**Re: Docket ID NRC-2018-0052 Draft Environmental Impact Statement Comment**

Dear NRC staff,

I am writing to submit a public comment in response to the Draft Environmental Impact

Statement **(** Docket ID NRC-2018-0052) regarding Holtec International’s application for a license to build and operate a “Consolidated Interim Storage Facility for Spent Nuclear

Fuel and High Level Waste” (NUREG-2237).

**I am strongly opposed to the Holtec storage proposal because** *[...Please insert*

*personalized comment here].*

**1. New Mexico Does Not Consent**

The motto of the Nuclear Regulatory Commission is “Protecting People and the

Environment,” yet the NRC’s Draft Environmental Impact Statement (DEIS) on the

Holtec project does neither. **Instead, the NRC’s inadequate draft EIS puts people,**

**wildlife and precious water resources at significant and potentially, deadly risk by**

**failing to heed the concerns of the community.** We join the All Pueblo Council of

Governors, New Mexico Governor Michelle Lujan Grisham, New Mexico State Land

Commissioner Stephanie Garcia Richard, more than a dozen county and city

governments, the Alliance for Environmental Strategies, the New Mexico Cattle

Growers Association, the Permian Basin Coalition of Land & Royalty Owners and

Operators, the Nuclear Issues Study Group, and the more than 30,000 residents who

commented during the 2018 scoping period in **vehemently opposing** bringing the

nation’s high level radioactive waste from nuclear power plants to our communities. **We**

**do not consent to becoming a nuclear wasteland for millions of years.**

**2. Cumulative Impacts**

The DEIS is inadequate because it fails to consider **cumulative impacts** from the

damage the nuclear industry has already inflicted on New Mexicans for the past 75

years: uranium mining and milling in the northwest on indigenous Diné and Pueblo

lands, including the 1979 Churchrock Disaster; radioactive contamination to Tewa lands

and people from the Manhattan project in the Los Alamos area; fallout on downwinders

from the Trinity Test in the Tularosa basin; the Waste Isolation Pilot Plant, which has

already accidentally released dangerous amounts of radiation and now wants to

expand; the URENCO uranium enrichment plant in Eunice; the world’s largest nuclear

warhead stockpile on the edge of Albuquerque; and the toxic threat to Albuquerque’s

aquifer by the Mixed Waste Landfill. Rather than adding 173,600 metric tons of high

level radioactive waste to a state that has already been grossly overburdened, the

United States should be directing its resources towards cleaning up the contamination

already present in our communities, just compensation, and holistic community health

studies. The DEIS also fails to account for cumulative impacts from the other proposal

for Consolidated Interim Storage, approximately forty miles east at the current Waste

Control Specialists low-level radioactive waste site.

**3. Environmental Racism**

It’s no coincidence that the United States wants to make New Mexico a nuclear

wasteland. It ranks as one of the poorest states and is a majority minority state, with

more Black, Indigenous, People of Color (BIPOC) residents than white residents. For

the NRC to determine that nuclear waste which will threaten life for millions of years

would have “small” or “no environmental impact” is a **blatant violation of**

**environmental justice principles and is environmental racism in action.** We do not

give our own government license to allow a private industry to further contaminate our

home or to expand the massive nuclear burden we already bear.

**4. Threats to Cultural Properties & Historic Sites**

Holtec International and the NRC would have us believe that the site is a desolate,

uninhabited place with “no historic value or significance.” This statement is completely

false and without merit. The site is located near or on two lagunas or playa lakes:

Laguna Gatuna and Laguna Plata. Lagune Plata is an archaeological district that has

been extensively studied for decades. Two sites near Laguna Gatuna, where the

nuclear waste is proposed to be stored, are listed on the National Register of Historic

Places. Archaeologists have found a plethora of evidence of the Jornada Mogollon

people, dating from 200 AD, 700 AD, and 1200 AD. More than 200 archeological sites

are located within six miles of the proposed nuclear waste dump. Laguna Gatuna, while

often dry, fills with water after monsoon rains, attracting a variety of wildlife and hunters

for millenia. The Hopi and Mescalero Apache nations have identified the area as

culturally significant to them, and the Hopi nation has informed the NRC that traditional

cultural properties could be adversely affected if this project proceeds. The site where

Holtec wants to dump tens of thousands of tons of radioactive waste **has profound**

**historic value and significance.**

**5. Threats to Water & Wildlife**

The impact of this forever deadly nuclear waste would have devastating consequences

on **wildlife including threatened species** that rely on the lagunas for drinking water

and surrounding area as a critical habitat, including the Lesser Prairie Chicken, and the

Dune Sagebrush Lizard. Agencies such as U.S. Fish & Wildlife, New Mexico Game &

Fish, the Environmental Protection Agency (EPA) and New Mexico Environment Dept

(NMED) have all gone on record attesting to the significance of Laguna Gatuna for

migratory birds, and have argued that it should be designated permanently as a Water

of the United States (WOTUS), which would make it eligible for protection under the

Clean Water Act.

**6. Threats from Transporting Irradiated Nuclear Fuel**

Not only New Mexico would be adversely impacted by the Holtec project: **all**

**communities along the transportation routes between nuclear power plants and**

**the Holtec proposed site would be threatened** by radiation from the rail cars, and

from the devastating financial and environmental damage if an accident or act of malice

should occur. Studies have shown that one accident is likely to occur for every 10,000

shipments. It is irresponsible and dangerous for NRC to avoid inclusion of these

mammoth risks and liability in its DEIS for Holtec’s application.

**7. Holtec’s Project is Illegal**

Finally, under current U.S. law, this project is illegal. The Nuclear Waste Policy Act of

1982, as amended, does not allow the federal government to take title to the high level

radioactive waste until a permanent geologic repository is operating. So the federal

government cannot pay for transportation and storage of the waste as Holtec wants.

The license cannot be issued until either a permanent repository is operating, or U.S.

law is changed.

For all the above reasons and more, I declare that the DEIS for Holtec’s application is

**inadequate** and further that the license for a high level radioactive waste storage facility

should be **denied** . In conclusion, high level nuclear waste from nuclear power plants

around the U.S. should not be brought to New Mexico–it should be isolated on or near

the current site until there is an environmentally just and scientifically sound option is

available.

Sincerely,

*[Your Name]*

*[Your address (optional)]*

*[Your city and state (optional)]*