



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

November 22, 2019

MEMORANDUM TO: Cinthya I. Román, Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

FROM: James Park, Project Manager **/RA/**
Environmental Review Materials Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF OCTOBER 24, 2019, PUBLIC MEETING TO DISCUSS
REQUEST FOR ADDITIONAL INFORMATION ISSUED IN
CONNECTION WITH U.S. NUCLEAR REGULATORY COMMISSION'S
REVIEW OF THE INTERIM STORAGE PARTNERS LLC
CONSOLIDATED INTERIM STORAGE FACILITY APPLICATION FOR A
FACILITY IN ANDREWS COUNTY, TEXAS (DOCKET NUMBER:
72-1050)

PURPOSE:

The purpose of the meeting was for the U.S. Nuclear Regulatory Commission (NRC) staff and Interim Storage Partners LLC (ISP) representatives to discuss ISP's August 30, and October 8, 2019 draft responses to the NRC staff's request for additional information (RAIs). The RAIs were issued on April 23, 2019 (Agencywide Documents Access Management System (ADAMS) Accession No. ML19120A428), in connection with the NRC staff's review of the ISP license application (previously submitted by Waste Control Specialists (WCS) for a proposed consolidated interim storage facility (CISF) for spent nuclear fuel in Andrews County, Texas. This meeting was noticed on October 11, 2019 (ADAMS Accession No. ML19284B621).

CONTACT: James Park, NMSS/REFS
301-415-6954

MEETING SUMMARY

On October 24, 2019, the NRC staff held a Category 1 public meeting with ISP representatives at the NRC's Two White Flint North Building in Rockville, Maryland. Attendees included ISP and its contractors, the NRC staff and its contractor, and members of the public. The discussion followed the agenda provided in Enclosure 1. NRC and ISP staff and contractors discussed the draft RAI responses (ADAMS Accession Nos. ML19252A132 and ML19283B557). During the meeting, members of the public were given an opportunity to ask questions pertaining to the draft RAI responses following the discussions between NRC and ISP. The list of meeting attendees is provided in Enclosure 2.

Following introductions and opening remarks, representatives from ISP discussed with the NRC staff two general issues as well as select draft RAI responses concerning environmental issues identified in the April 23, 2019 letter.

The first general issue concerned ISP's statement in its August 30, 2019 transmittal letter (ADAMS Accession No. ML19283B556) that "referenced Enclosures in the RAI responses that include reports, spreadsheets, maps, and the Waste Control Specialists LLRW License Application are not included in this submittal, but will be included [with] the final responses ...". The NRC staff asked ISP if it still intended to submit these with the final responses. ISP responded that it was still its intent. The second general issue concerned ISP's designation of certain information in its draft RAI responses as "proprietary – trade secret." The NRC staff noted that, for its analyses in its Environmental Impact Statement (EIS), references and materials used needed to be publicly available. The NRC staff asked ISP to reassess the material designated as "proprietary – trade secret" in preparing the final RAI responses and to make whatever materials or summaries of those materials publicly available as it saw fit to support its environmental analyses. ISP agreed to do so.

ISP and NRC next discussed RAI RRP-1, which sought clarification as to authorizations, certifications, consultations, and permits needed for the construction and operation of the CISF. The NRC staff noted that ISP could be more specific regarding submittal of state permit applications (e.g., 3-6 months prior to construction), and ISP agreed that it would seek to do so in its final RAI response.

ISP and NRC then discussed RAI WR-9, which requested annualized volumes of potable groundwater currently in use at the WCS site and for the proposed CISF. The NRC staff noted that the draft RAI response ISP only stated the CISF would tie into the existing WCS pipeline that supplied water from Eunice, New Mexico, but did not provide the requested annualized volumes. ISP responded that this information would be included in its final RAI response.

ISP and NRC next discussed RAIs WR-2 and WR-4. For both, the NRC staff requested that the final RAI responses provide further information or maps showing the location of playas identified in the respective draft RAI responses. ISP agreed to do so.

ISP and NRC discussed RAI AQ-3 which requested supplemental information for regional air emissions. The NRC staff noted that new Table AQ-3-1 did not specify units for the WCS site annual emissions. ISP recognized the issue and agreed to provide this information in its final RAI response.

ISP and NRC then discussed RAI AQ-4, which requested that potential air emissions be characterized on the entire range of emission sources. The NRC staff noted that ISP's draft RAI response used emission source acronyms that were not explained and that these sources were not described. Additionally, the NRC staff questioned why earthmoving equipment was identified as the sole source for fugitive dust particles with a diameter of 2.5 micrometers or less. ISP recognized the issues and agreed to make the necessary clarifications in its final RAI response.

Next, ISP and NRC discussed RAIs AQ-5 and AQ-6, which requested respectively, peak year air emission levels and greater detail on ISP's site-specific air dispersion modelling. The NRC staff noted that ISP draft responses to these RAIs included new Tables 4.6.1, 4.6.2, and 4.6.3. The staff requested that the final RAI responses provide further clarity about (1) the various stages when various pollutants would be emitted, (2) the calculation of total emissions, and (3) the relationship of the modelling results to National Ambient Air Quality Standards and Prevention of Significant Deterioration thresholds. ISP indicated that it understood the staff's issues and that it would provide the requested clarification in its final RAI responses.

ISP and NRC then discussed RAI SOC-1, which requested tax revenue information on a county and state level over a 40-year period. The NRC staff first noted that, in ISP's draft RAI response, the region modeled for socioeconomic effects had changed from a three-county region in the 2016 license application study to a one-county region in the draft response. ISP responded that this was because no activities were planned in New Mexico. The NRC staff also noted that ISP's socioeconomic modeling assumptions (e.g., whether the dollars spent would remain within the modeled region, the number of workers anticipated for various project phases, etc.) needed further justification; ISP responded that it would provide the necessary justification for modeling assumptions in its final RAI response.

ISP and NRC next discussed RAI CB-1, which requested discounting of cost and benefit estimates of the proposed project. The NRC staff noted in ISP's draft RAI response that proposed action costs had been discounted but that the updated undiscounted estimates were not provided. ISP responded that the undiscounted estimates would be provided in the final RAI responses.

Then ISP and NRC discussed RAI CB-2, which requested consistency between the schedule and assumptions for spent nuclear fuel transportation. The NRC staff noted that there appeared to be inconsistencies within the schedule and assumptions that ISP had provided in both the ER (between the cost benefit analyses and other resource areas) as well as within the various cost benefit draft RAI responses. ISP stated that it would review the schedule and assumptions and clarify any inconsistencies in its final RAI response.

Next, ISP and NRC discussed RAI CB-4, which requested additional information regarding the costs of constructing, operating, and decommissioning the proposed facility. The NRC staff indicated that additional information was needed to explain how cost estimates found in newly generated tables in ISP's draft RAI response were generated. ISP stated that it would provide additional discussion in its final RAI response.

After the business portion of the open meeting, members of the public participating by phone provided comments to the NRC staff. One member of the public requested clarification on how NRC would address ISP's intent to construct the CISF in multiple phases in the staff's EIS and what NRC's process was to review future proposed phases. The NRC staff responded that ISP's application was only for the initial phase and that the NRC staff, at its discretion, was analyzing the potential impacts of all the eight phases in its EIS. The staff also noted that any additional expansion of the facility beyond an initial phase would require a separate NRC review, which would include an environmental review that, to the extent possible, would make

use of the current EIS. Members of the public asked questions about transporting fuel to the proposed facility. NRC staff acknowledged the comments but did not address them during the meeting since they were outside the scope of the meeting.

The meeting adjourned at approximately 12:30 p.m.

No regulatory decisions were made at the meeting.

Docket No. 72-1050

CAC/EPID No. 000993/07201050/L-2017-LNE-0002

Enclosures:

1. Meeting Agenda
2. Attendance list

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CONSOLIDATED INTERIM STORAGE FACILITY APPLICATION FOR A
FACILITY IN ANDREWS COUNTY, TEXAS (DOCKET NUMBER:
72-1050)

DATED: November 22, 2019

ADAMS Accession Number: ML19326B216

***via email**

OFFICE	REFS/ERMB	REFS/ERMB	DFM/STLB	REFS/ERMB	REFS/ERMB
NAME	JPark	*AWalker-Smith	*WAllen	*CRomán	JPark
DATE	11/21/2019	11/21/2019	11/22/2019	11/21/2019	11/22/2019

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AGENDA

Public Meeting Between Interim Storage Partners, LLC, and the U.S. Nuclear Regulatory Commission

October 24, 2019

10:00 a.m. – 11:30 p.m.

Location: Two White Flint North

Room: T5D30

Purpose:

To discuss U.S. Nuclear Regulatory Commission's (NRC's) request for additional information, dated April 23, 2019, issued in connection with NRC's review of the license application for the proposed Interim Storage Partners LLC (ISP) Consolidated Interim Storage Facility at Andrews County, TX.

10:00 a.m. – 10:10 a.m.	Introductions/Opening Remarks	NRC/ISP
10:10 a.m. – 11:15 a.m.	Discussion of Environmental request for additional information ⁽¹⁾	NRC/ISP
11:15 a.m. – 11:30 p.m.	Opportunity for Public Questions and Comments for NRC staff ⁽¹⁾	NRC/Public
11:30 p.m.	Adjourn	

⁽¹⁾ Start and end times are approximate to facilitate discussion between NRC and ISP.

MEETING ATTENDEES

Participants: Interim Storage Partners LLC (ISP) and the U.S. Nuclear Regulatory Commission (NRC)

Date: October 24, 2019

Time: 10 am – 11:30 pm

Location: Two White Flint North

Room: T5D30

NAME	AFFILIATION
Daniel Doyle	NRC
Cinthyia Román	NRC
John-Chau Nguyen	NRC
James Park	NRC
Diana Diaz-Toro	NRC
Thomas Steinfeldt	NRC
Nick Moran	NRC
Jeff Isakson	ISP
Chris Olsen	ISP
Elicia Sanchez	ISP
Mike Callahan	Governmental Strategies Inc.
Ben Mason	Waste Control Specialists
Jenny Caldwell	Waste Control Specialists
Renee Murdock	Waste Control Specialists
Michael Bomba	Cox McLain Environmental Consulting
Ashley McLain	Cox McLain Environmental Consulting
Joe Pere	Cook-Joyce, Inc.

NAME	AFFILIATION
Steve Cook	Cook-Joyce, Inc.
Miriam Juckett	Southwest Research Institute (SwRI)
Lane Howard	SwRI
Pat LaPlante	SwRI
Marla Morales	SwRI
Bradley Werling	SwRI
Amy Minor	SwRI
Taylor Holt	SwRI
Carlyn Greene	UxC
Michael Keegan	Don't Waste Michigan
Diane D'Arrigo	Nuclear Information and Resource Service
Donna Gilmore	SanOnofreSafety