

No. 21-9593

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

STATE OF NEW MEXICO, ex rel. HECTOR H. BALDERAS, Attorney General
and the NEW MEXICO ENVIRONMENT DEPARTMENT,
Petitioners,

v.

NUCLEAR REGULATORY COMMISSION and
UNITED STATES OF AMERICA,

On Petition for Review of Action
by the Nuclear Regulatory Commission

RECORD EXCERPTS JOINTLY DESIGNATED BY PARTIES
VOLUME 2 OF 4

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TABLE OF CONTENTS

In the table below, “ID number” refers to the entry number from the certified index of the record that the NRC filed on December 7, 2021. The numbers (if any) after the periods in the “ID number” column” reflect the number of the document in the electronic “package” in which the document is stored in the NRC’s ADAMS database. These numbers are printed on the bottom right of each page of these excerpts, along with a final number, after the last period, reflecting the page of the .pdf. Thus, page 5.34.1 is the first page of the thirty-fourth document within the ADAMS package associated with Record ID #5. Documents that are not in a package (i.e., that are standalone documents in ADAMS) simply have the ID number, followed by a period and the page number from the associated .pdf.

The entirety of these excerpts has also been separately paginated, beginning with page 1, with the page number appearing in the top right corner. The numbers in the “Page” column in the table below indicate the page on which each excerpted document begins.

ID number	Title	Page
VOLUME 1		
2	License application; withdrawal of notice of opportunity to request a hearing (July 20, 2017)	1
3	Revised license application; opportunity to request a hearing and to petition for leave to intervene; order imposing procedures (Aug. 29, 2018)	4
5.3	Waste Control Specialists, LLC, Application for a License for a Consolidated Interim Spent Fuel Storage Facility (Apr. 28, 2016)	10
5.34	Waste Control Specialists, LLC, Consolidated Interim Fuel Storage Facility Environmental Report, Rev. 0, Cover through Chapter 2 (Apr. 28, 2016)	13

16	Transcript of Environmental Impact Statement - Scoping Process 02/13/2017 Meeting (Feb. 13, 2017)	16
17	Transcript of Environmental Impact Statement - Scoping Process 02/15/2017 Meeting (Feb. 15, 2017)	18
21	Transcript of Environmental Impact Statement - Scoping Process 02/23/2017 Meeting (Feb. 23, 2017)	20
25.8	Waste Control Specialists, LLC's Revision 1 to License Application to Construct and Operate a Consolidated Interim Storage Facility (CISF), Environmental Report, 01 of 27, Cover to Chapter 2 (Mar. 16, 2017)	22
25.9	Waste Control Specialists, LLC's Revision 1 to License Application to Construct and Operate a Consolidated Interim Storage Facility (CISF), Environmental Report, 02 of 27, Chapter 3, 1 of 4 (March 16, 2017)	26
25.13	Waste Control Specialists, LLC's Revision 1 to License Application to Construct and Operate a Consolidated Interim Storage Facility (CISF), Environmental Report, 06 of 27, Chapter 4, 1 of 4 (Mar. 16, 2017)	28
26	Transcript of Environmental Impact Statement - 04/06/2017 Public Scoping Meeting (Apr. 6, 2017)	29
VOLUME 2		
31.2	Revision 2 to Application for Approval of the WCS Consolidated Interim Spent Fuel Storage Facility (July 19, 2019)	31
77	Summary Report of Environmental Impact Statement 04/06/2017 Public Scoping Meeting (Oct. 31, 2019)	35
88.3	Environmental Report Revision 3, Part 1 (Feb. 17, 2000)	37
88.4	Environmental Report Revision 3, Part 2 (Feb. 17, 2000)	41

94	Federal Register Notice (May 8, 2020)	54
95.1	Submission of ISP Responses for RAIs and Associated Document Markups from First Request for Additional Information, Parts 2, 3, and 4 (May 18, 2020)	56
100	Applicant response to request for additional Information (June 11, 2020)	59
101	Applicant submittal of supplemental information (July 21, 2020)	61
102	Application Revision 3 (Aug 24, 2020)	63
VOLUME 3		
125	Final Environmental Impact Statement (July 2021)	65
VOLUME 4		
Incorporated into R125	Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (September 2014)	749
128	Letter from Allan Kanner on behalf of Permian Basin Coalition of Land and Royalty Owners and Operators and Fasken Land and Minerals, Ltd. (Sept. 11, 2021)	778
129	Record of Decision (Sept. 13, 2021)	813
130.1	Transmittal Letter, Interim Storage Partners, Issuance of Materials License SNM-2515, WCS Consolidated Interim Storage Facility ISFSI (Sept. 13, 2021)	819
130.2	License Preamble, Materials License SNM-2515 (Sept. 13, 2021)	825
130.3	Materials License SNM-2515 (Sept. 13, 2021)	827
131	Letter from William Grantham, Assistant Attorney General (Sept. 13, 2021)	832

132	Letter from James Kenney, Secretary, New Mexico Environment Department (Sept. 14, 2021)	852
134	Public Final Safety Evaluation Report, Materials License SNM-2515 (Sept. 30, 2021)	855
645	Comments of Gay Kernan (Feb. 11, 2017)	927
1295	Comments of Governor Michelle Lujan Grisham (Nov. 3, 2020)	929
1386	Comments of New Mexico Environment Department (Nov. 3, 2020)	933
1432	Comments of Teresa McDill (Oct. 15, 2020)	942
1484	Comments of Sarah Probst (Nov. 3, 2020)	947

INTERIM STORAGE PARTNERS LLC

LICENSE APPLICATION

INTERIM STORAGE PARTNERS LLC

DOCKET 72-1050

ANDREWS COUNTY, TEXAS

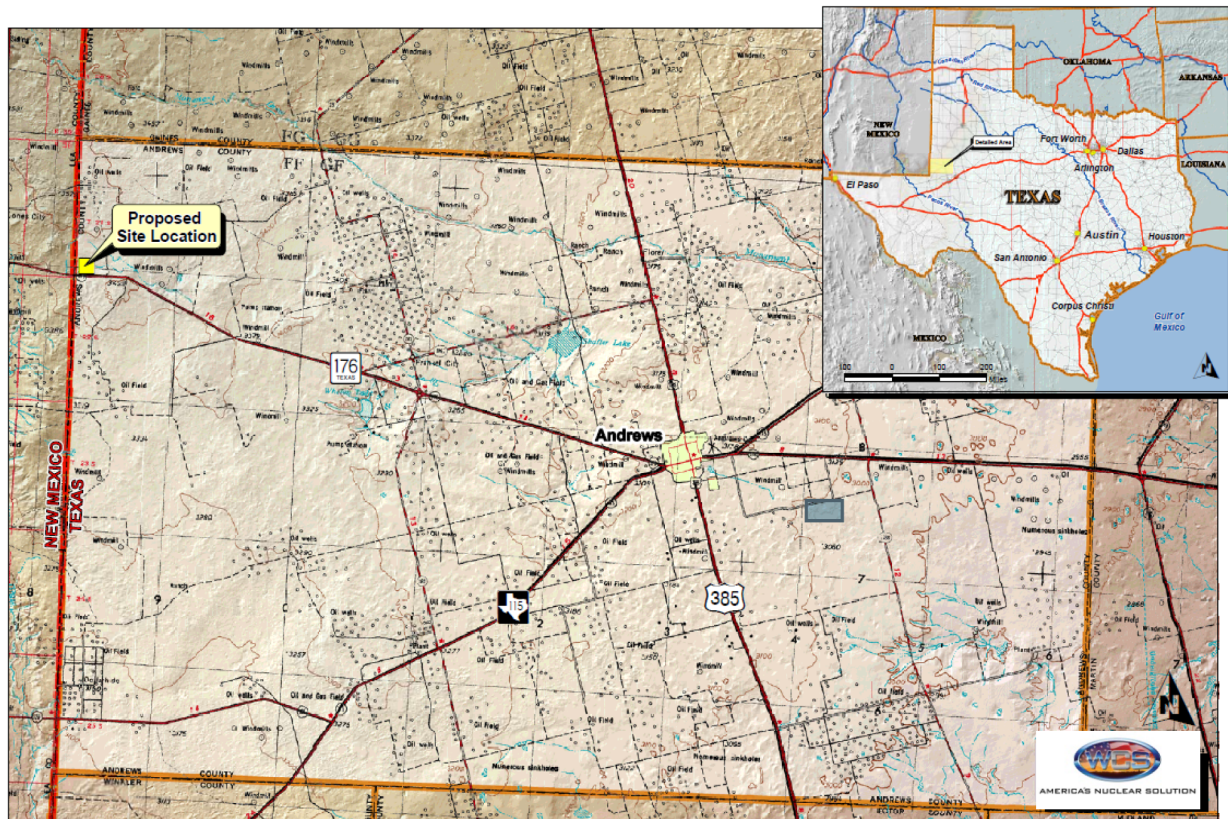
CHAPTER 1

GENERAL AND FINANCIAL INFORMATION

1.1 APPLICATION FOR LICENSE

Interim Storage Partners LLC (ISP), a joint venture (JV) between Waste Control Specialists LLC and Orano CIS LLC, proposes to construct and operate a Consolidated Interim Storage Facility (CISF) at an away from reactor site located in Andrews County, Texas. The site is located on Texas Highway 176 West, approximately 32 miles west of Andrews, Texas (Figure 1-1).

Figure 1-1 Map Depicting the Location of the CISF in Andrews County, Texas.



The function of the CISF will be to store spent nuclear fuel and reactor-related Greater Than Class C (GTCC) Low-Level Radioactive Waste (LLRW) (both are collectively referenced henceforth as spent nuclear fuel or SNF) that has been used to generate electricity from commercial nuclear power reactors. The U.S. Department of Energy (DOE) or other holders of the title to SNF at commercial nuclear power facilities (SNF Title Holder(s)) will hold title to the

SNF during transportation to and from and while in storage at the CISF. The SNF will be delivered to the CISF by rail.

ISP will use multipurpose canisters in both the shipping casks and storage casks. No handling of bare spent nuclear fuel will occur at the CISF since operations will be restricted to handling of sealed canisters. ISP will operate the facility in a manner that minimizes the likelihood of transporting any externally contaminated canisters to the CISF. The canisters will be stored either in a horizontal or vertical configuration inside concrete storage casks, which will be stored on concrete pads inside the designated Protected Area.

This License Application for the proposed CISF has been prepared in accordance with 10 CFR 72 and the Regulatory Guide 3.50 titled, *Standard Format and Content for a License Application to Store Spent Fuel and Radioactive Waste, Standard Format and Content for a Specific License Application for an Independent Spent Fuel Storage Installation or Monitored Retrievable Storage Facility*, Rev. 2, September 2014. The License Application includes the technical information as required in 10 CFR 72, Subpart B. Additionally, the following documents are submitted herewith the License Application:

1. The License Application, including the Proposed Technical Specifications, Preliminary Decommissioning Plan, and Decommissioning Funding Plan, required pursuant to 10 CFR §72.26 and 10 CFR §72.30, respectively.
2. A Safety Analysis Report as required by 10 CFR §72.24.
3. The Emergency Plan required pursuant to 10 CFR §72.32.
4. The Environmental Report required as specified in 10 CFR §72.34 and 10 CFR §51.61.
5. Physical protection and safeguards information in accordance with 10 CFR 72, Subpart H, submitted separately as part of this license application to the NRC.

Operations at the originating commercial nuclear reactors in preparation or support of spent nuclear fuel shipments to the CISF are performed under the individual reactor licenses. Any changes to a reactor licensee's facilities or procedures needed to accommodate these activities are the responsibilities of the individual reactor licensees and are not part of this License Application.

1.6.1 Funding of Construction Activities

The funding for constructing the CISF is expected to be primarily through future contracts for storage of SNF with the DOE *or other SNF Title Holder(s)*. The funding may include a combination of debt financing, equity investments, and net income.

The location of the CISF is on land that has already been characterized and has access roads, electricity and water. Existing administration buildings, warehouses and other facilities already being used for non-CISF operations at the *ISP joint venture member Waste Control Specialists* facilities can supplement the CISF buildings and construction projects as needed. New construction is expected to include a rail side track, a Cask Handling Building and a Security and Administration Building. The storage pads and related storage systems will be constructed, as they are needed, to reduce the initial construction costs. The Electric Power Research Institute estimated cost for construction of the CISF that will be used to store 5,000 MTU is approximately \$170 million.

1.6.2 Funding of Operating Activities

Waste Control Specialists currently operates a facility that treats, stores and disposes of hazardous wastes and LLRW licensed by the TCEQ. The existing facility has operations and administrative personnel, licensing, environmental monitoring and compliance programs, health and safety programs, health physics, insurance policies and financial assurance mechanisms and other programs in place that have been approved by cognizant regulatory authorities as would be required of any similar facility. Many of these same activities and related costs would also be required of a CISF *and will be available to ISP*. The historical operating costs for the existing facility provide a reasonable estimate of the fixed costs of operating the CISF since both programs are similar based on *Waste Control Specialists'* experience of constructing and operating radioactive waste treatment, storage, and disposal facilities.

The incremental additional costs of the CISF will be due mainly to variable costs and costs attributable to a general increase in operating activities. Variable costs will include labor, construction costs, canister overpacks, equipment costs, and other similar costs. *ISP* also expects additional licensing and regulatory costs.

Environmental Impact Statement Scoping Process

Summary Report

The ISP CISF Environmental Impact Statement Public Scoping Period

October 2019



**U.S. Nuclear Regulatory Commission
Rockville, Maryland**

B.6.4 Assumptions – Legal Framework of the Proposed CISF

The NRC staff received numerous comments regarding the legality of licensing an interim storage facility. Several commenters noted that under current Federal law (i.e., the Nuclear Waste Policy Act of 1982, as amended), SNF is prohibited from transport and storage at an interim storage facility. One commenter stated that the government, rather than a private company, should administer all nuclear storage after the utilities relinquish control. Another commenter recommended that the NRC amend 10 CFR Part 72 to address any potential differences in personnel resources, equipment, and emergency preparedness.

Response: The NRC has previously licensed a consolidated (away-from-reactor) interim spent fuel storage installation, and NRC regulations allow for licensing private away-from-reactor interim spent fuel installations under 10 CFR Part 72. The NRC allows licensed private transportation of spent fuel. For more information on the NRC's regulation of spent fuel transportation, see <https://www.nrc.gov/waste/spent-fuel-transp.html>. Issues relating to title to spent fuel are primarily outside the scope of this EIS because who holds title will likely not influence the environmental impacts of the proposed action. The comment that the government rather than a private company should administer nuclear storage is a matter of policy and is outside the scope of this EIS.

Comments: (1-18-6) (2-5-2) (2-8-3) (2-31-2) (3-2-3) (3-2-6) (3-12-7) (3-13-6) (3-31-1) (6-1) (28-21) (55-4) (134-12) (139-1) (139-3) (139-26) (160-1) (165-6) (165-30) (415-4) (425-1) (434-3) (436-8) (444-3) (467-1) (502-17) (511-2) (523-6) (525-7) (528-11) (539-23) (540-2) (545-25) (547-2) (549-2) (557-7) (557-9) (634-2) (803-4) (819-5) (819-14)

B.7 Comments Concerning Alternatives

B.7.1 Alternatives – Other

The NRC staff received several comments containing suggestions for alternatives to a consolidated interim storage facility for SNF (the proposed action) to be analyzed in the EIS. The comments included the use of lasers, onsite vitrification, solar and lunar disposal, and reprocessing as suggested methods for disposal or treatment of SNF. One commenter suggested selling SNF to foreign governments. Another commenter suggested different rock types for safe storage.

Response: For the purpose of the NRC environmental review of the proposed action, only alternatives that are considered reasonable or feasible and that would meet the purpose and need will be analyzed in the EIS. While some suggested alternatives are innovative, only those alternatives that are currently available are considered reasonable or feasible. Additional comments related to alternatives that are out of scope are in Section B.30 [Out of Scope]. For information on the scope of the proposed action see Section B.4 [Proposed Action]. Additional comments on alternatives can be found in a separate response within this section of the report.

Comments: (2-14-5) (3-18-1) (4-2-1) (8-1) (13-2) (172-1) (185-2) (187-1) (250-2) (270-2) (412-2) (412-20) (412-21) (449-1) (459-2) (480-2) (534-1) (625-1) (636-1) (689-1) (703-1) (773-1) (813-1)

WCS Consolidated Interim Spent Fuel
Storage Facility
Environmental Report

(Public Version)

Docket Number 72-1050

Revision 3

**INTERIM STORAGE PARTNERS LLC
ENVIRONMENTAL REPORT****CHAPTER 1**

The U.S. Congress enacted the NWPAA of 1982 charging the DOE with developing a geologic repository for the disposal of SNF generated by commercial nuclear power plants located throughout the U.S. In 1987, Congress amended the NWPAA to streamline and focus waste management on developing the geologic repository at Yucca Mountain, located in Nye County, Nevada. Pursuant to the NWPAA, the DOE was responsible for licensing Yucca Mountain with operations beginning on January 31, 1998.

On July 23, 2002, President George W. Bush approved Congressional legislation designating Yucca Mountain as the final geologic repository intended for the disposal of commercial SNF and high level waste generated by the federal government. The DOE submitted a license application to the NRC for authorization to construct and operate Yucca Mountain. The NRC reviewed the license application and issued a series of Safety Evaluation Reports addressing the long-term environmental performance of Yucca Mountain. However, much uncertainty remains as to whether or not the facility will open and begin accepting commercial SNF or high level waste for disposal.

In January 2010, President Barack Obama established the Blue Ribbon Commission on America's Nuclear Future. The Commission was directed by the Secretary of Energy to conduct a comprehensive review of policies for managing the back end of the nuclear fuel cycle and to recommend a new strategy. On January 26, 2012, the Blue Ribbon Commission issued a final report consisting of eight key recommendations. Of paramount importance to this licensing action was the Blue Ribbon Commission's recommendation to adopt a new consent-based approach to siting future nuclear waste management facilities in order to initiate prompt efforts to develop one or more consolidated storage facilities .

Development of the CISF has strong support from the state, regional, and local communities located in west Texas. In March 2014, Texas Governor Rick Perry called for a Texas solution for SNF generated at 6 reactor sites located in the state . On September 19, 2014, the Texas Radiation Advisory Board also issued a position stating it is in the state's best interest to request that the federal government consider Texas as a CISF site . On January 20, 2015, the Andrews County Commissioners unanimously approved a resolution in support of establishing an Independent Spent Fuel Storage Installation (ISFSI) in Andrews County, Texas, for the consolidated interim storage of SNF and high level radioactive waste (Attachment 1-1).

INTERIM STORAGE PARTNERS LLC
ENVIRONMENTAL REPORT

CHAPTER 2

their area. This resulted in the identification of four counties in two states that were subjected to a rigorous two-tier screening process evaluating 15 criteria ranging from local political support and land availability to operational considerations and environmental impacts. Ultimately, this process resulted in the identification of Andrews County, Texas as the site for the Proposed Action. The other Location Alternatives were eliminated from detailed analysis. Details are provided in this section.

2.3.1 Site Selection Process: Region of Interest

The site selection process was initiated pursuant to NEPA by identifying seven states located in the more arid western regions of the U.S. The states considered included Arizona, California, Colorado, Nevada, New Mexico, Texas, and Utah. ISP believes that selecting states with sparsely populated areas and relatively arid climates was an important step in the site selection process due to many of the concerns about storage of SNF previously raised by people in more densely populated areas. ISP also believes that a CISF should only be located in a state that has voiced its support for hosting such a facility. Of these seven states, only stakeholders in New Mexico and Texas have expressed an interest in hosting a CISF within their borders.

In March 2014, Texas Governor Rick Perry stated his support for siting a CISF in Texas. He directed the TCEQ to prepare a report addressing the challenges posed by the presence of SNF and other High Level Waste currently stored at the four commercial nuclear power reactors in Texas. On March 28, 2014, Governor Perry, in a letter to Lieutenant Governor David Dewhurst, voiced his support for storing SNF in Texas . He also forwarded the report prepared by the TCEQ entitled, *Assessment of Texas' High Level Radioactive Waste Storage Options* . The TCEQ recognized that—while SNF currently stored in Texas is safe—it is not an adequate long-term solution and that a program needed to be established in a community that was willing to host such a facility . The TCEQ suggested that “in looking at how to successfully site a facility, one should take into account current successfully sited and built radioactive waste disposal facilities such as the Waste Isolation Pilot Plant in New Mexico for transuranic waste and the Low Level Radioactive Waste Facility in Texas.”

On April 10, 2015, New Mexico Governor Susana Martinez voiced her support for a consent-based approach to locate a CISF in southeastern New Mexico, Attachment 2-1 . She stated that such a facility was necessary given that millions of dollars of taxpayer funds were currently being spent on monitoring and oversight of SNF each year, and millions more were expended in

**INTERIM STORAGE PARTNERS LLC
ENVIRONMENTAL REPORT**

CHAPTER 2

Thus, based on a consideration of the available design and location alternatives, only the No Action and Proposed Action alternatives were carried forward for detailed analysis; all other alternatives were eliminated from detailed analysis. Table 2.5-1 provides a summary of the operational, environmental, and state and community support factors for the No Action, Proposed Action, and alternatives eliminated from detailed analysis.

Table 2.5-1 Comparison of the No Action Alternative, Proposed Action Alternative, and Alternatives Eliminated from Detailed Analysis

	Alternative	Operational Impacts Considerations	Environmental Impacts Considerations	State and Community Support
Alternatives to be Analyzed	No Action	Would need to license each site to store spent fuel onsite until a permanent repository is opened	Would need to analyze environmental aspects at each site	Each site would need community support; goes against recommendations of the President's Blue Ribbon Commission
	Proposed Action: Andrews County, TX	Scored highest with 174.0	Scored highest with 185.3	Has state and community support to construct and operate the CISF
Alternatives Eliminated from Detailed Analysis	Design Alternative	Information unavailable, could not be assessed	Information unavailable, could not be assessed	Lacks state and community support; has support of SVBG
	Location Alternative: PFS, Utah	License was authorized by the NRC	License was authorized by the NRC	BLM does not support; State of Utah government and senators do not support
	Location Alternative: Loving, TX	Lowest score with 78.9	Lowest score with 163.5	Has state and local support
	Location Alternative: Lea, NM	Scored third highest with 157.6	Scored third highest with 166.9	Has state and local support
	Location Alternative: Eddy, NM	Scored second highest with 161.4	Scored second highest with 168.9	Has state and local support

**INTERIM STORAGE PARTNERS LLC
ENVIRONMENTAL REPORT****ATTACHMENT 1-1****ATTACHMENT 1-1
LETTERS**

IN THE COMMISSIONERS COURT
OF
ANDREWS COUNTY, TEXAS

*A resolution in support of establishing a site in Andrews County
for consolidated interim storage of spent nuclear fuel and high-level radioactive waste.*

WHEREAS, Andrews County, Texas, as host to two low-level radioactive waste disposal facilities operated by Waste Control Specialists LLC (“WCS”), greatly benefits directly and indirectly from the economic activity associated with disposal of radioactive materials; and

WHEREAS, Andrews County recognizes the importance of a diversified economy to the livelihood of the citizens of Andrews County; and

WHEREAS, Andrews County is home to a specialized workforce with expertise concerning radioactive materials, and WCS currently employs more than 170 full-time employees with an annual payroll of more than \$13 million in Andrews County; and

WHEREAS, Andrews County has invested in the success of the low-level radioactive waste disposal facilities operated by WCS by issuing \$75 million in bonds and using that revenue to purchase property leased by WCS as part of the operation of the disposal facilities; and

WHEREAS, Andrews County receives five percent of the gross receipts from waste disposed of at the two low-level radioactive waste disposal facilities, which receipts to date have totaled over \$5 million directly paid to Andrews County and are expected to total more than \$3 million per year in the future; and

WHEREAS, WCS has consistently shown its commitment to the environment and the citizens of Andrews County by, among other things, designing and operating safe, state-of-the-art radioactive materials facilities, working to ensure that Andrews County shares in economic benefits because of WCS operations, and working to ensure that local stakeholders are kept informed and made an integral part of the decision-making process concerning WCS operations; and

WHEREAS, there are substantial quantities of Spent Nuclear Fuel (“SNF”) and High-Level Radioactive Waste (“HLW”) currently stored at sites throughout Texas and the United States; and

WHEREAS, much of the SNF and HLW is currently stored at sites that are vulnerable to natural disasters and located near large metropolitan centers; and

WHEREAS, the United States Department of Energy (the “DOE”) concluded in 2013 that a geologic repository for the permanent disposal of SNF and HLW will not be available until 2048, at the earliest; and

WHEREAS, the federal Blue Ribbon Commission on America’s Nuclear Future in 2012 recommended “prompt” efforts to develop one or more consolidated SNF and HLW interim storage facilities while further efforts are made to develop a permanent disposal site; and

WHEREAS, the Texas Commission on Environmental Quality (“TCEQ”) analyzed the challenges associated with creating a consolidated SNF and HLW interim storage solution in Texas in its March 2014 *Assessment of Texas’s High Level Radioactive Waste Storage Options* report (the “Report”); and

WHEREAS, the TCEQ, in the Report, noted that consolidated SNF and HLW interim storage in Texas would offer electricity consumers significant savings compared to storage at each nuclear power plant and that the siting and construction of a consolidated SNF and HLW interim storage facility is “not only feasible but could be highly successful” so long as the approach “minimizes local and state opposition through stakeholder meetings, finding volunteer communities, financial incentives, and a process that is considered fair and technically rigorous;” and

WHEREAS, the Texas Radiation Advisory Board issued an official statement of its position “that it is in the state’s best interest to request that Texas be considered by the Federal Government as a consolidated SNF storage site;” and

WHEREAS, the Governor of Texas noted that Texas should “begin looking for a safe and secure solution for HLW in Texas;” and

WHEREAS, the workforce, the geography, and the geology of Andrews County make it an ideal location for safe storage of radioactive materials, and Andrews County is a volunteer community that wishes to offer its unique resources to help solve the state’s and country’s SNF and HLW storage problems.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Commissioners Court of Andrews County, Texas, meeting in open session, believes that the construction and operation of a consolidated SNF and HLW interim storage facility in Andrews County (the “Facility”), licensed by the Nuclear Regulatory Commission and developed by WCS, will enhance the health, safety, and welfare of the citizens of Andrews County; and

BE IT FURTHER RESOLVED AND ORDERED that the Commissioners Court of Andrews County does hereby declare and express the commitment of Andrews County

to explore the development of the Facility, and in support thereof does hereby call upon and ask:

the State of Texas, all its agencies, officials and political subdivisions, and all members of the Texas congressional delegation to work cooperatively with all relevant entities towards the creation of the Facility, including taking actions to evidence approval of the development of the Facility, such as executing and delivering letters of support, cooperative agreements, or other documents needed in connection with the site selection, siting and licensing of the Facility; and

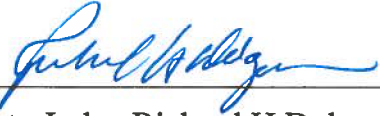
the State of Texas, all its agencies and officials, and all members of the Texas congressional delegation to assist Andrews County in securing all federal incentives that may be available, as a result of siting the Facility, from the DOE or another appropriate federal entity; and

BE IT FURTHER RESOLVED AND ORDERED that the Andrews County Judge is hereby authorized to negotiate terms of any interlocal agreements and other contracts and agreements related to financial incentives that may be available to Andrews County as a result of siting the Facility, which terms and agreements or contracts will be subject to approval by this Commissioners Court; and

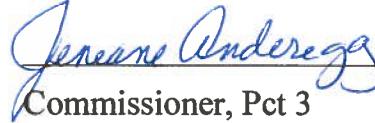
BE IT FURTHER RESOLVED AND ORDERED that Andrews County is committed to exercising its regulatory and service-providing powers, including such powers as those related to transportation planning, infrastructure development, and police and fire protection, in a manner that protects the health, safety, and welfare of the citizens of Andrews County by facilitating the development of the Facility; and

BE IT FURTHER RESOLVED AND ORDERED that a copy of this resolution be sent to the Texas Governor, the Texas Lieutenant Governor, the Speaker of the Texas House, the State Representative for Texas House District 81, the State Senator for State Senate District 31, the United States Representative for Congressional District 11, the United States Senators for the State of Texas, the Commissioners of the United States Nuclear Regulatory Commission, and the United States Secretary of Energy.

Passed and Approved this 20th day of January, 2015.

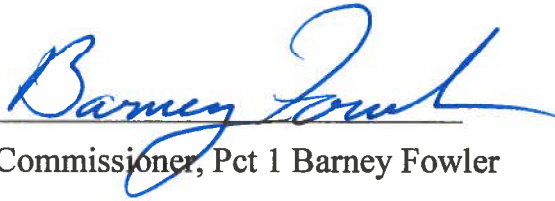


County Judge Richard H Dolgener



Commissioner, Pct 3

Jeneanne Anderegg



Commissioner, Pct 1 Barney Fowler



Commissioner, Pct. 4 Jim Waldrop

ATTEST:



County Clerk



Commissioner, Pct 2 Brad Young

Texas Commission on Environmental Quality Program Report for the September 19, 2014 TRAB Meeting

Low-level radioactive waste disposal: On August 28, TCEQ issued Amendment No. 26 to RML RO4100 as a major amendment. The amendment 1) revised the performance assessment, 2) adjusted the amount of financial assurance required, and 3) increased the licensed volume of the compact disposal facility. Waste Control Specialists is now authorized under the license to accept all Class A, B, and C low-level radioactive waste for disposal, including depleted uranium in concentrations greater than 10 nanocuries/gram.

Uranium Mining:

Major amendments for license area expansion at two in situ uranium mining licenses were declared technically complete in July and August. Public notice was published in the *Falfurrias Facts* on August 7, 2014 for the Mesteña Alta Mesa Project, with the comment period ending on September 8, 2014. Public notice for the South Texas Mining Venture Palangana Project will be published soon. A major amendment application from Signal Equities for a license area expansion on their Brown Project and a new license application from UEC for their Burke Hollow project are both currently under technical review.

TCEQ had begun working towards obtaining partial release from the NRC of a portion of the former licensed area of the abandoned IEC Lamprecht/Zamzow site. On August 12, 2014, a team of 14 TCEQ field workers along with 3 individuals from DSHS began gamma surveys and soil sampling in support of an effort to release non-operational areas for unrestricted use. Using GPS data units coupled to survey meters, 2-man teams collected data across 775 acres in a portion of the formerly licensed area. Two more field days are currently planned to finish data collection. When all data have been collected and analyzed, a Completion Review Report will be written and submitted to the NRC for their concurrence in a partial release of these areas for unrestricted use. TCEQ has also initiated its contracting process to be able to contract for the clean-up of the operational portion of this site.

Texas Commission on Environmental Quality Program Report for the September 19, 2014 TRAB Meeting

By-product material disposal: Operation of the byproduct waste disposal facility continues under its current license. By license condition, the byproduct disposal operation is limited to receiving only the Fernald byproduct waste. Staff members continue to review WCS's environmental monitoring reports and related data.

Underground Injection Control: TCEQ is processing two applications for new Class III UIC permits for in situ uranium mining and one application for expansion of the permit area of an existing in situ uranium mining site. One of the new applications (UEC Burke Hollow site) is for an unmined site in Bee County. The other new application (Signal Equities Brown site) is for a previously-mined site (USX Boots-Brown) in Live Oak County. The application for expansion (STMV Palangana site) is in Duval County.

**OFFICE OF THE GOVERNOR**

RICK PERRY
GOVERNOR

March 28, 2014

The Honorable David Dewhurst
Lieutenant Governor
State of Texas
State Capitol, Room 2E.13
Austin, Texas 78701

The Honorable Joe Straus
Speaker of the House
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768

Dear Governor Dewhurst and Speaker Straus:

Enclosed is a report completed at my request by the Texas Commission on Environmental Quality (TCEQ). This report evaluates the challenges posed by spent nuclear fuel and other high-level radioactive waste (together "HLW") currently stored on-site at the six Texas nuclear reactors.

In light of recent developments regarding the interim storage and disposal of HLW by the federal government, Texas now faces the very real possibility that it will have to find a solution to the long-term issue of safe and secure handling of this waste. The citizens of Texas — and every other state currently storing radioactive waste — have been betrayed by their federal government after contributing billions of dollars to fund a federal solution for HLW disposal, because a federal solution still does not exist.

Since the U.S. Congress enacted the Nuclear Waste Policy Act in 1982, each state, including Texas, has been assured that the federal government would take possession and provide a disposal solution for any HLW generated within its borders. In 1987, the federal government identified Yucca Mountain in Nevada as being the ultimate disposal option with a completion date in 1998. After extensive litigation, delays and cost overruns, in 2009 President Obama abandoned any further development of Yucca Mountain and Congress ceased all funding in 2011 after more than \$15 billion had been spent characterizing and developing the site.

The Honorable David Dewhurst
The Honorable Joe Straus
March 28, 2014
Page 2

Early in 2013, the U.S. Department of Energy announced that it was developing a new plan to replace Yucca Mountain — estimating that an HLW disposal solution would not be available until 2048. However, in November 2013, the U.S. Court of Appeals for the District of Columbia determined that the federal government has “no credible plan” to dispose of HLW.

2048, or whatever year Washington forecasts that a solution will be provided, is too long to wait.

I believe it is time for Texas to act, particularly since New Mexico is seeking to be federally designated for HLW disposal. The New Mexico proposed site is approximately 50 miles from the Texas border, and we must ensure our citizens are protected. We have no choice but to begin looking for a safe and secure solution for HLW in Texas — a solution that would allow the citizens of Texas to recoup some of the more than \$700 million they have paid toward addressing this issue.

I hope the enclosed report will be sent to the appropriate oversight committees in your chamber. The leadership at TCEQ understands the importance of this issue, and I believe they will be a valued resource as we continue to develop a Texas solution for the long-term resolution of HLW currently residing inside our borders.

Sincerely,

A handwritten signature in black ink that reads "Rick Perry". The signature is written in a cursive, slightly stylized font.

Rick Perry
Governor

RP:mmmp

Enclosure

**INTERIM STORAGE PARTNERS LLC
ENVIRONMENTAL REPORT****ATTACHMENT 2-1**

ATTACHMENT 2-1 LETTERS



State of New Mexico

Susana Martinez
Governor

April 10, 2015

Dr. Ernest Moniz, Secretary
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Dear Secretary Moniz,

This letter is to inform you of my support of the community leaders who continue to spearhead the effort to bring a consolidated interim storage facility for spent fuel to southeastern New Mexico.

The recent decision by your administration to adopt a consent-based approach for waste management should highlight areas such as southeastern New Mexico where there is broad support in the region for such an endeavor. The Eddy-Lea Energy Alliance (ELEA) is an organization with regional participation by the City of Carlsbad, City of Hobbs, Eddy County and Lea County. As you are aware, the residents of this area have a high level of understanding of the nuclear industry and its importance to our national security. There is a strong pre-existing scientific and nuclear operations workforce in the area, and the dry, remote region is well-suited for an interim storage site. ELEA has already selected a location that has been vetted extensively.

There is a significant and growing national need for such an interim storage facility. Millions of taxpayer dollars are currently being spent on monitoring and oversight of spent fuel each year, and millions more are being spent on settlement payments related to waste disposition. In many instances, these actions are taking place where such activity and the presence of such waste is disagreeable to local communities.

These communities in New Mexico support safely moving spent fuel to a consolidated interim storage site using proven technology which is the most sensible approach to this problem until a permanent and long-term solution is available. Dry cask storage is a proven, passive, and safe system that has been used since 1984 with no adverse incidents.

Dr. Ernest Moniz
ELEA Interim Storage

Time and time again, the citizens of southeastern New Mexico have impressed me with their hard work ethic and willingness to tackle national problems that many others consider to be unsolvable. In one of the most remote areas of state, they have had the ingenuity and fortitude to carve out a niche in the nuclear industry to broaden their economic base. They understand the benefits not only to their local economy, but also to our country.

Therefore, I support the ELEA and its member cities and counties in their effort to establish a consolidated interim storage facility in southeastern New Mexico that will be regulated by the high safety and technical standards of the Nuclear Regulatory Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Susana Martinez", with a stylized flourish at the end.

Susana Martinez
Governor



SKULL VALLEY BAND OF GOSHUTE INDIANS
SKULL VALLEY RESERVATION
P.O. BOX 448
GRANTSVILLE, UTAH 84029
435/882.4532 OFFICE
435/882.4889 FAX

April 28, 2015

Waste Control Specialists LLC
ATTN: Bill Lindquist, Chief Executive Officer
Rod Baltzer, President
Three Lincoln Centre
5430 LBJ Freeway, Ste. 1700
Dallas, Texas 75240

Dr. CEO Lindquist and President Baltzer,

On behalf of the Skull Valley Band of Goshute Indians (SVBG) Executive Committee, I respectfully request a meeting with your company to discuss your February 6, 2015 notice to the Nuclear Regulatory Commission (NRC), regarding your intent to apply for a license for the interim storage of used nuclear fuel. The reason for this request is that SVBG has an NRC authorized private fuel facility to store spent nuclear fuel and high-level radioactive waste on its Indian reservation. The licensee is Private Fuel Storage LLC (PFS) and the license expires on February 21, 2026.

During the past few months, PFS has been in the process of dissolving its relationship with SVBG, which leaves the question about what to do with the license. SVBG Executive Committee desires to speak with your top leadership to discuss the possibility of transferring the license to your company.

SVBG completely understands that your application and implementation of your license for storage of used nuclear fuel may have many challenges and could take years, if not decades to complete. It is the hope of SVBG that your company would be interested in exploring any opportunities that there may be to overcome any of the challenges or lessen the time frames that you may face.

The SVBG Executive Committee will be in Albuquerque, New Mexico, the week of May 11, 2015, for the National Transportation Stakeholder Forum Annual Meeting. I cordially invite you, or some of your staff, to discuss any possibilities then.

Sincerely,

Lori Bear, Chairwoman
Skull Valley Band of Goshute Indians
Executive Committee

In the case of a state beginning an EB period, the State Workforce Agency will furnish a written notice of potential entitlement to each individual who has exhausted all rights to regular benefits and is potentially eligible for EB (20 CFR 615.13(c)(1)).

Persons who believe they may be entitled to EB, or who wish to inquire about their rights under the program, should contact their State Workforce Agency.

Signed in Washington, DC.

John Pallasch,

Assistant Secretary for Employment and Training.

[FR Doc. 2020-09911 Filed 5-7-20; 8:45 am]

BILLING CODE 4510-FW-P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of a Change in Status of the Extended Benefit (EB) Program for Connecticut

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: This notice announces a change in benefit payment status under the EB program for Connecticut.

The following change has occurred since the publication of the last notice regarding Connecticut's EB status:

Connecticut's 13-week insured unemployment rate (IUR) for the week ending April 11, 2020 was 5.09 percent, which exceeds 120 percent of the corresponding rate in the prior two years. This IUR caused Connecticut to be triggered "on" to an EB period that began April 26, 2020. The State will remain in an EB period for a minimum of 13 weeks.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, Room S-4524, Attn: Kevin Stapleton, 200 Constitution Avenue NW, Washington, DC 20210, telephone number: (202) 693-3009 (this is not a toll-free number) or by email: Stapleton.Kevin@dol.gov.

SUPPLEMENTARY INFORMATION: The trigger notice covering state eligibility for the EB program can be found at: http://oui.doleta.gov/unemploy/claims_arch.asp.

Information for Claimants

The duration of benefits payable in the EB program and the terms and conditions on which they are payable are governed by the Federal-State

Extended Unemployment Compensation Act of 1970, as amended, and the operating instructions issued to the states by the U.S. Department of Labor. In the case of a state beginning an EB period, the State Workforce Agency will furnish a written notice of potential entitlement to each individual who has exhausted all rights to regular benefits and is potentially eligible for EB (20 CFR 615.13(c)(1)).

Persons who believe they may be entitled to EB, or who wish to inquire about their rights under the program, should contact their State Workforce Agency.

Signed in Washington, DC.

John Pallasch,

Assistant Secretary for Employment and Training.

[FR Doc. 2020-09913 Filed 5-7-20; 8:45 am]

BILLING CODE 4510-FW-P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Physics; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: LIGO Annual Review of Operations Virtual Site Visit for the Division of Physics (1208).

Date and Time: June 16, 2020; 7:00 a.m.–4:00 p.m.

Place: California Institute of Technology, 1200 E California Blvd., Pasadena, CA 91125.

Type of Meeting: Part-Open.

Contact Person: Mark Coles, Program Director, Division of Physics, National Science Foundation, 2415 Eisenhower Avenue, Room W 9219, Alexandria, VA 22314; Telephone: (703) 292-4432.

Purpose of Meeting: Virtual site visit to provide an evaluation of the progress of the projects at the host site for the Division of Physics at the National Science Foundation.

Agenda (All Times PDT)

7:00 a.m.–7:30 a.m.
 Executive Session (Closed)
 7:30 a.m.–8:30 a.m.
 Operations and Maintenance, Management
 8:30 a.m.–9 00 a.m.
 Interferometer Performance Enhancements
 9:00 a.m.–9:10 a.m.
 Break
 9:10 a.m.–9:40 a.m.
 EPO
 9:40 a.m.–10:00 a.m.

A+ Upgrade
 10:00 a.m.–10:30 a.m.
 LSC
 10:30 a.m.–11:00 a.m.
 LIGO Computing and LSC
 11:00 a.m.–11:30 a.m.
 Lunch
 11:30 a.m.–12:30 p.m.
 Q&A
 12:30 p.m.–2:00 p.m.
 Executive Session (Closed)
 2:00 p.m.–4:00 p.m.
 Closeout presentation summary by panel

Reason for Closing: The work being reviewed during closed portions of the virtual site visit include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the project. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: May 5, 2020.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2020-09902 Filed 5-7-20; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72-1050; NRC-2016-0231]

Interim Storage Partners Consolidated Interim Storage Facility Project

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft environmental impact statement; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft Environmental Impact Statement (EIS) for Interim Storage Partners' (ISP's) license application to construct and operate a consolidated interim storage facility (CISF) for spent nuclear fuel (SNF) and Greater-Than Class C (GTCC) waste, along with a small quantity of mixed oxide fuel. The proposed CISF would be located on an approximately 130-hectare (320-acre) site, within the approximately 5,666-hectare (14,000-acre) Waste Control Specialists (WCS) site in Andrews County, Texas. The proposed action is the issuance of an NRC license authorizing a CISF to store up to 5,000 metric tons of uranium (MTUs) [5,500 short tons] of SNF for a license period of 40 years. ISP plans to subsequently request amendments to the license to store an additional 5,000 MTU for each of seven expansion phases of the

proposed CISF (a total of eight phases), to be completed over the course of 20 years. The proposed facility could eventually store up to 40,000 MTUs [44,000 short tons] of SNF.

DATES: The NRC staff will hold public meetings on the draft EIS. The public meeting details will be announced in the near future. The staff will present the preliminary findings and receive public comments during these transcribed public meetings.

In reaction to the COVID-19 public health emergency, the NRC staff is providing an extended period of time for members of the public to submit comments on the draft EIS. Members of the public are invited to submit comments by September 4, 2020. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received by this date.

ADDRESSES: You may submit comments by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov/> and search for Docket ID NRC-2016-0231. Address questions about NRC Docket IDs to Jennifer Borges; telephone: 301-287-9127; email: Jennifer.Borges@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN-7-A60M, ATTN: Program Management, Announcements and Editing Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- *Email comments to:* WCS_CISF_EIS@nrc.gov.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: James Park, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6954; email: James.Park@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2016-0231 when contacting the NRC about

the availability of information regarding this document. You may obtain publicly-available information related to this action by the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2016-0231. An electronic copy of the draft EIS will be posted under Docket ID NRC-2016-0231 as supporting material.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The draft EIS is available in ADAMS under Accession No. ML20122A220.

- *Project Webpage:* Information related to the ISP CISF project can be accessed on the NRC's ISP CISF web page at <https://www.nrc.gov/waste/spent-fuel-storage/cis/waste-control-specialist.html>.

- *Public Libraries:* A copy of the draft EIS will be made accessible at the following public libraries:

- Eunice Public Library, 1003 Ave. N, Eunice, NM 88231
- Hobbs Public Library, 509 N Shipp St., Hobbs, NM 88240
- Andrews County Library, 109 NW 1st Street, Andrews, TX 79714

A weblink to the electronic copy of the draft EIS will be placed on the Hobbs Public Library website, <http://www.hobbspubliclibrary.org/>, under "News & Updates" on that site.

B. Submitting Comments

Please include Docket ID NRC-2016-0231 in your comment submission. Written comments may be submitted during the draft EIS comment period as described in the **ADDRESSES** section of the document.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Discussion

The NRC is issuing for public comment the draft EIS for an application from ISP requesting a license that would authorize ISP to construct and operate a CISF for SNF and GTCC waste, along with a small quantity of mixed-oxide fuel, which are collectively referred to in the EIS as SNF, and composed primarily of spent uranium-based fuel.

The draft EIS for ISP's license application includes the NRC staff's preliminary analysis that evaluates the environmental impacts of the proposed action and the No-Action alternative to the proposed action. After comparing the impacts of the proposed action to those of the No-Action alternative, the NRC staff, in accordance with the requirements in part 51 of title 10 of the *Code of Federal Regulations*, recommends the proposed action, which is the issuance of an NRC license to ISP to construct and operate a CISF at the proposed location to temporarily store up to 5,000 MTUs [5,500 short tons] of SNF for a licensing period of 40 years. This recommendation is based on (i) the ISP license application, which includes an environmental report and supplemental documents, and ISP's responses to the NRC staff's requests for additional information; (ii) the NRC staff's consultation with Federal, State, Tribal, local agencies, and input from other stakeholders; (iii) the NRC staff's independent staff review; and (iv) the NRC staff's assessments provided in the EIS.

Dated: May 4, 2020.

For the Nuclear Regulatory Commission.

Cynthia I. Roman-Cuevas,

Chief, Environmental Review Materials Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety, and Safeguards.

[FR Doc. 2020-09795 Filed 5-7-20; 8:45 am]

BILLING CODE 7590-01-P



INTERIM STORAGE PARTNERS

May 18, 2020
E-56483

Director, Division of Fuel Management
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Subject: Submission of ISP Responses for RAIs and Associated Document
Markups from First Request for Additional Information, Parts 2, 3, and 4,
Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002

- Reference:
1. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application To Construct And Operate The Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket No. 72-1050 – First Request For Additional Information, Part 1," dated November 16, 2018
 2. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application To Construct And Operate The Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket No. 72-1050 – First Request For Additional Information, Part 2," dated March 6, 2019
 3. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application to Construct and Operate the Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket No. 72-1050 – Request for Clarification of Responses Related to Materials Review," dated February 3, 2020

4. Letter from Jack Boshoven (ISP) to Document Control Desk (NRC), "Interim Storage Partners (ISP) First Request for Additional Information (RAI) Proposed Updated Submittal Schedule, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002," E-56106, dated February 14, 2020


Interim Storage Partners LLC hereby submits its final responses to RAIs from References [1], [2], and [3] to support the continued review of the Licensing Application. The draft responses and associated Safety Analysis Report (SAR) changed pages being submitted are consistent with those identified in Tables 1, 3, 4, and 5 of Reference [4]. Contained in this submittal are the responses, including revised SAR pages. Because the section numbers in SAR Chapter C.13 have been rearranged in response to RAI NP-15-13-S, the entire chapter is included, in lieu of change pages only, to aid in Staff review of the submittal.

The following enclosures are being submitted:

- Enclosure 1 includes affidavits pursuant to 10 CFR 2.390 for ISP, TN Americas, and NAC International.
- Enclosure 2 provides a proprietary version of the responses to the RAIs.
- Enclosure 3 provides a public version of Enclosure 2 (RAI responses).
- Enclosure 4 provides SAR changed pages (Proprietary).
- Enclosure 5 provides a public version of Enclosure 4 (SAR changed pages)

Should you have any questions regarding this submission, please contact Mr. Jack Boshoven, of my staff, by telephone at (410) 910-6955, or by email at jack.boshoven@orano.group.

Sincerely,

 Digitally signed
by ISAKSON
Jeffery

Jeffery D. Isakson
Chief Executive Officer/President
Interim Storage Partners LLC

cc: John-Chau Nguyen, Senior Project Manager, U.S. NRC
Jack Boshoven, ISP LLC
Elicia Sanchez, ISP LLC

Enclosures:

1. Affidavit Pursuant to 10 CFR 2.390
 - a. Interim Storage Partners
 - b. TN Americas
 - c. NAC International
2. RAI Responses (Proprietary Version)
3. RAI Responses (Public Version)
4. SAR Changed Pages (Proprietary Version)
5. SAR Changed Pages (Public Version)



June 11, 2020
E-56905

Director, Division of Fuel Management
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852


Subject: Revised Response for RAI NP-15-13-S, Docket 72-1050 CAC/EPID
001028/L-2017-NEW-0002

- Reference:
1. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application to Construct and Operate the Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket 72-1050 – Request for Clarification of Responses Related to Materials Review," dated February 3, 2020
 2. Letter from Jeffery D. Isakson to Document Control Desk (NRC), "Submission of ISP Responses for RAIs and Associated Document Markups from First Request for Additional Information, Parts 2, 3, and 4, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002," dated May 18, 2020

Interim Storage Partners LLC (ISP) hereby submits a revised response, in its entirety, of the Request for Additional Information (RAI) NP-15-13-S from the Request for Clarification of Responses Related to Materials Review issued February 3, 2020 (Reference 1) to support the continued review of the WCS CISF License Application. The previous response contained an inconsistency related to the pressure boundary for the Greater-than-Class-C (GTCC) dry shielded canister (DSC) identified in Table NP-15-13-2. This inconsistency is resolved in the revised response. Enclosures 2 and 3 to this letter are the revised proprietary and public versions of the response to the RAI, respectively. Enclosure 1 includes the affidavit pursuant to 10 CFR 2.390 for TN Americas. There are no safety analysis report (SAR) changed pages associated with the RAI response.

Should you have any questions regarding this submission, please contact Mr. Jack Boshoven, of my staff, by telephone at (410) 910-6955, or by email at jack.boshoven@orano.group.

Sincerely,

 Digitally signed
by ISAKSON
Jeffery

Jeffery D. Isakson
Chief Executive Officer/President
Interim Storage Partners LLC

cc: John-Chau Nguyen, Senior Project Manager, U.S. NRC
Jack Boshoven, ISP LLC
Elicia Sanchez, ISP LLC

Enclosures:

1. Affidavit Pursuant to 10 CFR 2.390 – TN Americas
2. RAI Response (Proprietary Version)
3. RAI Response (Public Version)



INTERIM STORAGE PARTNERS

July 21, 2020
E-57108

Director, Division of Fuel Management
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Subject: Submittal of Supplemental Information in Support of ISP's Response to
RAIs NP-2.6-3 and NP-4-4, Docket 72-1050 CAC/EPID 001028/L-2017-
NEW-0002

- Reference:
1. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application to Construct and Operate the Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket No. 72-1050 – First Request for Additional Information, Part 2," dated March 6, 2019
 2. Letter from Jeffery D. Isakson to Director, Division of Fuel Management (NRC), "Submission of ISP Responses for RAIs and Associated Document Markups from First Request for Additional Information, Parts 2, 3, and 4, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002," E-56483, dated May 18, 2020

Interim Storage Partners LLC (ISP) hereby submits supplemental information in support of our partial response to the First Request for Additional Information (RAI), Part 2, issued March 6, 2019 (Reference [1]) provided in Reference [2] for RAIs NP-2.6-3 and NP-4-4, to support the continued review of the WCS CISF License Application. Contained in this submittal are Safety Analysis Report (SAR) change pages to 1) clarify the operations associated with use of the Cask Handling Building (CHB) to remove the NAC Transportation Casks from the rail cars, 2) update the SAR with the design basis floor loads in the CHB to support the uprighted transportation cask and operations of the vertical cask transporter (VCT) inside the CHB, 3) update of the SAR to include an evaluation of the uprighted transportation casks demonstrating that these


do not tip over during the design basis seismic events, 4) updated the SAR to provide additional descriptions related to the CHB overhead crane design and quality classifications for the crane subcomponents, 5) updated SAR Table 4-3 to include the VCT and Cask Transfer System (CTS), 6) provide clarification on CTS and associated pad Quality Categories, and 7) update Chapter 2 of the SAR to clarify which bearing capacity values are used for the CHB, storage pads and other foundations related to the CISF.

The following enclosures are being submitted:

- Enclosure 1 includes affidavits pursuant to 10 CFR 2.390 for NAC International
- Enclosure 2 provides the SAR change pages (Proprietary Version)
- Enclosure 3 provides the public version of the SAR change pages

Should you have any questions regarding this submission, please contact Mr. Jack Boshoven by telephone at (410) 910-6955, or by email at jack.boshoven@orano.group.

Sincerely,

 Digitally signed
by ISAKSON
Jeffery

Jeffery D. Isakson
Chief Executive Officer/President
Interim Storage Partners LLC

cc: John-Chau Nguyen, Senior Project Manager, U.S. NRC
Jack Boshoven, ISP LLC
Elicia Sanchez, ISP LLC

Enclosures:

1. Affidavits Pursuant to 10 CFR 2.390 for NAC International
2. SAR Change Pages (Proprietary)
3. SAR Change Pages (Public)



INTERIM STORAGE PARTNERS

August 24, 2020
E-57138

Director, Division of Fuel Management
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Subject: Submission of Revision 3 of the License Application for the WCS CISF,
Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002

- Reference:
1. Letter from Jeffery D. Isakson to NRC Document Control Desk, "Submittal of Partial Response to First RAI, Part 1, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002," E-54257, dated May 31, 2019
 2. Letter from Jeffery D. Isakson to NRC Document Control Desk, "Submission of ISP Responses for RAIs and Associated Document Markups from First Request For Additional Information, Part 2, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002," E-55362, dated January 17, 2020
 3. Letter from Jeffery D. Isakson to NRC Document Control Desk, "Submission of ISP Responses for RAIs and Associated Document Markups from First Request for Additional Information, Parts 2, 3, and 4, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002," E-56415, dated April 7, 2020

Interim Storage Partners LLC hereby submits Revision 3 of the License Application (LA) for the WCS CISF. Revision 3 incorporates all of the changes submitted via References [1], [2], and [3] along with additional changes to the proposed Materials License and Technical Specifications requested by NRC Staff. Additional changes to the LA are limited to updating the mailing addresses in Section 1.11 for the Chief Engineer, two Management Board members and a Principle Officer to reflect their new office locations; an editorial change to Section 4, related to the location of a referenced table; updating the table of contents; and pagination changes. No other changes are made to the LA.

The following enclosures are being submitted:

- Enclosure 1 includes an affidavit pursuant to 10 CFR 2.390 for Interim Storage Partners.
- Enclosure 2 provides a proprietary version of LA, Revision 3.
- Enclosure 3 provides a public version of Enclosure 2 (LA Revision 3)

Should you have any questions regarding this submission, please contact Mr. Jack Boshoven, of my staff, by telephone at (410) 910-6955, or by email at jack.boshoven@orano.group.

Sincerely,



Digitally signed
by ISAKSON
Jeffery

Jeffery D. Isakson
Chief Executive Officer/President
Interim Storage Partners LLC

cc: John-Chau Nguyen, Senior Project Manager, U.S. NRC
Jack Boshoven, ISP LLC
Elicia Sanchez, ISP LLC

Enclosures:

1. Affidavit Pursuant to 10 CFR 2.390 of Interim Storage Partners
2. License Application, Revision 3 (Proprietary Version)
3. License Application, Revision 3 (Public Version)

CERTIFICATE OF SERVICE

I certify that on May 26, 2022, I served a copy of the foregoing **RECORD EXCERPTS JOINTLY DESIGNATED BY PARTIES, VOLUME 2 OF 4** upon counsel for the parties in this action by filing the document electronically through the CM/ECF system. This method of service is calculated to serve counsel at the following e-mail addresses:

Bruce C. Baizel

bruce.baizel@state.nm.us

William Gregory Grantham

wgrantham@nmag.gov, swright@nmag.gov

Justin Heminger

justin.heminger@usdoj.gov; efile_app.enrd@usdoj.gov

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Marcus J. Rael, Jr.

marcus@roblesrael.com, vanessa@roblesrael.com

/s/ Andrew P. Averbach

Andrew P. Averbach

Counsel for Respondent

U.S. Nuclear Regulatory Commission