



**TESTIMONY
LEAGUE OF WOMEN VOTERS OF TEXAS
NUCLEAR REGULATORY COMMISSION**

7 p.m., February 15, 2017

I am Susybelle Gosslee testifying as a volunteer member and on behalf of the League of Women Voters of Texas. We appreciate this opportunity to provide comments opposing plans to have high-level radioactive waste transported and stored in Texas and at the Waste Control Specialist site in Andrews County. The League urges the Nuclear Regulatory Commission to deny the permit to have high-level radioactive waste transported and stored in Texas and at the Waste Control Specialist site in Andrews County or at any other location in the state.

The League's position on nuclear waste promotes the maximum protection of public health and safety and the environment. Our position, like other League positions, is derived through a lengthy and thoughtful process involving the participation of Leagues across the United States including 24 Texas Leagues representing nearly 5,000 supporters throughout the state of Texas.

High-level radioactive waste is the most dangerous of all radioactive materials for tens of thousands of years. No other state wants it, so why would Texas want it? High-level radioactive waste is a risk too great to be transported through the state of Texas potentially endangering men, women, and children along the miles of interstate highways. This clearly is unprecedented and poses a huge threat to our future generations.

High-level radioactive waste (mostly radioactive strontium, cesium, and plutonium) have long half-lives. Plutonium, the most dangerous material in the world, remains dangerous for tens of thousands of years. Man-made radiation differs from natural radiation. Why would Texas want it? The risk is too great.

Just because the nuclear industry has no solution to the "waste problem," there is no reason that Texas should be the storage site.

The League recognizes that nuclear materials have been transported relatively safely, but there have been train and truck accidents and even trucks with radioactive materials stolen and missing. (Please see Addendum 1) This is an accident waiting to happen. The League also realizes that the packaging that stores waste during transportation are designed to ensure shielding from radiation and containment of waste, even under the most extreme accident conditions, but we live in a different time with unforeseen hazards.

The transportation of this waste poses an unacceptable risk to people and the environment. This waste would be transported on the interstate highways and rail lines throughout the state, creating a risk for millions of Texans as it is transported through Amarillo, Midland, Odessa, El Paso, Dallas, Denton, Houston, San Antonio, and all the rural areas between those cities near chemical plants and refineries. (See Addendum 2)

There is a potential terrorist threat to the large volumes of radioactive wastes currently being stored in Texas. In addition to the possibility that casks could leak, it could be dispersed as a result of terrorist action. There are numerous sites where statisticians calculated an accident would never happen, but they have. Those examples

are Chernobyl; Fukushima; and Bhopal. Chemical accidents have occurred in: West, Texas in April 2013; Athens, Texas; and Atchison, Kansas in October 2016. The NRC incident reveals accidents daily.

The Department of Energy reports that a severe accident involving a radioactive waste cask that released only a small amount of waste would contaminate a 42-square mile area. So why would Texas want it? The risk is too great.

Census data from 2011 revealed that Interstate 35 divides the state's population, with 85 percent to the east and 15 percent to the west of it, the overwhelming majority lives within an easy commute of these interstate corridors. Nearly 3.4 million of the state's 4.3 million population growth since 2000 occurred in the Houston/San Antonio/Dallas-Fort Worth triangle area.

This trio of roads — Interstates 35, 45 and 10 — links Dallas-Fort Worth, Houston and San Antonio and everything in between. The interstate highways linking these three communities hold two-thirds of Texas' population, where 79 percent of its astounding growth took place over the last 10 years. If an accident occurred along the interstate highways going to Andrews County, it is safe to say that the economy in this region would be adversely affected.

The Texas A&M Transportation Institute reports, "The interstate highway system is a great example of the often-cited relationship between transportation and the economy. Without the system, our state today would have 1.6 million fewer non-farm jobs, which would support a population of 4.2 million fewer people."

A geographic analysis by *The Dallas Morning News* shows that about 16.5 million of Texas' 25 million residents live within 20 miles of the interstates that connect greater Houston with the San Antonio area and then run north through Dallas-Fort Worth and up to the Oklahoma line. It is that triangular core that both reflects and shapes Texas.

Nearly 3.4 million of the state's 4.3 million population growth since 2000 occurred in that area — and the racial and ethnic makeup is about the same as for the state as a whole. Roughly 60 percent of Hispanics live in the swath around the interstates, and 67 percent of that group's growth from 2000 to 2010 occurred in the triangle.

A terrorist threat to the large volumes of radioactive waste currently being transported and the risk that this waste could leak or be dispersed as a result of terrorist action during transport is a risk not worth taking. Our own military has shown how vulnerable sites are due to low-flying and highly sophisticated aircraft that could be used by terrorists.

Waste Control Systems (WCS) originally asked to be the storage site for only low-level radioactive waste from the compact states, but since that time they have asked for changes in the operating agreement so that they can increase the amount of waste and the number of curies per year. Their management said that they would not ask to increase the level of radioactive waste or the number of curies. Now they are asking to store high-level radioactive waste, the most dangerous of all. Their statements have been disingenuous. Increasing the level of radioactive waste to high-level increases the risk to public health and the environment.

The League asks that the NRC hold public hearings around the state where rail and road routes will be used to transport the high-level waste so that all Texans are informed about this waste being transported through their cities and can make comments. This is how democracy works. In a democratic system, there should be transparency, accountability, and public participation.

This waste will be transported through Texas' towns near petroleum refineries, chemical plants, and other sensitive factories and homes. Area residents have a right to comment.

Federal rules... "haven't kept up with the continuing challenge of preventing chemical incidents," said Rick Engler, a member of the [U.S. Chemical Safety Board](https://www.uscb.gov/), which issues recommendations but has no regulatory authority. <https://www.publicintegrity.org/2017/02/10/20684/exxonmobil-near-disaster-you-probably-havent-heard>

The disposal of high-level waste is a national concern, and national policy should govern the selection of any facilities constructed, whether in Away-From-Reactor (AFR) interim storage facility, a Monitored Retrievable System (MRS) facility or a permanent geological repository, cities, and citizens have a right to express their opinions. The Nuclear Waste Policy Act of 1982 sets forth a program for selection, authorization and licensing of permanent repository sites and outlines programs of possible MRS and AFR facilities. In taking any action on this issue, LWVUS will work to ensure that high-level waste is disposed of in a manner that protects public health and safety and the environment. The League has testified since 1981-82 that the storage of high-level waste from commercial reactors should be maximized at reactor sites.

The League of Women Voters considers these three questions:

1. **Is the proposed facility needed at this time?** The proposed high-level radioactive waste storage in Andrews County, Texas is not needed at this time because the waste from commercial reactors should be maximized at reactor sites. It is safer to have the waste secured in smaller amounts at seventy-four sites around the country than at one large site.
2. **Is the site suitable?** The WCS site in Andrews County, Texas is not suitable, because it has questions about being located over the Ogallala Aquifer (See Addendum 3) and has gas wells that are being fracked nearby. The security at the WCS site is minimal. The community a few miles away, Andrews, has a volunteer fire department with limited capabilities. The fire department on the WCS site is minimal. If the WCS site is approved for high-level radioactive waste from the Midwest region of the U.S., which has many nuclear reactors, the waste will be transported over the Ogallala. (See Addendum 4)
3. **Did the selection process provide ample and effective opportunities for public participation?** The selection process has not provided ample and effective opportunities for public participation throughout the state, especially where the waste is being transported. The only hearing in Texas is being held in Andrews County far from any Texas city or town that will be affected by transportation routes. The NRC February 15, 2017, meeting will be on held from 7 to 9 p.m. and without a statewide public notice readily available to the public.

The League of Women Voters of Texas does not support high-level radioactive waste transported and stored in Texas and at the Waste Control Specialist site in Andrews County. The League urges the Nuclear Regulatory Commission to deny the permit to have high-level radioactive waste transported and stored in Texas and at the Waste Control Specialist site in Andrews County or at any other location in the state.

Thank you.

For additional information, please contact: Susybelle Gosslee, LWV-Texas Hazardous Materials Issue Chair; sgosslee@airmail.net; 214-732-8610

The League of Women Voters of Texas (LWV-TX) is a nonpartisan citizens' organization that has fought since 1919 to improve our government and engage all citizens in the decisions that impact their lives. It represents more than 5000 members and supporters throughout Texas.

The League of Women Voters never supports or opposes candidates for office or political parties. The member-driven organization of women and men encourages the informed and active participation of citizens in government and seeks to influence public policy through education and advocacy of positions based on extensive issue study and consensus.

Addendum 1:

Event Reports: A plethora of low-level radioactive waste incidents

Posted on [March 13, 2015](#), by [Robert Singleton](#)

<https://robertsingleton.wordpress.com/2015/03/13/event-reports-a-plethora-of-low-level-radioactive-waste-incidents/>



After having spent the better part of the morning tilting with the Texas Low Radioactive Waste Disposal Compact Commission, I thought I'd focus on a month or so of Nuclear Regulatory Commission Event Reports on the kinds of waste that are supposed (in theory) to be regulated by the Commission.

1. Everybody knows that delivery services sometimes screw up, but you'd think that carriers would be extra careful when it comes to radioactive materials. Well, you'd be wrong. QSA Global of Baton Rouge notified the NRC on February 10, 2015, of an incident that occurred the previous day when "the common carrier delivered a 'crate/container' of [Radioactive Materials] RAM to the Baton Rouge, LA address that was intended for Seoul, South Korea." But it was an error that was easy to understand: "The labeling on one of the Korean containers was not legible or missing...."

The shipment consisted of three containers, one of which was bound for Louisiana. The third box was supposed to go to South Korea.

I did some shipping and receiving long ago when I worked in a record store. (Long enough ago that there were still record stores.) There were some hard and fast rules: Every box needed to have a label and the label needed to have a "_ of _" piece count on it. Also, I wouldn't sign for anything where the number of boxes didn't match the shipping paperwork. But I guess Sound Warehouse was a little more organized than QSA Global.

But maybe getting the right number of copies of the new Dead Kennedys album needs more attention to detail than does the shipment of Iridium-192, which is what was dropped off eight thousand miles short of its intended destination.

2. On February 11, B&W Nuclear Operating Group of Lynchburg, Virginia, submitted an update on a previous Event Report on an incident that had taken place at its uranium fuel fabrication facility. Seems that scrap material (contaminated filters, vacuum cleaner bags, and other industry detritus) is processed in the Low-Level Dissolver, ” to reclaim as much of the uranium as possible.” According to the Event Report:

“On occasion during processing a slight amount of material will spill over the edge of the dissolver trays, filter bowls, *or when hand-transferring material between the trays and filter bowls.* These small spills collect on a large catch tray in the bottom of the enclosure. Periodically the catch tray is cleaned to limit the amount of material buildup. By procedure the solid material is to be scraped up and collected in a [less than or equal to] 2.5 liter container.”

But, apparently the safety procedures proved too complicated for the technicians:

“On January 9, 2015, the LLD process was shutdown and the enclosure was undergoing a routine cleanout. However, on this occasion, the operators scraped the material on the tray into several piles for subsequent collection into containers. The volume of most of the piles exceeded the 2.5-liter limit.”

The ever-vigilant NRC summarized the safety implications:

The scenarios for the handling of materials containing an unknown amount of U-235 assume the material is containerized rather than in piles. Some of the IROFS credited in these scenarios were therefore not available for the collection of the material in piles. Although the as-found condition presented no safety concern, the scenarios as documented in the ISA [Integrated Safety Analysis] did not demonstrate the performance requirements of 10 CFR 70.61 were maintained.”

But nothing blew up, so the NRC is satisfied:

“There was no immediate risk of a criticality or threat to the safety of workers or the public as a result of this event.”

I’ve said it before and I’ll say it again, the seven scariest words in the English language are: ***“The public was never in any danger.”***

3. Another transportation incident took place on Feb. 13, this time in Florida

“[The common carrier] was delivering 2 packages from CA to Isoaid in Port Richey (they dispose of the used material sent in by customers). The boxes at some point fell out of the truck and they were not discovered missing until the driver reached Isoaid. It is not known the exact time this [occurred], the phone call to the BRC [Bureau of Radiation Control] was at 1:40 pm. They did locate them but one package was run over and (1) I-125 seed was missing from the box.”

4. And while we’re talking about things falling off the back of trucks.... I don’t know why this report didn’t appear on the NRC page until February 18, since it happened three weeks earlier:

“On January 26, 2015, the licensee notified the Agency [State of Texas] that one of its technicians had left a temporary job site in Fort Worth and after traveling approximately 30 minutes toward another job site, he realized the tailgate was down [and the gauge was missing]. When he left the first site, he had left the Humboldt

5001EZ moisture/density gauge (SN: 3613), containing one 10 millicurie cesium-137 source and one 40 millicurie americium-241/beryllium source, on the tailgate and not secured in the back of the vehicle. The technician returned to the site and looked for the gauge.”

Apparently, the driver wasn’t the only person looking for unsecured nuclear materials:

“Other construction workers at the site did produce the carrying case and the lock that had been on it, the standard block, and the flattening plate but not the gauge. The licensee is notifying local law enforcement and will return to the site in the morning with reward offer.”

5. In the category *When Medical Devices Attack*, there is this:

“On Friday, February 13, 2015, the Wisconsin Radiation Protection Section received notice from the Radiation Safety Officer (RSO) of Marshfield Clinic that their Leksell Gamma Knife Perfexion gamma stereotactic radiosurgery unit failed to function as designed. The Gamma Knife unit became stuck open and staff had to manually retract the patient bed and close the shielding doors on the unit.”

Hope the patient was sedated during the procedure.

6. On February 23, the State of Pennsylvania finally found out what set off the radiation monitors at a landfill on January 23. According to the original Event Report:

“A Pennsylvania landfill rejected a load of garbage based on elevated radiation readings (188 uR/h) and sent it back to NJ. PA identified the nuclides as Mn-54 and Co-57. [A New Jersey Department of Environmental Protection (NJDEP)] inspector went to the NJ garbage facility to verify the readings and nuclides.

“[NJDEP informed] the waste facility that [they] would be coming to observe the separation/isolation process, but [before the] inspector got there, they had already done everything. According to the facility personnel, there was a bag of metal parts (they opened it up), but had double bagged it by the time [the inspector] got there. [The] inspector got 23 mR/h on contact, 849 uR/h at 1 foot and 62 uR/h at 1 meter. Discussions revealed that no one picked it up with their hands and they were not near the source for very long.”

The update identified the culprit:

“The radioactive item was determined to be a small metal foil. No specific point of origin could be determined.”

Think I’ll wrap up here, although there’s plenty more where this came from. If you’d like to play along, the Nuclear Regulatory Commission posts Event Notification Reports Monday through Friday (excluding holidays) at www.nrc.gov.

Addendum 2:



Addendum 3:



U.S. Operating Commercial Nuclear Power Reactors



