

# PUBLIC SUBMISSION

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**Docket:** NRC-2018-0052

Holtec International HI-STORE Consolidated Interim Storage Facility Project

**Comment On:** NRC-2018-0052-0300

Holtec International HI-STORE Consolidated Interim Storage Facility Project

**Document:** NRC-2018-0052-DRAFT-0362

Comment on FR Doc # 2020-05690

## Submitter Information

**Name:** Ian Zabarte

## General Comment

The Western Bands of the Shoshone Nation support the no action alternative.

Nuclear waste will remain at the proposed Holtec site permanently.

Exposure and risk benefit must be made based upon that eventuality.

No one should be burdened with radiation exposure without first know what their past exposure from nuclear testing nearby.

The comments below reflect upon

DEIS 3.3.2. Transportation from Nuclear Power Plants and ISFSIs to a Permanent Repository.

DEIS 3.13.2 Solid Wastes

DEIS 4.3.1.2.2.5 Defueling

DEIS 8.3.2.1. Economic and Other Costs

Comments: In the DEIS the nature of the facility is misrepresented as "interim." That is false. With no other repository, the Holtec site will be permanent because title to the proposed Yucca Mountain site is vested in the Western Bands of the Shoshone nation of Indians. Even with the BLM Master title plats, the land status record of the US the DOE cannot prove ownership to Yucca Mountain because Shoshone title is unextinguished. The Holtec site should be called the Consolidated Permanent Storage Facility throughout the DEIS reflecting the law of Yucca Mountain ownership by the Western Bands of the Shoshone Nation of Indians. Yucca Mountain is unconstitutional because the Treaty of Ruby Valley 12 statute 689-692 is controlling under the treaty supremacy clause of the US Constitution, Article 6 Section 2. The NRC admitted the DOE has not met the requirement of 10 CFR 63.121 OWNERSHIP.