

## Holtec-CISFEISCEm Resource

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**From:** Mervyn Tilden <reservationfire@yahoo.com>  
**Sent:** Tuesday, July 31, 2018 4:23 PM  
**To:** Holtec-CISFEIS Resource; Caverly, Jill; Cuadrado-Caraballo, Jose  
**Subject:** [External\_Sender] EXTENSION TO HOLTEC INT'L COMMENT PERIOD NEEDED

TO: The U.S. Nuclear Regulatory Commission, 11555 Rockville Pike. Rockville, MD 20852-2738

FROM: Mervyn Tilden, P.O. Box 457, Church Rock, New Mexico 87311

RE: Additional Comments by Mervyn Tilden regarding the Holtec International and the United States Nuclear Regulatory Commission Docket ID 72-1051; NRC-2018-0052.

DATE: July 30, 2018

At a scoping meeting on May 21, 2018 in Gallup (NM) hosted by the Nuclear Regulatory Commission (NRC) on behalf of Holtec International and its proposal to bring all of the existing commercial high-level radioactive spent fuel from nuclear reactors from the East Coast to New Mexico, over 100 individuals attended. There were 37 speakers; 36 were opposed to the transport of high-level nuclear waste through our region by Holtec, International. Other New Mexico cities (Albuquerque, Bernalillo, Las Cruces, Jal and Lake Arthur) have passed resolutions opposing the transportation.

There are over 14 Navajo communities along the proposed transport route and no NRC public meetings scheduled for them. Additional meetings are urgently needed for the neglected Navajo Communities along the transportation route and translators/interpreters should be provided by the NRC and Holtec, Int'l at their expense. The contact information for the Navajo Nation is: <http://www.opvp.navajo-nsn.gov/contact-noonvp/> and <http://www.navajo-nsn.gov/>. The contact information for the Navajo Nation Council is: <http://www.navajonationcouncil.org/>. The Navajo Nation Dine' Uranium Remediation Advisory Commission has not been a part of the proceedings and must be included in future public meetings; the contact information is: <http://navajonationepa.org/>.

No one from the City of Gallup, McKinley County or the State of New Mexico representing Districts 5 or District 9 attended either (McKinley and San Juan Counties), (<https://www.co.mckinley.nm.us/184/Board-of-Commissioners>). The contact information for the City of Gallup (Mayor and Districts 1, 2, 3, and 4); the U.S. Congressional Districts; the New Mexico House of Representatives; and, the New Mexico Senate are: <https://www.gallupnm.gov/438/Elections-and-Representatives>.

There is no adequate representation by those elected to represent the best interests of the citizens of the Navajo Nation, the City of Gallup and McKinley County and the State of New Mexico. There is no data, reports of information located at the Gallup Octavia Fellin Public Library or the Navajo Nation library even when the transport of the high level radioactive waste will be transported through the heart of Gallup, New Mexico and McKinley County, directly adjacent to the Navajo Nation.

The public information regarding the proposed transport of high level radioactive materials on Interstate I-40 and the Burlington Northern Santa Fe Railroad does not include the "computational fluid dynamics modeling" that was implemented in testing of the proposed Canisters (Casks) that will be utilized in the said transport of the high level radioactive waste through New Mexico.

The spent nuclear fuel inside the casks has been stored for decades in circulating water and is "hot", reaching several hundreds of degrees Fahrenheit with extreme radiation that is dangerous to all forms of life. The fuel rods, uranium pellets must be kept cool at a required level within the casks underwater. Once sealed, it is impossible to view or know what activity is taking place inside or know the conditions of inside the casks. It is unclear what devices will be used to monitor or measure the temperatures.

It has not been made known if the casks are the older models or the newer models. How much fuel assemblies they will contain or the required increased pressure inside is needed at all times for safe transport. The model data obtained to date has not been extrapolated and no radioactive materials were used in the actual testing with the simulated dry cask system or underground storage.

Thousands of casks will be partially underground in the heated desert in Southern New Mexico until a "permanent" storage site is developed. The same was also said about the Yucca Mountain storage site but it became a permanent storage site as no other location was located or created. The desert conditions will have an impact on the casks that are not known as a result of the lack of information from any testing that is comparable to said desert conditions and the integrity of nuclear waste in long-term storage must be addressed completely and accurately.

The 80,000 metric tons of radioactive waste will eventually have to be repacked for any repository to remain intact for decades that have been proposed. If and when there is an alternative site located, there will be unforeseen problems with the repackaging and transport. Nothing has been made public in this phase.

In regards to the transportation and storage site(s) there will be armed guards on the railway and location yet the Nuclear Regulatory Commission, Holtec International and the New Mexico Mining Commission has publicly stated that the proposed transport and storage will be "safe and secure".

There has been no consultation with the Navajo Nation whatsoever. There has been no Health Risk Assessments or Environmental Impact Assessments regarding the unfortunate potential for any mishaps that will occur along the transportation routes that will impact the nation or nearby communities. This is totally unacceptable, especially when the NRC and Holtec Int'l. have not taken the due diligence to translate their deadly proposal into the Navajo and Laguna-Acoma languages. This is not responsible toward adequate free and informed prior consent, especially when the U.S. Department of Transportation is not a part of this process or discussion in the face of Regulations for the Safe Transport of Radioactive Material 2012 Edition for protecting people and the environment, No. SSR-6, Specific Safety Requirements, IAEA SAFETY STANDARDS AND RELATED PUBLICATIONS.

Human Rights has not been a part of the discussion or the safety of our sacred land. It is clear that additional public meetings are needed. It is the responsibility of the U.S. Nuclear Regulatory Commission to make sure these meetings are conducted for the Navajo residents who reside in the communities that are adjacent to the proposed I-40 and BNSF transportation routes. The Trust Responsibility of the United States government through the treaties signed with the Indigenous nations of America is not even considered. The trust doctrine is a source of federal responsibility to Indians requiring the federal government to support tribal self-government and economic prosperity, duties that stem from the government's treaty guarantees to protect Indian tribes and respect their sovereignty. This must be addressed by the Nuclear Regulatory Commission, a U.S. government sector, as it appears the U.S. Bureau of Indian Affairs of the U.S. Indian Health Service has not participated in this process.

**An additional 90 days' extension should be added to the U.S. Nuclear Regulatory Commission public comment period as this is not responsible to the American citizenry or the Native American populations that will be harmed in the federal process.**

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