

Individual Responses

"Individual," as used here, indicates a message that was sent directly from the commenter rather than being forwarded by an organization.

1) From: Piper

Date: Tue, Mar 16, 2010 at 3:15 PM

Subject: Comments on 2/12/10 Proposed Rule 675.21 -675.23

The following are the comments of Lloyd Piper of Bryan, Texas for the Administrative Record on the TLLWDCC proposed rule for the exportation and importation of LLRW.

I support adoption of the rule as being in the best interests of the state and residents of Texas and the members of the Texas Compact.

- The characteristics and effects of low-level radioactive waste are well known and when properly transported and managed, the risks to the public from LLRW are extremely low.
- When the Compact disposal facility is built in accordance with the requirements of the TCEQ license, it will be an excellent facility built on outstanding geology that will be protective of human health and the environment.
- Commercial LLRW generation rates have been in overall decline for many years and the volume of LLRW that can potentially come to Texas is relatively low.
- Imported waste will increase the revenue generated for the state of Texas and Andrews County.
- With imported waste, the unit costs for disposal will be decreased and the viability of the Compact disposal site will be more assured, which should benefit the waste generators in the Texas Compact.

I completely support the adoption of the proposed rule.

Lloyd Piper

PO Box 6353

Bryan, Texas 77805

2) (Individual)

Message from Margaret re: voice mail:

"Yesterday I received a voice mail from a lady in Navasota TX. She said someone gave her this number and she was calling to say she did not want radioactive waste dumped in Texas."

3) Jennifer Baur

Dear Ms. Henderson,

I urge you not to go forward on any ruling concerning importing radioactive waste into Texas. I am against any ruling that allows radioactive waste to be shipped into, out of, or even across Texas.

Thank you

A concerned citizen of the Big Bend Area of Texas.

Jennifer Baur

Fine Lines

HC 65 Box 28A

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4) C. Brush

Dear Ms. Henderson,

I would like to encourage any decisions on Texas's involvement with storage of the above to be handled with MUCH deliberation and caution. Please say no to Texas accepting such until all details have a chance to be regarded. Of course, I prefer "not in my backyard" but in this case it also includes a nearby National treasure of Big Bend.

Thank you,

C. Brush

5) Barbara (as reported by Margaret)

I rec'd a voicemail 3/28 from a "Barbara in Granbury, TX" who left a message saying she was against dumping nuclear waste in TX, or any waste for that matter. She did not mention the proposed rule, so I do not know if this was a rule comment or a general comment."

6) John Post (as reported by Margaret):

John Post of Andrews, TX phoned and left a voice mail. Says he "is against--votes no--and opposes what is going to be done--regards the hearing/meeting in Andrews."

7) Frances Sage

P. O. Box 564, Alpine, TX 79831

(432) 364-2362

Please do not go forward with the part of the proposed rule that would allow and regulate importing out-of-state and international radioactive waste into Texas. Please separate the regulations of exporting and importing waste. There is no necessary connection between them. We look to you for evidence that you represent the citizens of Texas and not just the waste industry. We expect you to do your homework; we expect you to secure adequate funding to do the necessary study and analyses that such regulations require. Why are you in such a hurry to rush forward on importing waste?

Your work and actions are not credible when you rush into regulations that you have not demonstrated are needed. You are operating on a minuscule budget; you are not taking into account whether there is room in the as yet unbuilt radioactive waste disposal facility; you have not provided any evidence that you have done a thorough and independent study of the issues. Why are you insisting on ramroding the rule through? Can we expect from your actions that you will rubberstamp the industry, go through some sort of pretense wanting public comments and then do what the industry wants you to do without presenting any independent evidence of the need for such speedy action?

Please see your responsibilities to the citizens of Texas. Please separate exporting regulations from the importing.

8) Dr. Barry Mendel Cohen

Dear Ms. Henderson...I am writing to you in your capacity as Director of the Texas Low level Radioactive Waste Disposal Compact Commission. My own opinion is that waste only from the compact states, Texas and Vermont be disposed of either in Texas or Vermont and the less transportation of such waste is better than more.

Also I wish to recommend that you and the Commission consult my major professor Dr.Zhores A. Medvedev of the UK who is the foremost authority on nuclear waste disaster. Please read Nuclear Disaster in the Urals and the Legacy of Chernobyl both published by WW Norton..the former in 1986 and the latter in 1979...Dr Medvedev is very active at age 84 and will answer your questions if time permits.

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9) Shannon Grow-Garrett

Please if anything, strengthen rules against transportation of anything toxic into Texas, as Texas is already polluted enough and standards, if any, are way too low. Profits really and truly should not come before people and planet. You must act in the children's best interest since they are totally dependent on the adults to make sane decisions.

10) Hope Degollado

Phone Number: (512) 990-0358

Details: I am against Texas accepting ANY radioactive waste. To whom may I address my concerns regarding this matter. Thank you. Hope Degollado

11) Helen O'Connor

This idea is not in the best interest of Texas and Texans. It is an ill conceived plan that, if put for a vote before the people of Texas, would not pass!

12) Kristi Collins

Texas does not need to become the nation's radioactive waste dump. The whole arrangement is willfully cavalier and absolutely inexcusable.

Texans have had enough of being handled in this manner. Our state is not a refuge for international ne'er-do-well's nor is it a reposit for toxic shakeout from their thoughtless greed or oppressive undertow.

We have a right to a fully democratic process and a clean environment. This proposal has the scent of threat, and I'm tired of encountering one proposal after another that benefits no one, harms everyone, comes out of nowhere, and is practically a done deal by the time anyone hears about it.

The whole industry needs to settle down, not expand in their present form or probably any other. There was never any excuse for toxic waste. The whole process never should have been approved. It just suddenly popped up after the nuclear ban treaty, then later the waste was used as dirty bombs. In the meantime, it's pollutive and expensive to keep the waste, and is unstable in the event of power outage. We can't have waste storage without power. We couldn't turn it off if we wanted to. It would blow up. How stupid is that? It's a kind of extortion and everyone knows it. No one appreciates it. We do not need to be their tools. No good can come from it.

There's a lot to consider here, and it takes courage. Much rides on it.

13) Sandra Sanati

I live in Lubbock. We value this area. I have children who live here and I do not want to see our water and way of life polluted with nuclear low level waste. Please let them know that we have a way of life that we do not want to change. I care about my children and do not want to see them hurt from the possible contamination of our ground water. Lubbock is not a dump site for the unwanted waste no one else wants. Send it away.....

Sandra Sanati and Family Lubbock, Texas

14) Margaret Rosenquest

225 Timberlane Dr.

Victoria, TX 77901

I do NOT want Texas to Become the Nation's Radioactive Waste Dump!

15) Martha Eberle

(512) 858-4030

Po Box 1195, Dripping Springs, TX 78620

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***** NO ***** Do we even have to ask this question? NO, to TX becoming a site for
nuclear waste!!!!

16) Brenda J. goode

I wanted to add my voice to those asking the compact commission to vote "no" to allowing
the importation of low-level radioactive waste into our beautiful state
of Texas. It is important to preserve our environment not only for us but for those coming
behind us as well. I appreciate the opportunity to voice my opinion on this matter.

Thank you,

Brenda J. goode

171 Private road 4751

boyd, tx 76023

17) Dick Schoech

TEXAS SHOULD NOT IMPORT ANY GARBAGE, NUCLEAR OR ANYTHING ELSE, FROM ANY
OTHER STATE.

If we allow this to happen, as we have in the past with other garbage, people from other
states will buy up large farms in remote parts of Texas and turn them into waste dumps.
Look at what happened to Arkansas when Tyson's chicken farmers polluted all the
waterways so that they were unswimable in just a few years. A few made lots of money, but
the whole state paid the cost of cleaning up the mess.

18) Mary Needham

Ma'am

I would like to add my voice to those protesting the importation of additional waste to
Texas; we have enough of our own. I am not anti-nuclear – but we should be re-processing
as other countries do, not just burying. Let's try to bring more balance to this equation –
but not at the expense of the contamination of Texas' underground aquifers.

Sincerely,

M. Needham

President

Reserve Technology Inst.

2610A Dunlavy

Houston, TX 77006

Tel: (1)713-521-7979 (direct)

Fax: (1) 713-807-8698

Website: www.rti-hou.com

www.fpsso-subsea.com

19) Mayor Robert Zap

To whom it may concern,

I am mayor, former city councilman, minister, and long time resident of Andrews. When the
siting of nuclear waste met with bitter opposition in the Sierra Blanca area of Texas, we of
Andrews were not comfortable with the way the opposition seemed to distort the truth and
create unreasonable fears in the widely spread populace of that area. When it was proposed
that a new area be sought, we felt the great need for such a disposal situation and began
looking at our county and its suitability. We wanted to look objectively at the safety, need,
and regulation for such a site.

In the process, individual groups went to about every place that could shed light on the
nature of the waste, its safety, and the need and our ability to meet the need. Questions
arose about the geology and science of what would be needed. done, and left at our site.
We had Texas Tech do an extensive report on water in the area that combined with years of

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intense study and tests by oil exploration and development . Putting all this together with our desire for proof of good geology, science and regulation, we decided to go forward with this project.

From the beginning, we felt the need to keep our public properly and openly informed. The project progressed from a vision of a few to a well supported community enterprise. WCS came and became a good community partner willing to listen, keep us informed and included in what they plan and do. The result is a community well informed and supportive. We have far less local objection to such an endeavor than what would be expected any where else. By far, the most opposition is from groups outside that come with the same objections that we have considered and proved false. The tactics of false fears, half truths and lies have not worked and the extremists have found themselves clutching at straws, continuing to state as fact things known to be wrong and trying to invent new means of dividing our community even introducing thoughts of division irrelevant to the real issues, The response that I hear from the community frequently is one of frustration over the repetative attempts to control our community by those outside. We realize that the opposition does not want a reasonable solution but to shut all nuclear activity even if it means life saving medical research, testing, and treatment.

As you may see, profitability has not been our major issue or focus. We feel a strong need for what we uniquely can provide and have a strong desire to furnish it.

Sincerely,

Mayor Robert Zap

311 SW 13th Street

Andrews Texas 79714 Phone 432 524 7837

20) Sam L. VanLandingham, PhD

In my long experience (United States Environmental Protection Agency, Water Quality Appraisal Section of the Michigan Department of Natural Resources, California Academy of Sciences, and consultant environmentalist/geologist) in water quality evaluation, I have been in water quality legal actions involving corporations, cities, and states. I will be glad to testify (pro bono) against the disposal of radioactive waste anywhere so close to a water table as that proposed in Andrews County, Texas. I have been studying the Ogallala Formation and the Ogallala aquifer for almost 50 years and have considerable experience in evaluating groundwater issues (see my 1983 book, "Economic Evaluation of Mineral Property", Hutchinson Ross Publishing Company, Stroudsburg, Pennsylvania, 385 p.)

I have done detailed investigations of perched water and water level fluctuations associated with Whalen and Shafter playa lakes in Andrews County, Texas. To dump radioactive waste so close to a water table as Waste Control Specialists LLC proposes is courting disaster, because eventually contamination will seep into the water tables. The water table associated with the Triassic redbed sediments likely would be vulnerable to contamination because of potential future rainfall increases in the area. Predicted rainfall increases possibly could expand the water tables into the proposed radioactive waste units. Intrusion of groundwater into the proposed units would increase the likelihood of public exposure to radioactive waste.

In the absence of satisfactory compliance evidence, the State of Texas is correct in the previous (2007) non-issuance of a license to the applicant (Waste Control Specialists LLC) for radioactive waste disposal.

Sincerely,

Sam L. VanLandingham, PhD

Consulting Environmentalist/Geologist

1205 West Washington

Midland, TX 79701

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21) Sandra Henderson

Hello, I am a resident of Andrews, Texas and I am AGAINST the proposed rule of Subchapter B exportation and importation of waste!

Sandra Henderson
1206 NW 3rd ST
Andrews, Texas 79714

22) Name: Sue Fletcher

Phone Number: 806-795-9232

Details: Extreme care and consideration of lives possibly effected need to be given. Quality of life and cost of remedy in case of accidents are vital considerations. Ideally we would not have this to deal with.

23) Travis Simmons

Dear Margaret Henderson:

I am writing to oppose the proposed nuclear waste site in Texas. I understand that the Texas Low Level Radioactive Waste Disposal Compact Commission wants to allow the entire country to dump nuclear waste at the Waste Control Specialists' West Texas site. Other Compacts in the country have excluded out-of-Compact radioactive waste, and the Texas-Vermont Compact should do the same.

Humanity's most enduring artifact for future generations will be our legacy of nuclear waste. No system of language, culture or work of art will out-pace the slow decay of many radioactive wastes produced in the manufacture of nuclear weapons and nuclear power production.

When Albert Einstein said, "imagination is more important than knowledge" he was encouraging people to find new ways to solve problems. Whether perceived difficulties relate to mathematics or ethics, Einstein demonstrated that one way to discover innovation is to begin with the imagination. Nuclear Guardianship proposes a novel approach to radioactive waste management borne from the imagination of citizens concerned about the radioactive legacy we bequeath to future generations.

Established in 1988, Nuclear Guardianship maintains that in order to take care of radioactive materials, *these materials must be kept in view* not only as facilities of storage but as houses of remembrance. The project, a citizen initiative, asserts that present proposed 'solutions' to the problem of radioactive waste further displace notions of its responsible care. As a dynamic recommendation for isolation and remembrance, Nuclear Guardianship seeks to honour humanity's connection to future generations. The concept advocates monitored, retrievable storage of nuclear materials, and acknowledges that this form of responsible care will require ongoing monitoring and maintenance. Because of the uniquely vast temporal nature of radioactive waste, these materials will require routine repackaging in order to ensure their safe isolation from the environment.

As yet, there is ****no technological solution**** to dispose of radioactive waste. For materials that remain life threatening beyond any conventional notion of time, 'disposal' can never be achieved. It is therefore the responsibility of people alive today, to warn future generations and prepare them for the radioactive legacy that they will inherit. But more than warn, we need to cease creating radioactive waste in the first place — this means No More Nuclear Power, No More Nuclear Weapons.

24) Eden Elieff

Dear Ms Henderson,

I live in Houston, and I would like to voice my objection to the plan to bring additional nuclear waste of states to Texas. I do not want to see west Texas become a dumping ground

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for nuclear waste. I urge that an environmental study be allowed to take place.

Thank you,
Eden Elieff
3815 Jack Street
Houston, TX 77006
713-528-0829

25) Adele Kushner

What an irresponsible approach to the awesome problem of excess radioactive waste, just to dump it in a relatively undeveloped area and walk away!

I hope there will be lots of protests by Texans and others around the country. And such a short time to get up any organized protest - April 14 is next Wednesday! That's another reason to protest!

What can we do now?

26) Sidney J. Goodman

I am fed up with the morally depraved actions of the nuclear lobby. Now here is more irresponsible scheming. Stop it.

The Texas Low Level Radioactive Waste Disposal Compact Commission wants to allow the entire country to dump nuclear waste at the Waste Control Specialists' West Texas site. Other Compacts in the country have excluded out-of-Compact radioactive waste, and the Texas-Vermont Compact should do the same.

Compact Commissioners should not approve the import portion of the rule.

The Compact Commission is rushing ahead with this proposed rule, even though the TCEQ license has been appealed, the site has yet to be constructed, and the Compact Commission does not have adequate resources. How can the Commission responsibly open the state up to all the waste from around the country and possibly the world if they don't even have the funding for staff to review proposed importation agreements; cannot afford to come to the public hearings on the rule; stated at their last meeting that they didn't know if they would have enough funds to make it through this rulemaking process; cannot afford an attorney; and does not have bylaws yet? It is irresponsible and detrimental to the public interest. This process must be halted until it can be done properly.

27) Wells Eddleman

Dear Margaret Henderson,

Having been involved in preventing the (former) Southeast Radioactive Waste Compact, aided and abetted by two North Carolina state appointees, from turning North Carolina into a regional and perhaps national "low level" (possible including above Class C wastes) radioactive waste dump, please receive my comments on the Texas Vt compact.

First, it is highly desirable to stick to Texas and Vermont wastes. Vermont Yankee nuclear plant has just been ordered closed when its current operating license expires in about two years. That will leave mostly Texas for you. If you seek more waste, it WILL come. But it's a field of schemes, rather than dreams. And it can turn into nightmares. In North Carolina, the electric utilities Duke (Power, then, now Duke Energy) and the former Carolina Power & Light, now called "Progress Energy") dominated a site selection process that was, to put it mildly, insane. They selected the Triassic Basin, some of the most complex geology in this region; they chose it because CP&L owned the land, near a lake(!).

Both companies and their allies ignored the opinions of knowledgeable independent hydrogeologists that the site could not be secured. Duke went further, maintaining that a landfill burying "Low Level" rad waste near the water table would never need even a plastic

liner (like a modern TRASH landfill) to hold the waste in. CP&L encouraged people to fish in that same lake, See NRC Docket 50-400 re proposed benefits of the plant, "recreation." Fortunately this was all stopped and North Carolina withdrew from the compact, that, in a very rigged vote (probability of being honest was estimated at one in many thousands or even less) as the dump state. Duke rejected a technology its own employees had developed to use ultraviolet light to decompose contaminated booties, suits, wipes etc so that the radioactive elements could then be filtered out of the resulting gases, reducing waste volume for this LLRW stream (e.g from power reactors) by about 95% to 99%.

You may also recall the National Academy of Sciences in the 1960s actively suppressed a report their own people had prepared, stating that landfills for radioactive material should never be located in areas with about 30 to 40 inches or more of rainfall per year. This would have ruled out West Valley NY, Barnwell, SC, the site in Kentucky that leaked plutonium, etc, essentially barring this leaky concept from everywhere east of the Mississippi River in the USA.

You are fortunate to have drier areas, but rain resistance is still an absolute requirement, or you'll be breathing, and possibly drinking and/or eating, the waste you dump there, because it DOES rain even in near desert areas. Also, burrowing animals can't read and will penetrate plastic liners in their normal activities. Got prairies dogs? There are others in this group. They can't read warning notices like Keep Out, Radioactive Waste Site.

There is one in Duke (University) forest near here that has such signs, among the trees, which were found to have taken up radioactive materials from the groundwater and soil of a LLRW dump there.

I understand that often political considerations, such as the clout of power companies and other large LLRW waste producers, or the desire to get a larger waste stream and make money (false profits, in the long run!), get in the way of sound science or even sanity in considerations regarding radioactive waste, "Low Level" or otherwise. Also the false argument that medical facilities need more disposal (irradiated radiotherapy equipment is often HIGH level -- ask the NRC about improper "disposal" of such machines or parts, even the radioactive source material from inside them -- or ask the steel industry, which has detected such coming in for recycling in their steel mills -- and generally barred it in the past. I would hope they still do; the public has not volunteered to have their cookward, glasses frames, metal furniture etc used for radioactive waste dispersal (NOT disposal).

Thank you for your consideration. God bless you

Wells Eddleman

Staff Scientist

North Carolina Citizens Research Group

28) Kathleen Sullivan

Dear Margaret Henderson:

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When Albert Einstein said, "imagination is more important than knowledge" he was encouraging people to find a new ways to solve problems and differences. Whether perceived difficulties relate to mathematics or ethics, Einstein demonstrated that one-way to

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As yet, there is no technological solution to dispose of radioactive waste. For materials that remain life threatening beyond any conventional notion of time, 'disposal' cannot be achieved. It is therefore the responsibility of people alive today, to warn future generations and prepare them for the radioactive legacy that they will inherit.

Instead of earth burial in West Texas we need to urgently explore:

- Maintaining radioactive waste in a monitored retrievable facility
- Providing information to present and future generations about the exact nature of the materials and storage techniques currently employed
- Creating practices for intergenerational equity
- Ceasing to rely on technologies that produce long-lived radioactive byproducts

I look forward to hearing from you on these matters.

Sincerely, .

Dr. Kathleen Sullivan

Program Director

Hibakusha Stories

www.hibakushastories.org

29) Lewis E. Patrie, MD

Dear Ms. Henderson,

It is my understanding that the Compact Commission is rushing ahead with a proposed rule to approve the site, even though the TCEQ license has been appealed, the site has yet to be constructed, and the Compact Commission does not have adequate resources.

Approving this rule would be putting forth a "major environmental rule" without the required environmental impact analysis. I believe that an independent EIS must be conducted before this rule can go forward. This rule will be used by utilities wanting to build new nuclear power reactors to justify making more waste even though the WCS site has limited capacity. This rule could dramatically increase the amount of waste that comes to the site and increase the threats to the environment and public health.

Lewis E. Patrie, MD, Chair

Western N. C. Physicians for Social Responsibility

99 Eastmoor Drive

Asheville, NC 28805

30) Mary Cato

Please include me in opposition to the proposed rule governing the importation of so-called "low-level" radioactive waste into Texas from across the nation. Texas has

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not shown concern for residents or damage to the environment in too many of its actions concerning highways, air & water quality, to name a few. I see no reason to trust that public interests will be protected in this action involving importation of any level of radioactive waste from other states.