

United States Senate

WASHINGTON, DC 20510

April 24, 2018

The Honorable Kristine L. Svinicki
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Svinicki:

As you are aware, an application was submitted to the Nuclear Regulatory Commission (NRC) from Holtec International on March 30, 2017 with the intent to store 500 canisters holding approximately 8,680 metric tons of high-level radioactive waste in the form of spent nuclear fuel and, eventually, up to 10,000 canisters on a site in Lea County, New Mexico. On March 30, 2018, the NRC published notice in the Federal Register of its intent to prepare an environmental impact statement (EIS) on the project, known as the HI-STORE Combined Interim Storage Facility (CISF).

The NRC on April 6 published notice that the public scoping comment period related to the EIS closes May 29. The agency also announced three public events related to scoping in southeast New Mexico: an open house on April 30 in Roswell, a scoping session on May 1 in Hobbs, and a scoping session on May 3 in Carlsbad.

As the NRC begins soliciting public comment on the scope of its environmental review of Holtec International's application for a license to construct and operate the HI-STORE CISF in Lea County, we urge the agency to carry out a more robust, open and transparent approach to public outreach in order to accommodate the many interested citizens across our vast state. Our offices are receiving requests from constituents for additional opportunities to attend public scoping meetings in locations other than those near the proposed Holtec International site.

The management of nuclear waste – its storage, transport and safe disposal - is a topic of very significant public interest in New Mexico. The public health, safety, and long term implications of this proposal are great, as the proposal involves storing high-level waste on an interim, but indefinite, basis as long as America continues to lack an operational permanent repository for this material. Constituents in our state, the fifth largest in size in the nation, range from Native American tribes concentrated in the north to dairy farmers in the southeast, to tourism-related businesses across New Mexico, all desiring equal access to NRC public scoping sessions. The drive time to Carlsbad from Farmington, in the state's northwest corner, takes seven hours. From Albuquerque and Santa Fe to Carlsbad, the drive time is nearly four and half hours – longer than the drive from New York City to Washington, D.C. From Las Cruces, the second largest city in the state, the drive to Carlsbad takes nearly three and a half hours. Although an interim storage facility may not be located in those areas, citizens from all

over New Mexico have views that should be taken into account during a public scoping period.

We propose that the NRC consider scheduling at least two additional public scoping sessions, perhaps in Albuquerque and Gallup, to ensure that residents of northern New Mexico have easier access to NRC officials in order to provide comment that could shape the environmental impact statement. Improved communication is necessary to ensure communities understand and trust the decision making process, and to ensure the NRC accounts for the wide variety of concerns of constituents around our state.

The National Environmental Policy Act (NEPA) process provides for several opportunities for public comment from potentially affected and interested parties. As NRC continues the NEPA process, we strongly urge you to engage proactively with stakeholders, such as state and local officials, community members, and tribal governments to identify, avoid, or mitigate any environmental, cultural, or community impacts of this proposed project.

Sincerely,



Tom Udall
U.S. Senator



Martin Heinrich
U.S. Senator