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## **Nuclear Regulatory Commission to Hear Plan for Dangerous Radioactive Waste Storage**

### ***Oil Companies, Environmentalists Seek to Intervene to Oppose Licensing***

**MIDLAND, Texas** – As the Nuclear Regulatory Commission prepares to take testimony this week about a plan to bring deadly, high-level waste to West Texas, opponents of the project outlined their objections at a news conference in downtown Midland on Tuesday.

Concerned citizens including elected officials, clergy, oil industry executives, parents and others oppose a corporate application for a license to store 40,000 tons of the nation's most deadly nuclear reactor waste in Andrews County, Texas.

The waste, which would be stored above ground in dry casks, consists of irradiated fuel rods from nuclear reactors, which would be transported across the country, posing risks from accidents, leaks and sabotage. Exposure to unshielded high-level radioactive waste is lethal in minutes.

The applicant, Interim Storage Partners, is a joint venture between Orano USA and Waste Control Specialists (WCS) that formed after WCS, the original applicant for interim storage of high-level waste, filed bankruptcy and was acquired by J.F. Lehman & Co.

An important hearing on the license application begins at 9 a.m. Wednesday at the Midland County Courthouse. Concerned citizens will protest at the courthouse beforehand.

Public Citizen, Sustainable Energy and Economic Development (SEED) Coalition, Sierra Club, Fasken Land and Minerals and others are seeking to become intervenors in the licensing process. Collectively, their attorneys have raised 50 contentions and key issues of concern about health, safety and economic risks, as well as the legality of licensing the facility.

"Based on this hearing, the Atomic Safety and Licensing Board judges will decide which parties have standing in the case, and which contentions they will accept for further consideration," said Adrian Shelley, Director of Public Citizen's Texas office. "Expert testimony will be provided for many of the issues raised. It may be several months before the judges make these determinations, but in the meantime, citizens can speak out against the proposal to dump nuclear waste on Texas by writing to their congressional and state representatives."

Judges on the Nuclear Regulatory Commission's Atomic Safety and Licensing Board Panel will consider the application – first filed by WCS - to store nuclear reactor waste for at least 40 years. If the license is approved, thousands of radioactive shipments from around the country would travel on road, rail and barges through communities across the nation. Opponents voiced concerns about safety, cleanup and responsibility for the waste.

"WCS has no plans to build a facility to deal with cracked or leaking canisters," said attorney Terry Lodge, who represents a coalition including SEED Coalition, Public Citizen and five other

organizations. “They intend to accept thousands of canisters transported across the country and if any arrive leaking radiation, or contaminated, or building toward criticality, the ‘plan’ is to send them back to the original reactor site, endangering workers, the public and the environment for a second time. That’s not a policy or an interim storage solution, it’s a profit machine, and damn the consequences.”

Midland County Commissioner Randy Prude said that “there is strong opposition to WCS’ proposal to store nuclear waste in West Texas.”

“This is why the County of Midland, the City of Midland and the Midland Chamber of Commerce passed resolutions opposing the plan to store the dangerous waste and to transport it through our region,” Prude said. “It’s only a matter of time before an accident or an act of terrorism breaks one or more of the canisters and makes West Texas another Chernobyl. The world’s premiere oilfield and America’s energy independence are at stake.”

More than 46,000 comments were submitted in opposition to WCS’ proposal, the most ever received for a single NRC issue. In Texas, resolutions opposing the plan were also passed by Dallas, Bexar, Nueces and El Paso Counties, and the cities of San Antonio and Denton.

“It’s clear that Texas does not want this deadly waste,” said Lon Burnam, a former state representative from Fort Worth who now heads the Tarrant Coalition for Environmental Awareness. “This is a money-making scheme that’s maximizes WCS’s profits and leaves Texas taxpayers on the hook for costs associated with managing radioactive waste.”

Michael Sis, the Catholic Bishop of San Angelo, said, “As a citizen of West Texas, and as a bishop whose territory includes Andrews County, I am deeply concerned about the proposal to store high-level nuclear waste at a site in Andrews County.”

“An accident in storage or transportation would cause irreparable harm to the public health and common good,” Sis added. “If any of the casks should fail, or be struck by an act of terrorism, there is the possibility of radioactive contamination of our land, our ground water, the local oil fields, and the nearby potash deposits.”

“I urgently recommend that less risky options be pursued elsewhere, in a location that has more robust containment systems. I encourage my fellow citizens to express their concerns about this proposal that will affect present and future generations.”

Rose Gardner, who lives in Eunice, New Mexico, only five miles from the WCS site, is a founder of the Alliance for Environmental Strategies, or AFES. She said the proposal would disproportionately affect Hispanic families.

“When I talk to my friends and neighbors about the dangerous high-level radioactive waste that could be stored in our community for decades, they tell me that they don’t want these risks,” Gardner said. “We live near the rail lines, which would carry thousands of casks of the waste, from both the East and West coasts. Any accident, leak or terrorist activity during the thousands of transports that would occur over a 20-year time period, could not only harm our health, but also impact tourism, ranching, agriculture, the oil and gas industry and our property values. Our region is largely Hispanic, making this a significant environmental justice issue. We do not consent up to be dumped on.”

Others said the NRC would run afoul of the law by granting a license for the waste dump.

“It would be illegal for the NRC to license the facility proposed by WCS – or even consider the application,” said Diane Curran who represents Beyond Nuclear, a national organization that works extensively on nuclear issues. “WCS presumes the federal government will take title to the spent fuel to be transported and stored at the proposed facility. But the Nuclear Waste Policy Act prohibits federal ownership of spent fuel unless and until a permanent repository is in place. No permanent repository exists or is even under review at this point. Therefore, the NRC shouldn’t be considering WCS’ license application at all.”

“The health and safety of our children is at risk,” said Elizabeth Padilla, a mother of three and founder of Protect Andrews County. “Exposure to radioactivity leads to various cancers, genetic damage and birth defects. We don’t want dangerous high-level radioactive waste coming through our community or being stored in our county. We didn’t generate it or profit from the power that was produced by nuclear reactors elsewhere. The communities that did should take responsibility for storing the waste or creating a permanent repository in their own back yard. We don’t want it.”

“Given our tornadoes and train and truck wrecks, transporting or storing high-level nuclear waste in West Texas for the next 40 years or more is a bad idea,” said David Rosen, a Midland oil industry executive and community leader. “Why should we endanger the oil and gas drilling that powers our livelihoods and the economy of Texas?”

To show the size of shipments of radioactive waste, the groups inflated a full-scale mock transport cask like those used to transport the dangerous waste.

Links to audio recordings of the NRC hearings this week are [here](https://nukehearing.net/#audio20190710):  
<https://nukehearing.net/#audio20190710>

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