

# NRC Told to Dismiss Application for “Interim” High-Level Radioactive Waste Dump in Texas

Plan threatens “permanent parking lot dump” and would shift costs from industry to taxpayers

Four leading national and Texas groups—Beyond Nuclear, Nuclear Information and Resource Service (NIRS), Public Citizen, and the Texas-based Sustainable Energy & Economic Development (SEED) Coalition—opposed to an industry scheme that risks a so-called short-term nuclear waste storage site becoming a permanent one, while sticking taxpayers with the bill, are calling on the US Nuclear Regulatory Commission (NRC) to follow the law and terminate its review of the license application by Waste Control Specialists (WCS) to construct an “interim” high-level nuclear waste dump in Andrews County, Texas.

WCS seeks a permit to build a so-called short-term storage facility for up to 40,000 metric tons of highly dangerous nuclear waste in Andrews County, but only if the US government first assumes responsibility for the waste and further agrees to ship it to the Texas site by rail. The license application is for the first 5,000 metric tons but the company’s promotional materials show they are planning on expanding the site to accommodate more than half of the estimated 75,000 metric tons of commercial nuclear waste currently in the US.

The groups are concerned that the “interim” storage facility may become the de facto permanent home for the highly toxic waste. Given the long battle over Yucca Mountain, the groups have zero confidence that Congress or federal regulators would have the stomach for fighting to move the nuclear waste a second time from WCS or any other “interim” site. And, with utilities totally off the hook and taxpayers footing the entire bill, those that generated the waste would have no incentive to ensure its safe disposal in a permanent geologic repository.

The letter from the four groups to the NRC’s top executive argues that the WCS proposal would require the NRC to break federal law, which bars the US government from assuming responsibility for interim waste storage in the absence of a federal repository for permanent disposal. They contend that, until a long-term geological repository is ready, federal law forces utilities to solve their own interim storage problems, including bearing the economic burden for facility construction and operation, and liability for accidents.

The groups’ letter demands that the NRC immediately drop its review of the WCS application, including its plans to embark on an environmental study.

High-level radioactive wastes are irradiated nuclear fuel rods, and short-term exposure at close range, with no shielding, can cause immediate death. It is so dangerous that Congress required that it be buried deep underground in geologically isolated repository for thousands of years.



Containers placed in a trench at the Nevada National Security Site near Las Vegas. Federal managers announced in May 2013 that the dump would accept waste five times more radioactive than previously allowed. Department of Energy photo.

This danger also prompted federal lawmakers to prohibit putting taxpayers on the hook for short-term or “interim” solutions that could become de facto permanent surface storage sites.

According to the groups, there is no safety imperative for moving the waste to a consolidated storage facility. The safety and security of our toxic radioactive waste stockpile, not financial gain for this private entity, should drive NRC waste storage activity. Rather than reviewing this premature and illegitimate proposal the NRC should focus

its efforts on safeguarding the onsite storage of waste at nuclear facilities across the country.

“By requiring a permanent deep geological repository to be operating before centralized interim storage could be opened, Congress wanted to prevent the very real danger of a de facto permanent parking lot dump—a radioactive waste storage site that would be designed for the short-term but be there forever,” said Kevin Kamps, radioactive waste specialist with Beyond Nuclear. He added: “WCS is a cynical shell game and taxpayers are sure to lose. Congress was right that liability for the costs of storing commercial irradiated nuclear fuel belongs with the generators and should not be shifted onto the backs of the American public.”

Diane D’Arrigo, radioactive waste project director with the Nuclear Information and Resource Service, said, “Moving nuclear power waste over roads, rails and waterways to a supposedly temporary site puts us all at risk and creates only an illusion of a solution.”

Karen Hadden, executive director of the SEED Coalition, added, “Due to risks of radioactive contamination from leaks or accidents or potential terrorist actions, radioactive waste should only be moved once, and only when a deep underground permanent repository is in place that could safely isolate the dangerous waste for the million years that it will remain hazardous.”

Tom Smith, director of the Public Citizen, Texas office, said, “Texans do not consent to the risky plan to store high-level radioactive waste at private sites on an open pad above ground in Texas. Another company near Hobbs, New Mexico—less than 50 miles away—is expected to file an application to open a storage site that would accept the rest of the nation’s high-level nuclear waste. These twin ‘storage sites’ likely would create a de facto high-level national waste sacrifice zone. This proposal invites disaster because the private owners will be cutting costs at every turn to maximize profits. If there was radioactive contamination our land, air, water, and human health could be harmed for millennia.” —NIRS

## Through the Prism of Nonviolence

By John Heid

Now we will all count to twelve  
and we will all keep still.

This one time upon the earth  
let’s not speak any language,  
let’s stop for one second,  
and not move our arms so much.

It would be a delicious moment,  
without hurry, without locomotives,  
all of us would be together  
in a sudden uneasiness...

—Excerpted from “Keeping Quiet” by Pablo Neruda

Good words are hard to come by these days. I struggle to write at all. I find myself saying “Not another word. Not one!” I’d like us all to take Neruda’s advice and “stop for one second and not speak any language,” and then share in the sudden uneasiness of silence—together.

The times are deafening, cacophonous, shrill. The rhetoric of hate has reached fever pitch from the headlines to the comics, from the syndicated columnists to the letters to the editor, from the street to the Senate. We are bombarded. You know as well as I so there’s no need to further twist the knife. What is needed is not the placebo of cheap hope, not escapism, not denial—if that’s even a viable option. In my struggle to find solid ground, I take comfort—cold comfort—in Rainer Marie Rilke’s insight: “In a dark time the eye begins to see.”

In times like these words cannot suffice. Only actions that echo from the still small voice of conscience offer modest succor. These are someplace to begin. Random acts of humanity speak louder than words. Wendell Berry wrote in his poem “Manifesto: The Mad Farmer Liberation Front,” “So, friends, every day do something that won’t compute.... Ask the questions that have no answers. Invest in

## Hate Cannot Drive Out Hate

the millennium. Plant sequoias.... Put your faith in the two inches of humus that will build under the trees every thousand years. Listen to carrion—put your ear close and hear the faint chattering of the songs that are to come.” Now that’s something to listen to!

In dark moments of history such as we are wading through I’m reminded of a couple earlier random acts of humanity which offered a moment of respite from the fray.

In 1968, Vice President Hubert Humphrey, deeply distressed by the anguish in the bloody, tear gas-filled streets outside the Democratic Convention hall in Chicago, and at great political risk, addressed the delegates with an impromptu invitation:

“And may we, for just one moment, in sober reflection, in serious purpose, may we just quietly and silently—each in our own way—pray for our country.” He then proceeded to recite the Peace Prayer of Francis of Assisi. Imagine that! Compassion trumped secular decorum, let alone protocol.

During the siege of Sarajevo in 1992, Vedran Smailovic, “the cellist of Sarajevo,” played Albinoni’s “Adagio in G Minor” in the bombed out ruins of the city library. Despite the facts of missiles and war, he played on.

Are these acts absurd? Ones that don’t compute? Do they at least give us pause to reflect and breathe? To breathe in the madness and hate that swirls around us, and exhale light and love? How does one respond in the face of unspeakable suffering that is personal, communal, national, universal?

I recall Mitch Synder, of the Community for Creative Nonviolence in Washington, DC, often saying: “If you really don’t feel there’s anything you can do for the person you see lying on the sidewalk as you pass, at least look into their eyes and acknowledge them. Say hello.”

These words are not meant to be pabulum to assuage our consciences or minimize our fundamental responsibilities to one another. They are simply the brainstorm, or perhaps better said, the heart-storm of this writer in a dim hour.

I am seeking a toehold of sensibility in the current morass of national politics which is deeply embedded in a subculture of hate. This subculture is as ubiquitous as it is caustic. Its breadth exceeds political party affiliation, region, class, even race. No ideology can contain its vitriol, let alone its logic-defying analysis.

Sally Kempton wrote: “It is hard to fight an enemy that has outposts in your head.” How do we dismantle the cerebral outposts of this subculture which only serve to reinforce fear, misunderstanding, isolation, and ultimately rock solid hate?

How can we support one another? What are the cairns along the path that will lead us to be fully who we can be? That is, human beings. After all, we are not hard-wired to be haters.

At a bare minimum the advice for life that writer Anne Lamott received from her father is worthy of consideration. “Don’t be an asshole and make sure everybody eats.” If our domestic and foreign policy began with such rudimentary, if not crude, advice, surely this world would be a more peaceful place.

In the May 2004 issue of *Orion*, Terry Tempest Williams wrote, “Patience is more powerful than anger. Humor more attractive than fear. Pay attention. Listen.”

In closing, Dr. Martin Luther King Jr’s immortal words echo: “Hate cannot drive out hate. Only love can do that.”

P.S. These lines were written in the early hours of Election Day, Nov. 8, 2016.

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