



New Mexico State Senate

State Capitol
Santa Fe

April 3, 2018

SENATOR JEFF STEINBORN

D-Doña Ana-36

P.O. Box 562
Las Cruces, NM 88004

Cell: (575) 635-5615
E-mail: jeff.steinborn@nmlegis.gov

John Franchini, Superintendent of Insurance
Office of Superintendent of Insurance
P.O. Box 1689
Santa Fe, NM 87504-1689

Dear Superintendent Franchini:

The Nuclear Regulatory Commission has received a license application, Docket Number 72-1051, from Holtec International for the construction of a consolidated interim storage facility in Lea County, New Mexico. The facility is proposed to be located approximately 34 miles west of Hobbs and 32 miles east of Carlsbad.

In its application, Holtec International is seeking authorization to possess and store 500 canisters containing 5,000 metric tons of uranium at the proposed site, including spent uranium-based fuel from commercial nuclear reactors and a small quantity of spent mixed-oxide fuel. If authorization is provided for the initial 500 canisters, Holtec International anticipates requesting a license amendment for an additional 500 canisters for each of 19 subsequent expansion phases, and the amount of high-level radioactive waste stored could increase up to 100,000 metric tons of uranium.

The Nuclear Regulatory Commission has declared the Holtec application complete and has launched a 60-day scoping period, from March 30 to May 29, to receive public comments. Given the significant public policy issues associated with the transport and storage of radioactive waste in Lea County, key information about our state's preparedness and exposure needs to be vigorously evaluated and discussed. The health, safety and financial well-being of people and businesses in New Mexico need to be given the highest priority in evaluating Holtec's proposal. Additionally, it is essential to transparently discuss these policy ramifications now to allow New Mexicans the opportunity to participate in the public comment period.

To understand the implications of the storage of radioactive waste in Lea County on the health, safety and financial well-being of people and businesses in New Mexico and to provide input into the federal process, I am seeking your input on the following questions:

COMMITTEES:

VICE CHAIR:
• Rules

MEMBER:
• Public Affairs

INTERIM COMMITTEES:

CHAIR:
• Radioactive & Hazardous
Materials Committee

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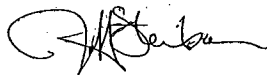
1. do homeowners and commercial insurance policies cover radioactive or nuclear waste contamination?; and

2. would Holtec International be required to carry liability insurance to store power reactor spent fuel and other associated radioactive materials in New Mexico?

Given the recently initiated public comment period, I respectfully request a response to these questions expeditiously. It is imperative that these questions be addressed quickly to allow the legislature to perform its oversight role during this limited 60-day public comment period.

Thank you for your attention to this matter.

Sincerely,



JEFF STEINBORN

cc: Members, Radioactive and Hazardous Materials Committee (via email)

JS:nm