

# New Mexico is NOT a Nuclear Wasteland



Leona Morgan, Nuclear Issues Study Group

May 13, 2019

# Nuclear Colonialism

...is the systematic dispossession of indigenous lands, exploitation of cultural resources, and the subjugation and oppression of indigenous peoples to further nuclear production of energy and proliferation of weapons from uranium mining, uranium processing, weapons testing, and waste storage, resulting in the destruction of indigenous peoples and cultures and creation of National Sacrifice Zones.

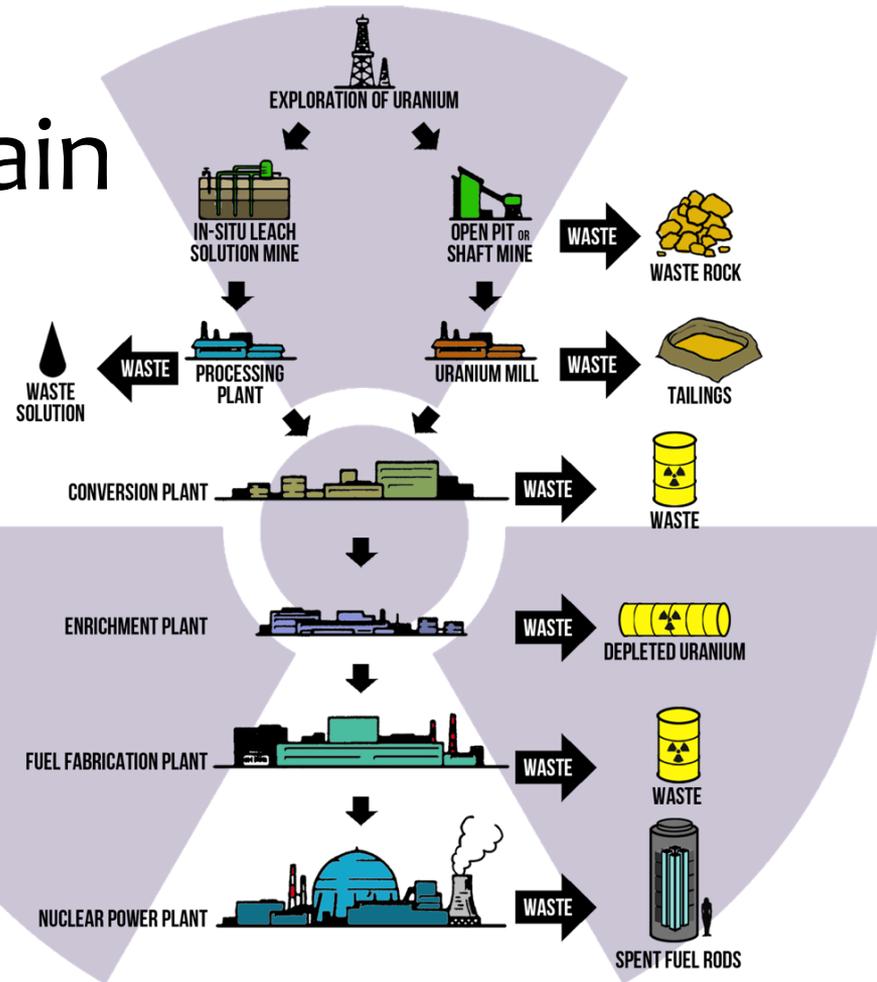
Sources:

<sup>1</sup>Nader & Gusterson, *Half Lives and Half Truths*

<sup>2</sup>Compilation of Definitions of Nuclear Colonialism from LaDuke, Churchill, and Benally

# Contamination in NM from Nuclear Fuel Chain

- Legacy of Uranium Mining & Milling
- Uranium Enrichment (Urenco)
- Testing of First Atomic Bomb (Trinity)
- DU Experimentation (NM Tech)
- 2 National Weapons Labs (LANL, SNL)
- Deep Geological Repository for Transuranic Wastes (WIPP)
- Low-Level Waste nearby (WCS)
- Other Sites (UNM, Buggy Explosion, et al)
- Proposed CIS and Possible Reprocessing?
- **NO COMMERCIAL NUCLEAR POWER PLANTS**



Courtesy Radiation Monitoring Project

# Abandoned Uranium Mines (AUMs)

U.S. Environmental Protection Agency (EPA) estimates<sup>1</sup>:

- ☢ 15,000 U mine locations in 15 western states (most in CO)
- ☢ 75% of those on federal and tribal lands

U.S. Department of Energy (DOE) estimates<sup>2</sup>:

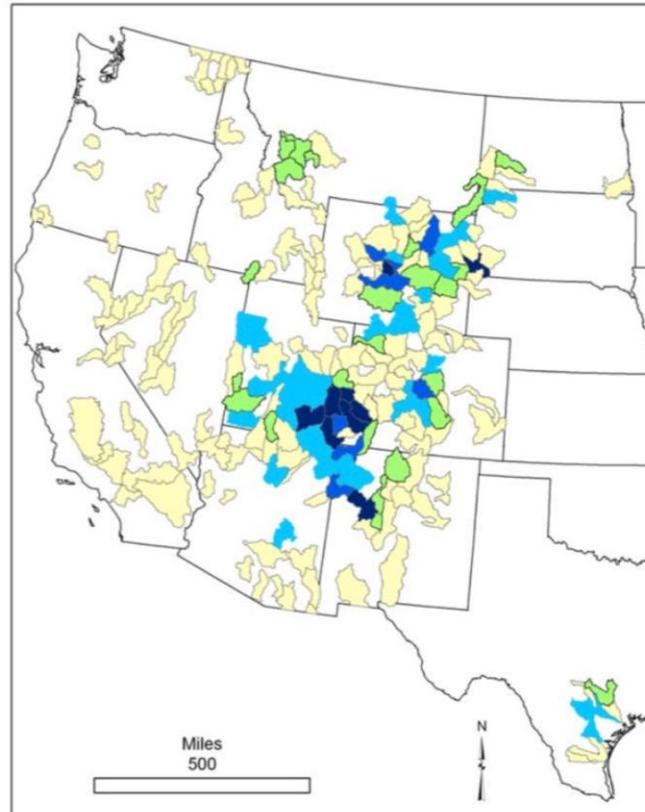
- ☢ 4,225 defense-related U mines
- ☢ Approximately 11% of the 4,225 mines are on tribal lands and other areas where poverty, linguistic isolation, limited educational opportunities, and other factors contribute to increased vulnerability to pollution.

Sources

<sup>1</sup> [https://www.abandonedmines.gov/wbd\\_um.html](https://www.abandonedmines.gov/wbd_um.html)

<sup>2</sup> <https://www.energy.gov/lm/articles/working-group-addresses-abandoned-uranium-mines>

Map: <https://www.epa.gov/sites/production/files/2015-05/documents/402-r-05-009.pdf>



Western Uranium Mine Density By Hydrologic Unit Code

## Legend

- ☐ HUCs >100 U mines
- ☐ HUCs 51-100 U mines
- ☐ HUCs 11-50 U mines
- ☐ HUCs 6-10 U mines
- ☐ HUCs 1-5 U mines

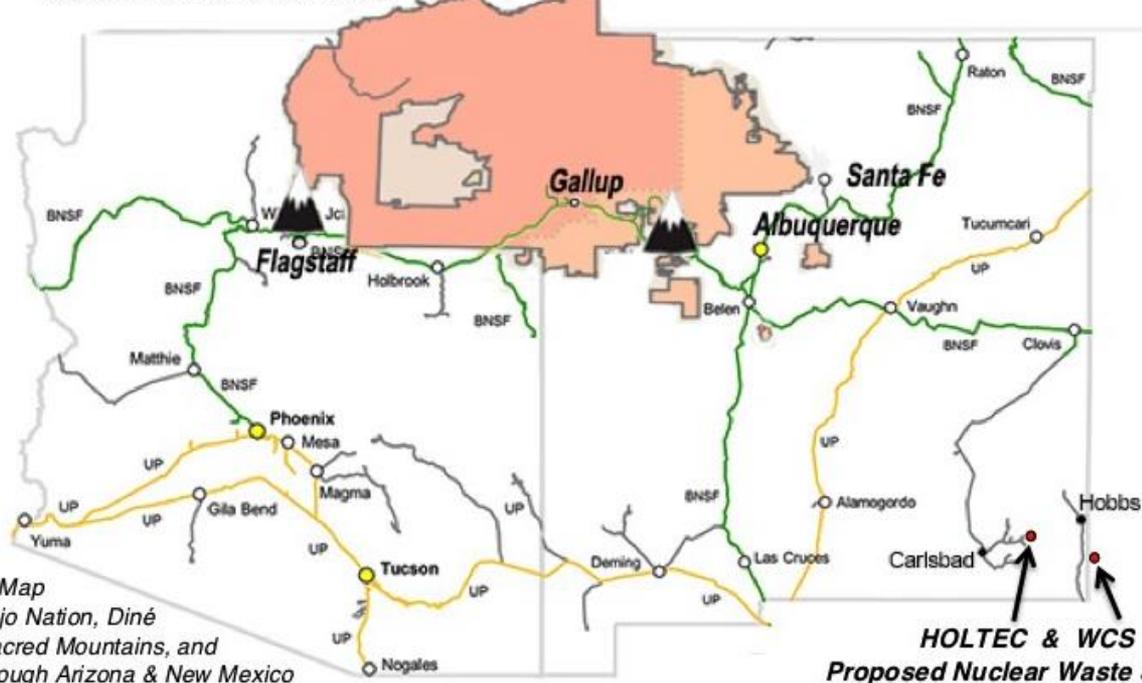
In the MAS/MILS Database the Upper Dolores (CO), San Miguel (CO), and Lower Dolores (CO) Hydrologic Unit Codes (HUCs) Each Have > 300 Uranium Mines

# Navajo Nation Sovereignty

- Diné Natural Resources Protection Act, 2005
- Radioactive Materials Transportation Act, 2012
- Declarations on the Rights of Indigenous Peoples
  - United Nations, 2007
  - Organization of American States, 2016
  - Article XXII. Indigenous law and jurisdiction
- Protection of health of people, elements, Sacred Places, future generations

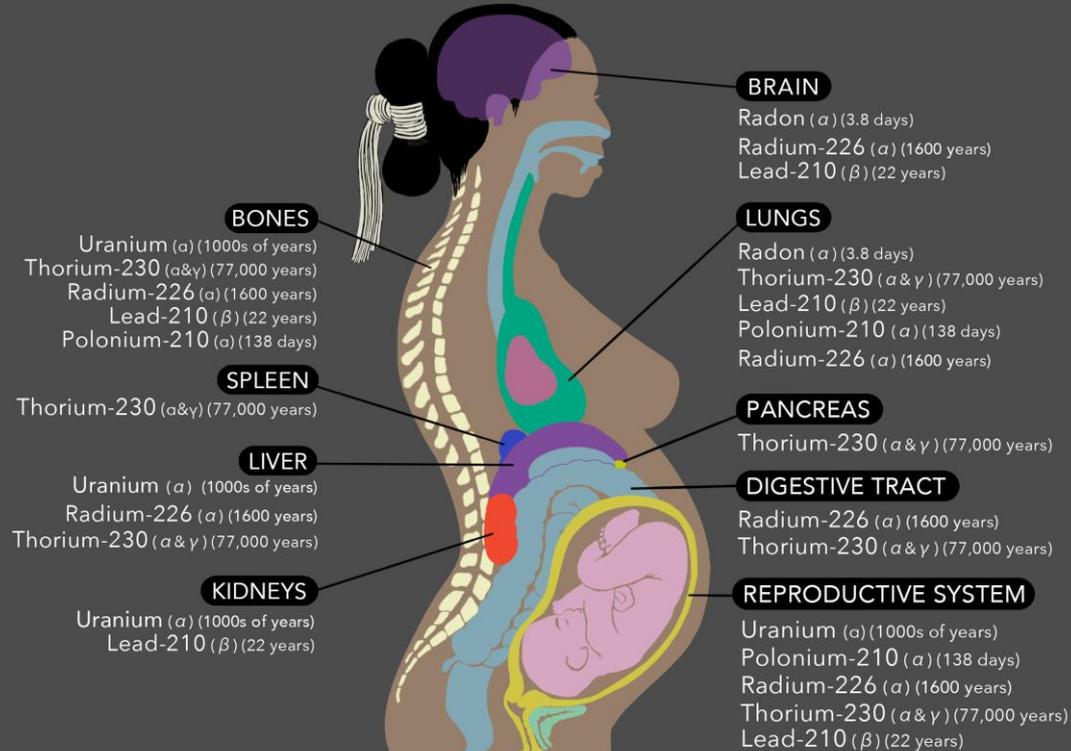
## RISKS TO DINE BIKEYAH FROM PROPOSED TRANSPORT

Map by Diné No Nukes & Resist Designz

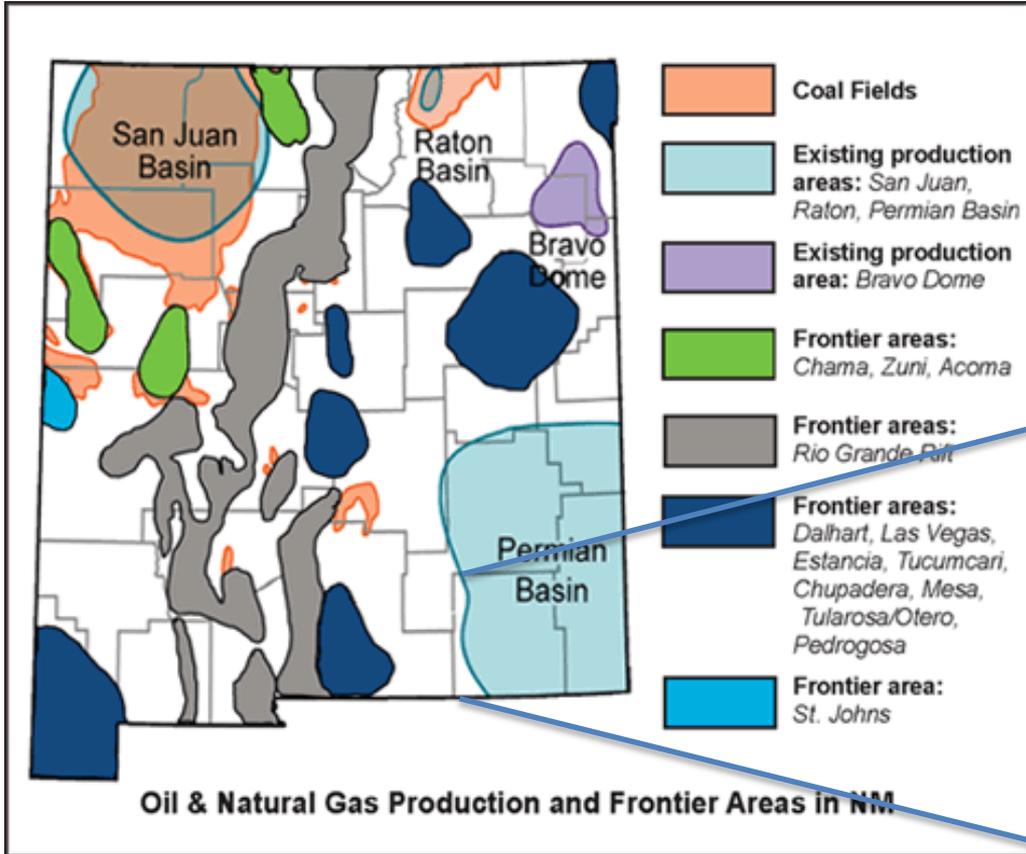


# Health Impacts

## HEALTH EFFECTS OF URANIUM ON PREGNANT WOMAN



# Southeast NM is not suitable for CIS



- Already Overburdened Area
- Permian Basin
- Sinkhole in Carlsbad
- Recent Tornado
- Lack Emergency Preparedness



# Letters from NM Legislators to NRC after education re: CIS

- 2016 Memorials
  - House
  - Senate
- NRC applications for CIS not public until 2017-18

1 A MEMORIAL  
2 REQUESTING THE EDDY-LEA ENERGY ALLIANCE TO DEVELOP A  
3 CONSOLIDATED INTERIM STORAGE FACILITY.  
4  
5 WHEREAS, the 2013 report from the blue ribbon commission

  
New Mexico State Senate  
STATE CAPITOL  
Santa Fe 87501

To: Nuclear Regulatory Commission Chairman Kristine L. Svinicki,  
NRC Commissioners Jeff Baran and Stephen G. Burns

Rick Perry, Secretary of the Department of Energy

From: Cisco McSorley, Senator *CMC*

Date: February 10, 2018

cc: Senators Tom Udall and Martin Heinrich and Representatives Michelle Lujan Grisham, Steve Pearce and Ben Lujan

Subject: Request for NRC to allow adequate time for New Mexico Legislatures and state agencies to examine potential impacts and policy recommendations related to the proposed Consolidated Interim High-Level Radioactive Waste Storage Site facility.

Dear Madam Chairman, NRC Commissioners, Secretary Perry:

The U.S. Nuclear Regulatory Commission (NRC) has received a license application from Holtec International for Consolidated Interim Storage of high-level radioactive waste, spent fuel from nuclear reactors. The initial 40-year license application seeks storage of 19 8680 metric tons radioactive waste, with anticipated storage of up to 100,000 metric tons of high-level radioactive waste. A shallow subterranean system would store the waste at a Lea County site, 34 miles west of Hobbs and 32 miles east of Carlsbad, New Mexico.

The NRC may soon deem Holtec's application complete, thus initiating a public input process and opportunity to intervene. An NRC scoping comment period on the Environmental Impact Statement for the license is expected this Spring. If there is only a typical 45-day comment period, the scoping process will be over before the New Mexico Legislature has had an opportunity to hold public hearings, receive expert testimony, get citizen input and make scoping recommendations.

34  
e 1

1 HOUSE MEMORIAL 40  
2 52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016  
3 INTRODUCED BY  
4 Cathrynn N. Brown and Stephanie Garcia Richard  
5

  
State of New Mexico  
House of Representatives  
Santa Fe

Feb. 14, 2018

To: Nuclear Regulatory Commission Chairman Kristine L. Svinicki,  
NRC Commissioners Jeff Baran and Stephen G. Burns

Rick Perry, Secretary of the Department of Energy

cc: Senators Tom Udall and Martin Heinrich and Representatives Michelle Lujan Grisham, Steve Pearce and Ben Lujan

Re: Request for NRC to allow adequate time for New Mexico Legislatures and state agencies to examine potential impacts and policy recommendations related to the proposed Consolidated Interim High-Level Radioactive Waste Storage Site facility

Dear Madam Chairman, NRC Commissioners, Secretary Perry:

The U.S. Nuclear Regulatory Commission (NRC) has received a license application from Holtec International for Consolidated Interim Storage of high-level radioactive waste, spent fuel from nuclear reactors. The initial 40-year license application seeks storage of 8680 metric tons radioactive waste, but a license amendment would be requested for 19 subsequent expansion phases, with anticipated storage of up to 100,000 metric tons of high-level radioactive waste. A shallow subterranean system would store the waste at a Lea County site, 34 miles west of Hobbs and 32 miles east of Carlsbad, New Mexico.

The NRC may soon deem Holtec's application complete, thus initiating a public input process and opportunity to intervene. An NRC scoping comment period on the Environmental Impact Statement for the license is expected this Spring. If there is only a typical 45-day comment period, the scoping process will be over before the New Mexico Legislature has had an opportunity to hold public hearings, receive expert testimony, get citizen input and make scoping recommendations.

We, the undersigned Legislators respectfully request that the NRC leave the scoping comment period open long enough to allow the Legislature and state agencies an opportunity to fully review critical issues in the appropriate legislative interim committees, and make policy recommendations that can be included as scoping comments. We ask that the NRC not issue a Consolidated Interim Storage license until the Legislature and New Mexico state agencies have had this opportunity. Some of the issues we will want to consider include:

# Opposition to CIS

## New Mexico

- |   |          |
|---|----------|
| 1. Lake Arthur                              | 09/07/17 |
| 2. Albuquerque                              | 05/21/18 |
| 3. Jal                                      | 05/29/18 |
| 4. Bernalillo County                        | 06/12/18 |
| 5. Las Cruces                               | 07/23/18 |
| 6. Santa Fe County                          | 09/25/18 |
| 7. Gallup                                   | 09/25/18 |
| 8. McKinley County                          | 10/02/18 |
| 9. Belen                                    | 11/10/18 |
| 10. Churchrock Chapter<br>the Navajo Nation | 08/15/18 |
| 11. Navajo Nation Diné                      | 11/29/18 |

Uranium Remediation Advisory Commission

## Texas

- |                        |          |
|------------------------|----------|
| 12. Bexar County       | 02/21/17 |
| 13. San Antonio County | 03/30/17 |
| 14. Dallas County      | 04/14/17 |
| 15. Midland County     | 04/24/17 |
| 16. Nueces County      | 02/04/15 |
| 17. Denton County      |          |



**Board of County Commissioners (BCC)**  
Meeting: 06/12/18 05:00 PM

**CITY OF JAL  
RESOLUTION 2018-22**

**OPPOSING CONSTRUCTION OF AN INTERIM  
HIGH-LEVEL NUCLEAR WASTE SITE IN AND AROUND LEA COUNTY**

**WHEREAS**, Eddy and Lea Counties in NM are targeted for forty years or more of storage for the nation's most dangerous nuclear reactor waste, which could lead to dangerous de facto permanent dumps, and importing high-level radioactive waste would put millions of people at risk for financial and health impacts from potential accidents or incidents; and

**WHEREAS**, Holtec Inc. has applied to the Nuclear Regulatory Commission for a license to store up to 100,000 tons of spent nuclear reactor fuel, which is all of the nation's most dangerous nuclear waste, in temporary in-ground storage in Lea County, SE New Mexico; and

**WHEREAS**, transporting high-level radioactive waste for the purpose of consolidated storage would unnecessarily increase risks of accidents or terrorism activity, and the waste would travel through the Southeastern New Mexico region, where the City of Jal is located; and

**WHEREAS**, high-level radioactive waste should remain secured at or near the site of generation and be transported only once, when a scientifically viable permanent disposal site becomes available; and

**WHEREAS**, high-level radioactive waste consists of irradiated (spent) fuel from nuclear power reactors and/or weapons production that includes uranium, plutonium and other radioactive elements that must be isolated for thousands of years or longer. The waste on a single train car would likely contain as much plutonium as was in the bomb dropped on Nagasaki; and

**WHEREAS**, exposure to radioactivity is known to lead to birth defects, genetic damage, and cancers and unshielded exposure to high-level radioactive waste could give a lethal dose; and

**WHEREAS**, our lives, land and aquifers must be protected from radioactive contamination which could result from accidents, radiation releases or leaks, or terrorist actions during the thousands of high-level radioactive waste shipments that would occur for a period of 24 years if consolidated storage is licensed; and

**WHEREAS**, an accident releasing only a small amount of radioactivity could contaminate a 42-square mile area. A 1985 DOE study found that cleanup could cost \$620 million in a rural area. Today, the amount for cleanup could be much more; and

Res 2018-22



**City of Las Cruces**  
MOUNTAINS OF OPPORTUNITY

**Council Action and Executive Summary**  
Item # 3 Ordinance/Resolution# 19-017

For Meeting of July 23, 2018 For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date) (Adoption Date)

Please check box that applies to this item:  
 QUASI JUDICIAL     LEGISLATIVE     ADMINISTRATIVE

**TITLE: A RESOLUTION TO OPPOSE THE TRANSPORT OF HIGH LEVEL NUCLEAR WASTES AND THE CONSTRUCTION AND OPERATION OF NUCLEAR WASTE**

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**THE NAVAJO NATION  
CHURCHROCK CHAPTER**  
**Kin Litsó Sinlji**



Edmund E. Yezzie, Council Delegate  
Johnnie Henry Jr., President  
Sherman Woody, Vice-President  
Louise Jim, Secretary/Treasurer  
Donald Arviso, Land Board Member

**RESOLUTION OF THE CHURCHROCK CHAPTER**

RESOLUTION NO. 020-18-08-20

CHURCHROCK CHAPTER OPPOSES TRANSPORT OF HIGH LEVEL RADIOACTIVE WASTE (HLRW), ALSO CALLED "SPENT" FUEL, FROM NUCLEAR POWER REACTORS THROUGH NAVAJO INDIAN COUNTRY AND DINE BIKEYAH ON THE RAIL LINES TO PROPOSED CONSOLIDATED INTERIM STORAGE (CIS) WASTE FACILITIES IN SOUTHEASTERN NEW MEXICO AND WEST TEXAS AND REQUESTS FOR PROTECTION OF DINE SACRED MOUNTAINS FROM PROPOSED NUCLEAR WASTE TRANSPORT

**WHEREAS:**

- The Navajo Nation Council Resolution CS-34-98 enacted the Navajo Nation Governance Act and codified it under Title 26 of the Navajo Nation Code; and
- Pursuant to Title 26 Navajo Nation Code, Section B-1 & 2, the purpose of the Local Governance Act is to recognize that the Navajo Nation Chapters are the foundation of the Navajo Nation and provides for Chapters to make real decisions on matters of local importance; and
- Pursuant to Title 1 Navajo Nation Code, Section 2, Dine bi Beemahaz'ani: The Dine bi bisagadde beemahaz'ani (Traditional Law), Dine bi Diné (Customary Law), and Dine bi Naasadain dso Yadiilbi bisagadde beemahaz'ani (Common Law). These laws provide the foundation of Dine bi nahat'á (providing leadership through developing and administering the policies and plans utilizing these laws as guiding principles) and Dine sovereignty. In turn, Dine belief and trust in the Dine bi beemahaz'ani preserves, protects and enhances the following inherent rights, beliefs, practices and freedoms; and
- Pursuant to Title 4 Navajo Nation Code, Chapter 9, The Navajo Nation Policy Act, the Navajo Nation, acting through the Navajo Nation Environmental Protection Agency, shall exert to the fullest extent its authority to regulate, monitor and enforce performance with appropriate authority to limit or eliminate environmental contaminants emitted outside the Navajo Nation, but which may migrate into or otherwise adversely affect the lands, waters or air of the Navajo Nation; and

P.O. Box 549 \* Churchrock, NM 87311 \* Ph. (505) 488-2166 \* Fax (505) 488-2190 \*  
E-mail: churchrock@navajochapters.org  
www.churchrock.navajochapters.org

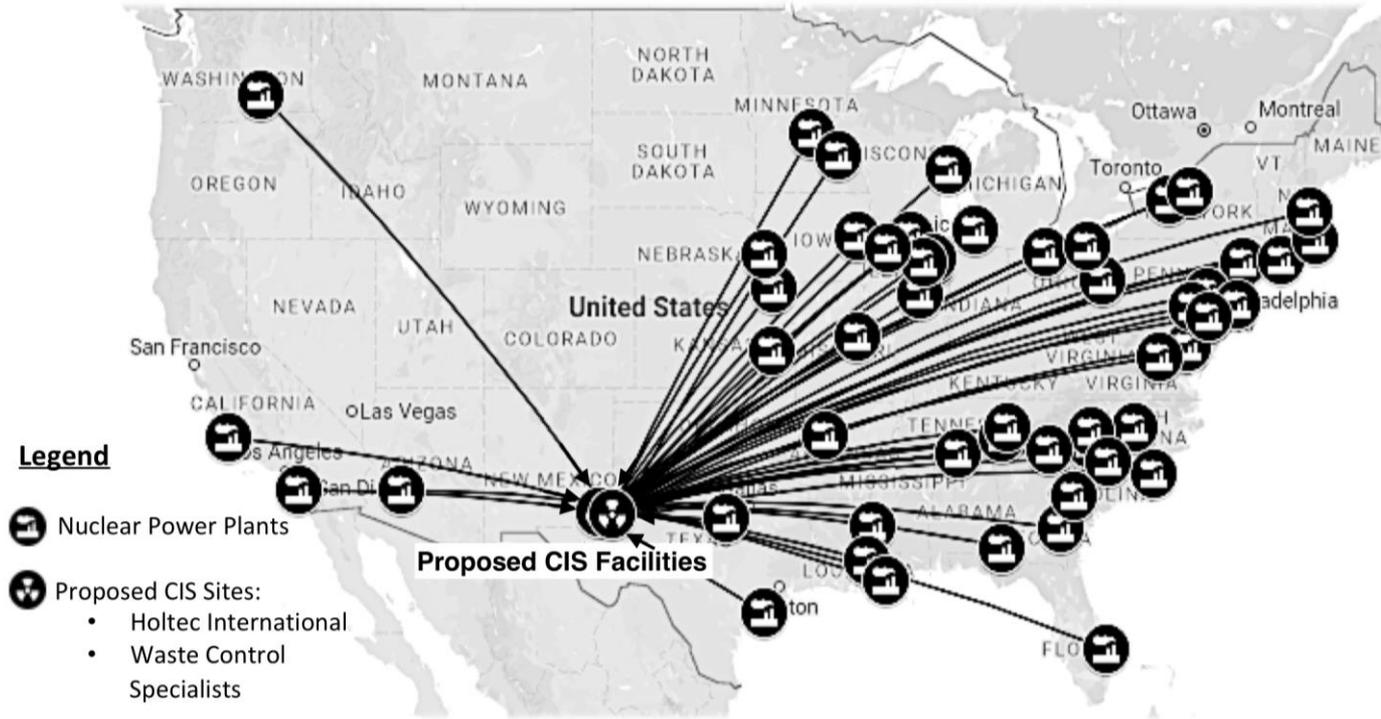
# NM Gov. Michelle Lujan Grisham:

"There's nobody that's been able to demonstrate to me that there isn't risk here," she says. "There is risk. We need to be clear about that. I don't think it's the right decision for the state."

Source: New Mexico Is Divided Over The 'Perfect Site' To Store Nation's Nuclear Waste, NPR Article by Nathan Rott, April 11, 2019

# CIS is Environmental Racism

Map created by Nuclear Issues Study Group ([www.nuclearnewmexico.com/NISG](http://www.nuclearnewmexico.com/NISG))



## Resources

<https://www.nrc.gov/info-finder/reactors/>

<https://www.nrc.gov/reactors/operating/map-power-reactors.html>

<https://holtecinternational.com/productsandservices/hi-store-cis/>

<http://www.wcstexas.com/facilities/> and [http://wcsstorage.com/wp-content/uploads/2016/09/WCS\\_Application.pdf](http://wcsstorage.com/wp-content/uploads/2016/09/WCS_Application.pdf)