



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 18, 2019

The Honorable Michelle Lujan Grisham
Governor of the State of New Mexico
State Capitol
Room 400
Santa Fe, NM 87501

Dear Governor Lujan Grisham:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of June 7, 2019, to Chairman Svinicki regarding the license application from Holtec International for a consolidated interim storage facility (CISF) in New Mexico. Your letter states your opposition to interim storage of high-level radioactive waste in the state of New Mexico.

The NRC is reviewing the application submitted by Holtec on March 30, 2017, to construct and operate a CISF. Six hearing requests on this application were received and considered by an NRC Atomic Safety and Licensing Board. On May 7, 2019, the Board issued a ruling on the petitions. The Board did not grant any of the hearing requests; it found that no petitioner had demonstrated standing and proffered an admissible contention, as is required by the NRC's procedural rules. Five petitioners have appealed the Board's decision to the Commission.

Your letter raises some of the same issues currently before the Commission on appeal. Because the appeals are pending before the Commission in its quasi-judicial capacity, the Commission must remain impartial during the pendency of the adjudication and it would be inappropriate for the Chairman to discuss or comment on your letter at this time.

A copy of your letter and this response will be served on the participants in the Holtec CISF adjudication.

Sincerely,

A handwritten signature in black ink that reads "Annette Vietti-Cook". The signature is written in a cursive style.

Annette L. Vietti-Cook