23                  I live in southeastern Michigan, not too  
24 far from the route that the transport of these

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1 materials would be taking over. This whole idea  
2 reminds me of the not-too-long-ago event that  
3 affected the area that I live in, including all of  
4 the Great Lakes, when the Canadian nuclear industry  
5 wanted to have a deep underground dump under the  
6 shores of Lake Huron, not far from our own Michigan  
7 cities. And it took years and many, many protests,  
8 many, many hearings, all of which were widely  
9 disseminated to the people of both the United States  
10 and Canada and all of the surrounding areas that would  
11 be affected. We finally were able to, on behalf  
12 primarily of the Native Americans who were able to  
13 intervene, finally put a stop to that idea.

14 But this is a very similar attempt to  
15 have something of immense -- immense -- proportions  
16 and immense degradation of our entire environment  
17 come before an agency that has immense  
18 responsibility, but seems to have abandoned its  
19 responsibility to make sure that the citizens of this  
20 country are kept in the dark as to what is going on.

21 I applaud the efforts of so many beyond  
22 nuclear, Diane D'Arrigo and her organization, and  
23 many others, the Sierra Club Nuc Free, and others,  
24 but, most importantly, the people of New Mexico, who

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1 for years have been taken advantage of, who have  
2 suffered immense -- immense -- degradation of their  
3 land, of their people, of their society, and once  
4 again, are being cited as a good location for  
5 continued degradation and poisoning of their land and  
6 their people and their degradation of their society.

7 It is just ludicrous that we are  
8 continuing these efforts to do these kinds of things  
9 in the dark. These webinars are not widely known to  
10 even exist. Why does the NRC and its cohorts pursue  
11 these efforts to do these things in the dark?

12 And in today's COVID situation, it is  
13 ludicrous to think that they are being held. They  
14 should be held off until the pandemic has been evaded.  
15 They should be restarted. All the issues with regard  
16 to the unanswered questions that have been noted in  
17 today's and previous webinars/discussions should be  
18 addressed. And they should be addressed in open  
19 public meetings held across this country, but,  
20 primarily, along the routes of the transportation  
21 lanes that have been proposed and, of course, widely  
22 across the entire State of New Mexico and the adjacent  
23 areas of Texas that would be affected.

24 It is, to me, another example of the

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1 corruption between private industry and businesses,  
2 along with government entities, that are seeking not  
3 to improve the lives of the American people, but to  
4 continue to enrich their pocketbooks, and without the  
5 responsibilities that go along with them.

6 Furthermore, that the NRC and the other  
7 agencies involved would even consider doing business  
8 with such an organization as Holtec, given the  
9 allegations and the situation that the CEO and others  
10 in that corporation are under scrutiny for, is just  
11 another signal that we are not doing our best to serve  
12 the country with the responsibilities that they have  
13 sworn to undertake.

14 Thank you very much for your time.

15 MR. CAMERON: And thank you. Thank you,  
16 Ethel.

17 And, Sarah, do we have one more that we  
18 haven't heard from yet?

19 OPERATOR: We do. Thank you.

20 Diane Turko, your line is open.

21 MS. TURKO: Oh, hi. Hi.

22 MR. CAMERON: Hi.

23 MS. TURKO: I'm Diane Turko. Hi. I'm  
24 Director of the Cape Downwinders on Cape Cod in

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1 Massachusetts, and we are watchdogs for the Pilgrim  
2 Nuclear Reactor. We have members all across the Cape  
3 and across the State.

4 And I am presenting this testimony under  
5 protest. We stand in solidarity with the New Mexicans  
6 who are demanding the NRC stop the Holtec license  
7 application process until it is safe to hold in-  
8 person public meetings in New Mexico. We also support  
9 the demand for the NRC to hold public meetings in  
10 Texas and, also, the 44 impacted states, including my  
11 home State of Massachusetts.

12 This proposed Holtec CIS is no better  
13 solution for storing nuclear waste than what is  
14 already in place across the United States. It's just  
15 a complete failure.

16 That the NRC has concluded that impacts  
17 from transportation accidents, and its assumption of  
18 no release during accidents, is completely  
19 irresponsible. You're making it sound like, oh, this  
20 is, you know, it's going to pack the stuff up and  
21 move it across the country, and don't worry about it.

22 So, the NRC is just kicking the dangerous  
23 nuclear waste can down the American highways and  
24 rails to dump in the minority communities. This is

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1 clearly social and environmental injustice. We find  
2 this unacceptable and you do not have our consent.

3 Cape Downwinders will be submitting  
4 written comments with many more details.

5 So, thank you for this time, and I really  
6 hope that you listen to the people and wait until  
7 there can be in-person meetings and hold them across  
8 the United States, where all these communities will  
9 be impacted.

10 Thank you.

11 MR. CAMERON: Okay. Thank you. Thank  
12 you very much, Diane.

13 And I'd like to thank everybody who  
14 commented today. And we're over the time. So, we're  
15 going to close the meeting out now.

16 And, Sarah, I'm going to go to Kevin  
17 Coyne to close the meeting. He's our senior agency  
18 official. And after that, we'll be adjourned.

19 So, Kevin?

20 MR. COYNE: Thanks, Chip.

21 I just want to take a moment to thank  
22 everyone again for your participation in today's  
23 meeting. I think we had over 130 folks participating,  
24 and we very much appreciated the comments and

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1 perspectives that you provided today.

2 All your comments will be captured in the  
3 transcript. And we will review and analyze those  
4 comments as we prepare the Final Environmental Impact  
5 Statement for Holtec International's application.

6 I also want to note that the NRC takes  
7 these meetings very seriously. Your comments provide  
8 an important piece of information for our  
9 environmental review. And to that end, from our side,  
10 our environmental safety front-line supervisors and  
11 management team actively participate in these  
12 meetings.

13 And as Chip pointed out at the beginning  
14 of the meeting, many of us are in this room now  
15 actively listening to your comments, and we  
16 appreciate those comments and the time that you've  
17 taken out of your day to provide them.

18 Just a reminder that we ask for your  
19 comments on the Draft Environmental Impact Statement  
20 by September 22nd.

21 And with that, thank you very much.

22 MR. CAMERON: Okay. Thank you.

23 And, Sarah, thank you, and thank Olin for  
24 the assistance, too, today.

1 (Whereupon, the above-entitled matter  
2 went off the record at 2:25 p.m.)  
3  
4  
5  
6  
7  
8  
9