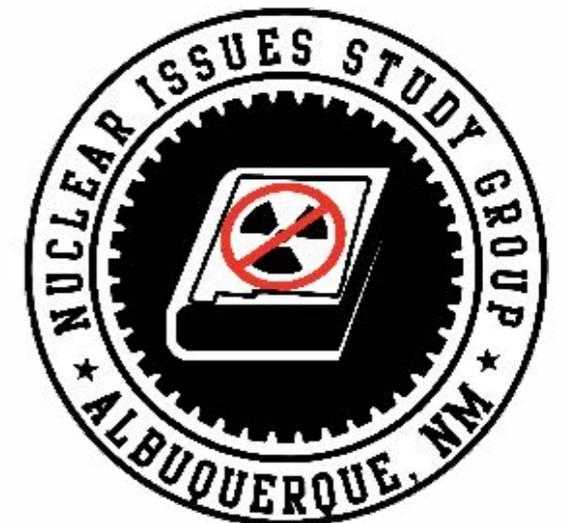


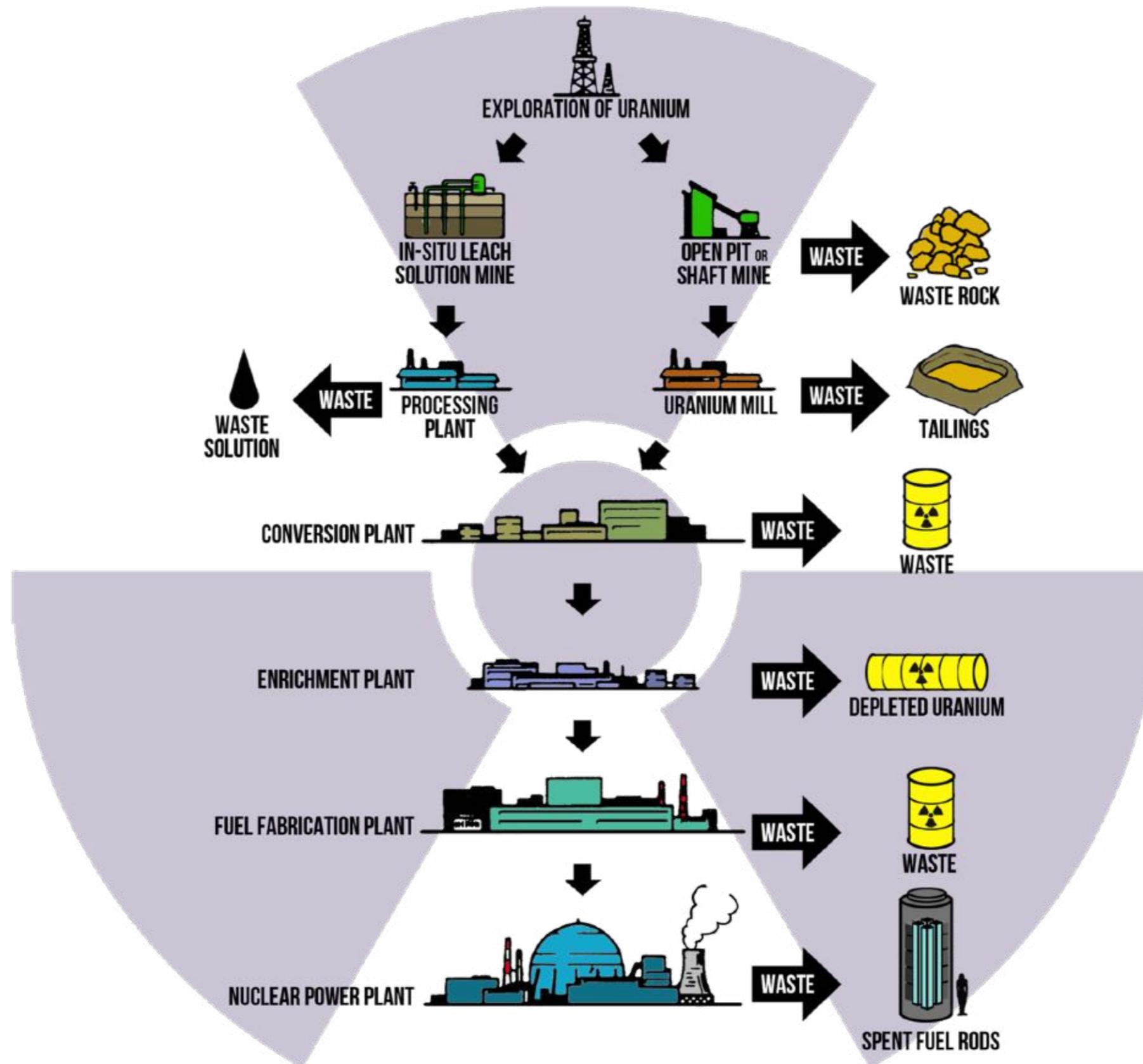
New Mexico, Not a Nuclear Wasteland

Radioactive and Hazardous Materials Committee
July 14, 2021



Leona Morgan, Nuclear Issues Study Group, protectnewmexico@gmail.com

The Nuclear Fuel Chain & Climate Change



Uranium Deposits in New Mexico, the U.S.

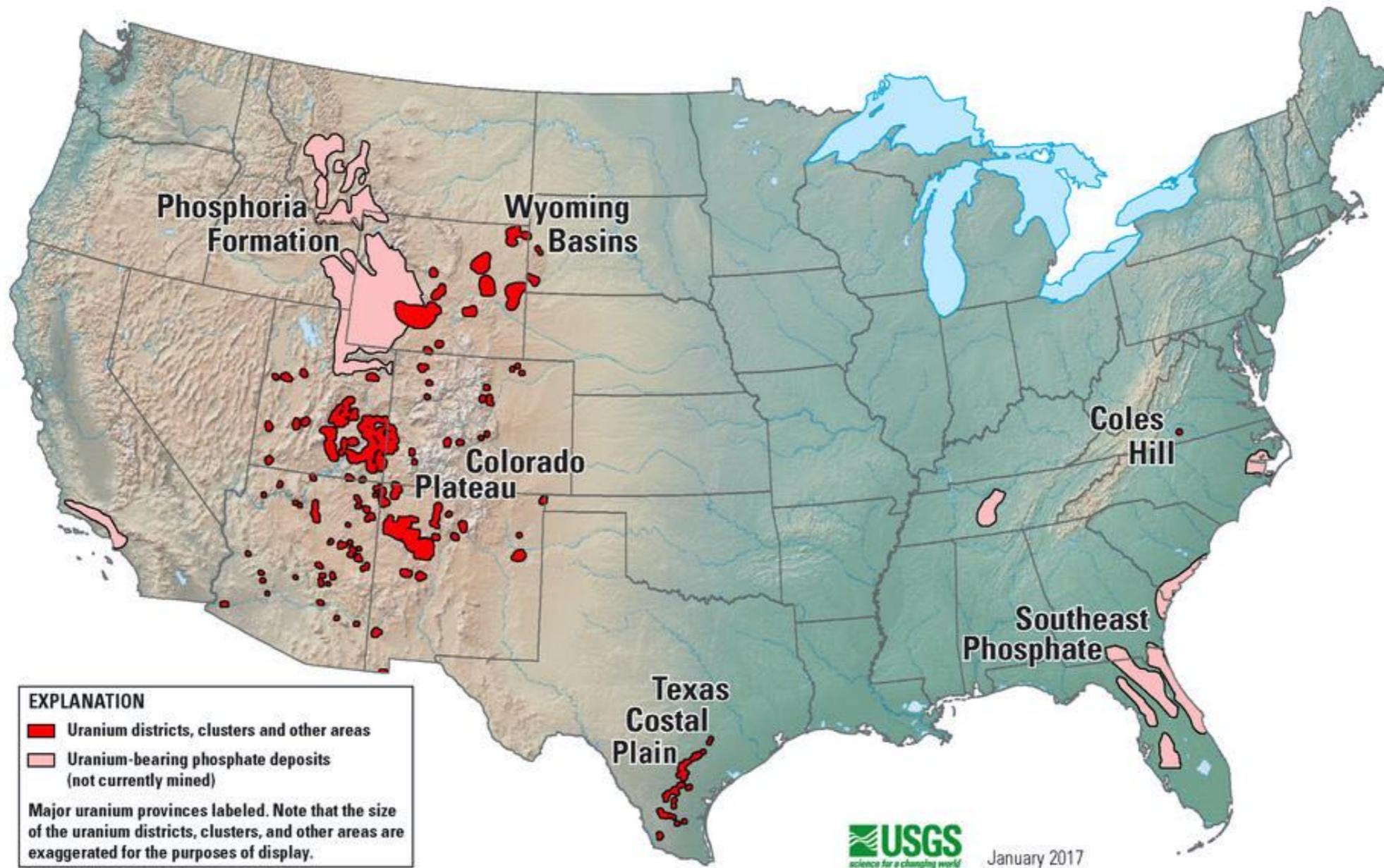
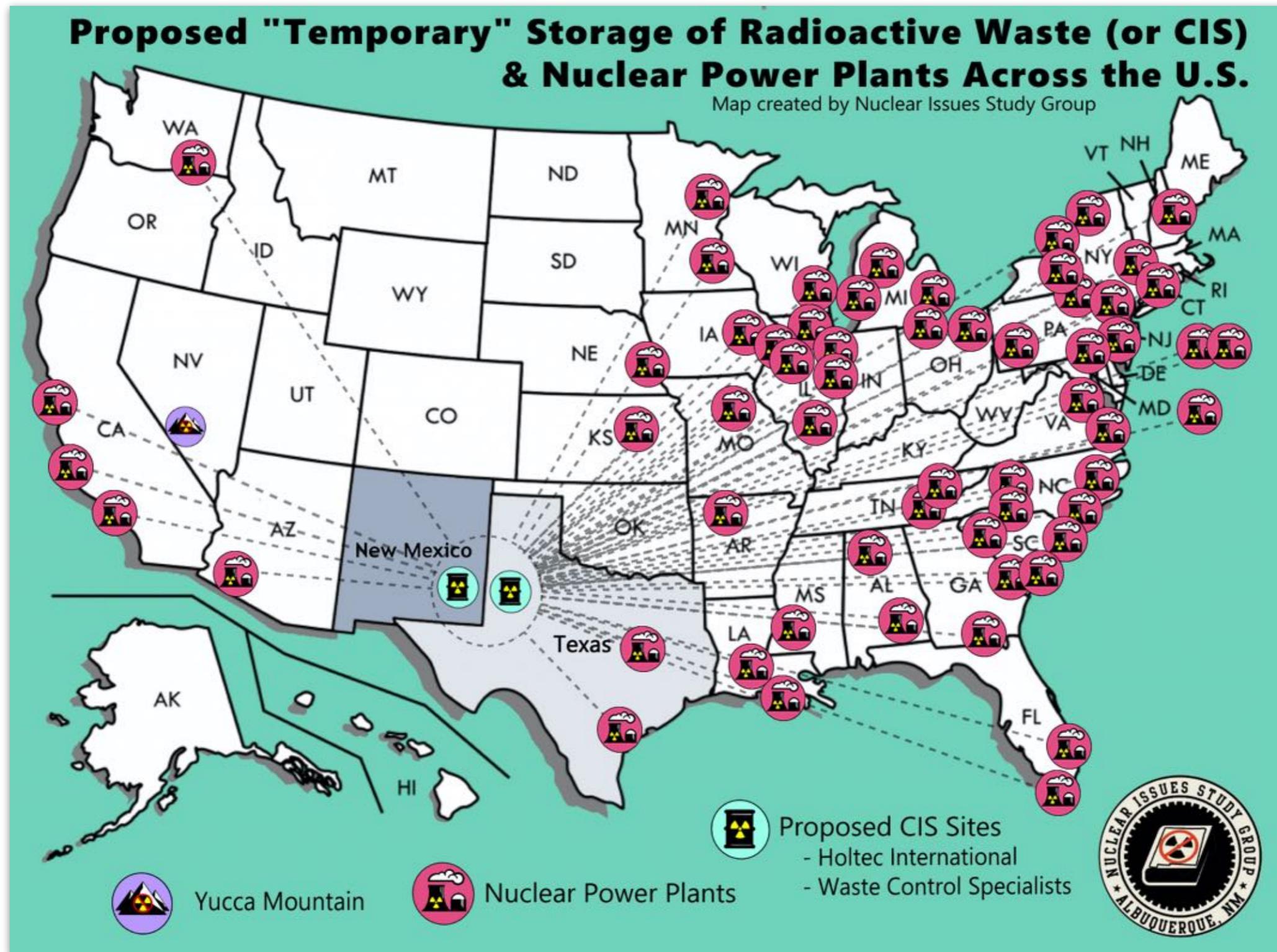
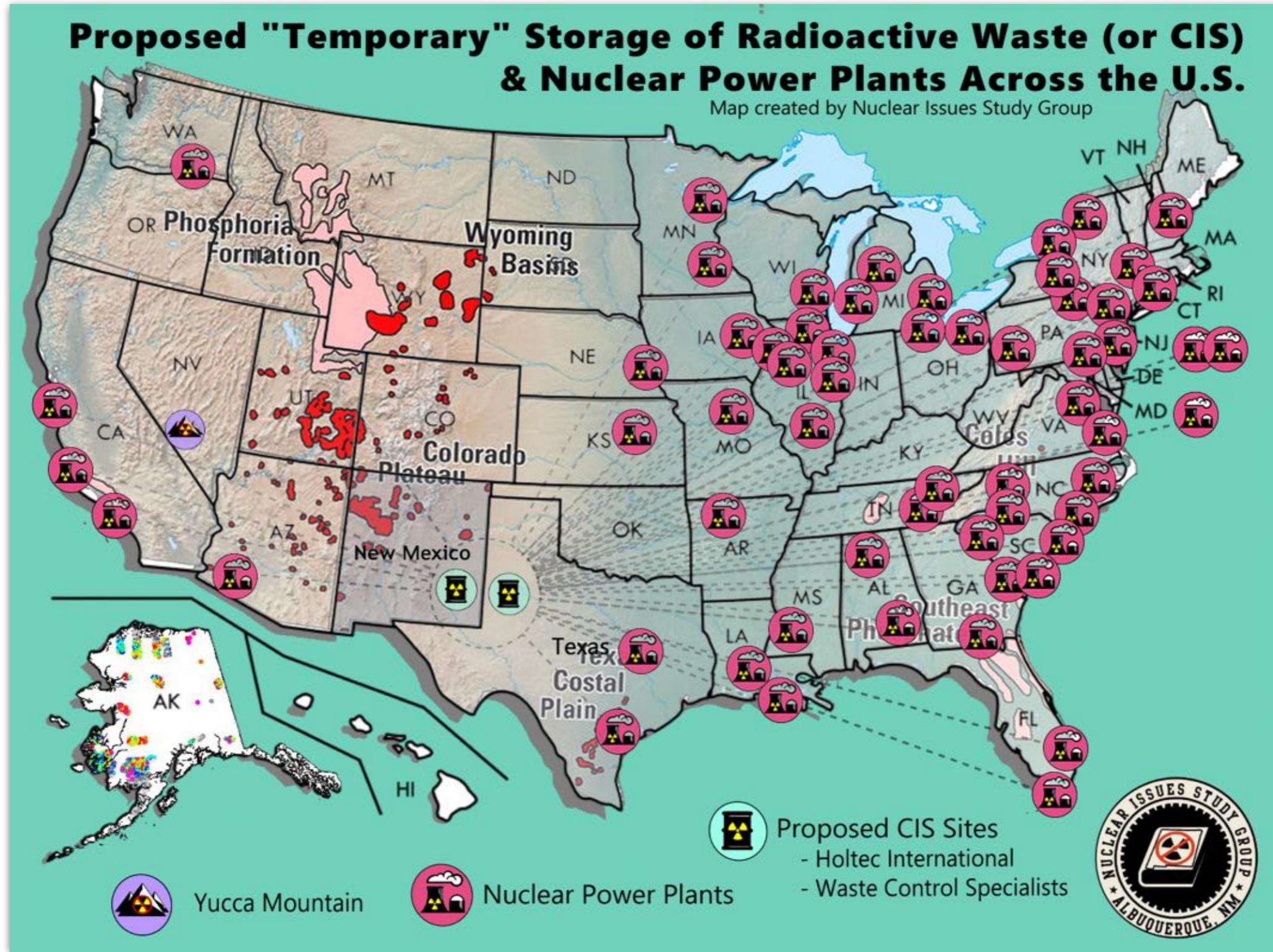


Image: https://www.usgs.gov/centers/cersc/science/integrated-uranium-resource-and-environmental-assessment?qt-science_center_objects=0#qt-science_center_objects

Consolidated "Interim" Storage (CIS)



Environmental Racism



Map: Courtesy of NISG

What is Environmental Justice?

Environmental justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

<https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>

Environmental justice is the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

<https://www.energy.gov/lm/environmental-justice>

What is Environmental Justice?

Environmental Justice at the New Mexico Environment Department is the fair treatment and meaningful opportunities for involvement of all New Mexicans regarding the development and enforcement of environmental laws and regulations.

<https://www.env.nm.gov/general/environmental-justice-in-new-mexico/>

2005 NM Environmental Justice Executive Order

https://www.env.nm.gov/wp-content/uploads/sites/10/2019/10/press_rel.pdf

Principles of Environmental Justice

Holtec is in violation of several EJ Principles:

4) Environmental Justice calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.

6) Environmental Justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.

8) Environmental Justice affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.

<https://www.ejnet.org/ej/principles.pdf>

WE, THE PEOPLE OF COLOR, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to ensure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and, to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice:

The Principles of Environmental Justice (EJ)

- 1) **Environmental Justice** affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
- 2) **Environmental Justice** demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
- 3) **Environmental Justice** mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
- 4) **Environmental Justice** calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.
- 5) **Environmental Justice** affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
- 6) **Environmental Justice** demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
- 7) **Environmental Justice** demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.
- 8) **Environmental Justice** affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
- 9) **Environmental Justice** protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.
- 10) **Environmental Justice** considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.
- 11) **Environmental Justice** must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.
- 12) **Environmental Justice** affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.
- 13) **Environmental Justice** calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.
- 14) **Environmental Justice** opposes the destructive operations of multi-national corporations.
- 15) **Environmental Justice** opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.
- 16) **Environmental Justice** calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.
- 17) **Environmental Justice** requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington DC, drafted and adopted these 17 principles of Environmental Justice. Since then, the Principles have served as a defining document for the growing grassroots movement for environmental justice.

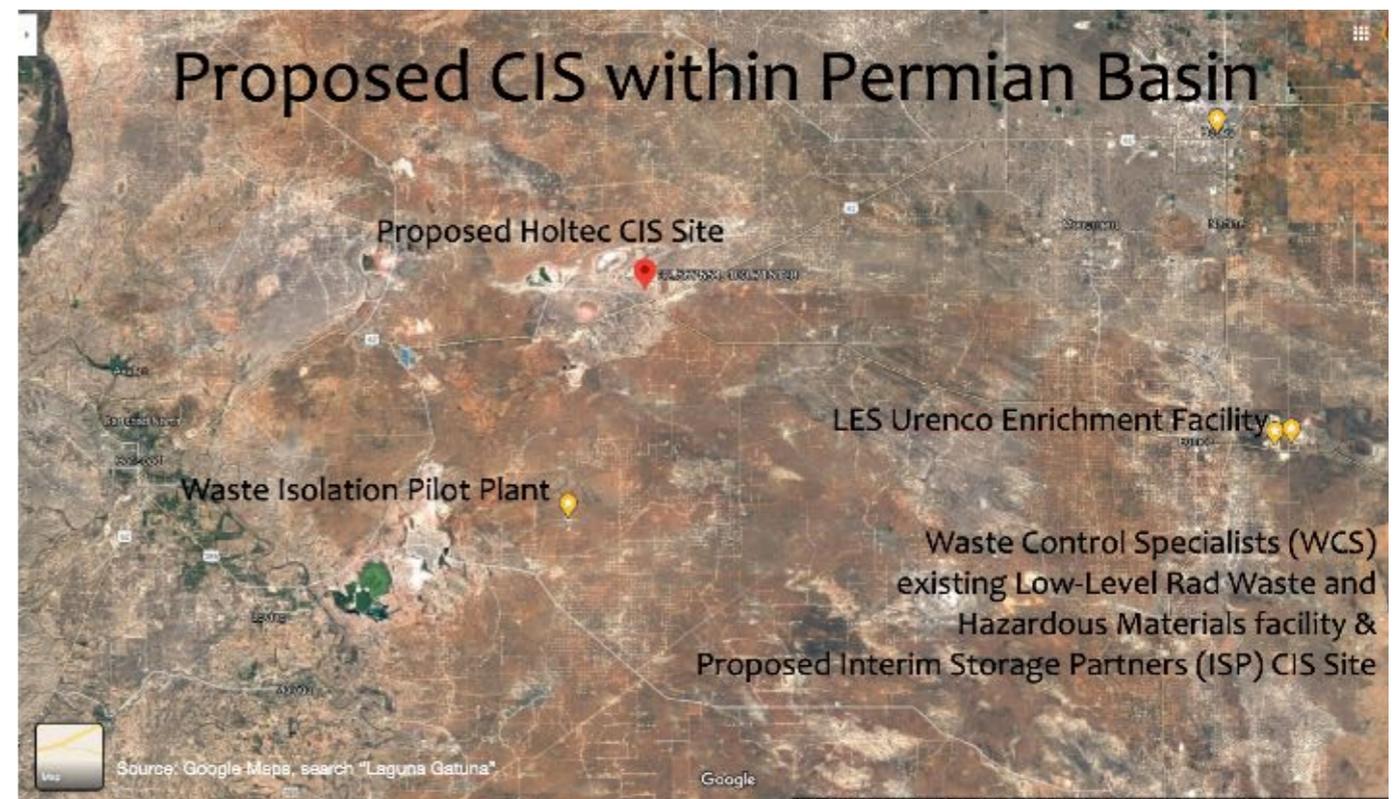
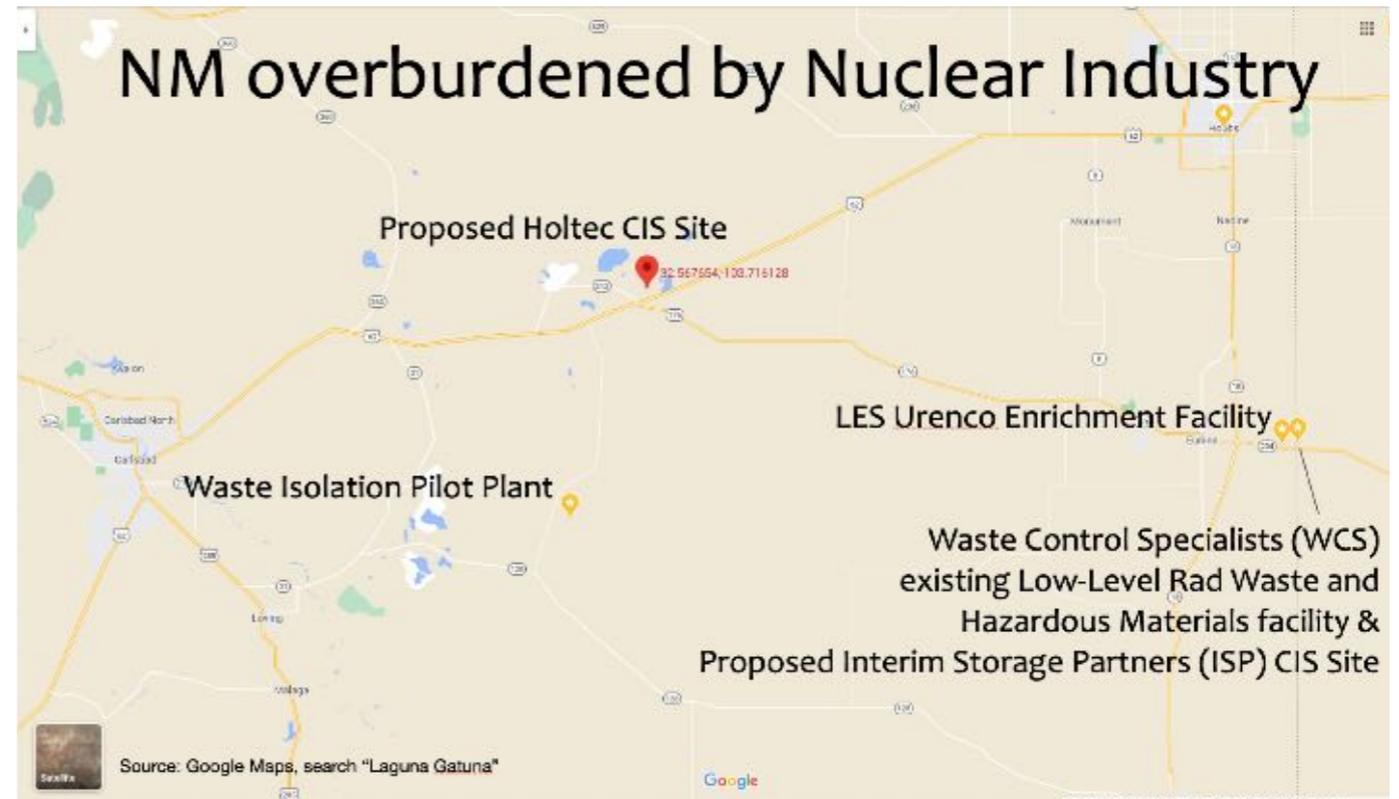
CIS Is Environmental Injustice

“The Eddy-Lea Energy Alliance is made up of mostly white folks who have vested interests in these businesses. They are the same people who own hotels in the city are the same that are sitting on the boards that make these proposals to bring these high-level and low-level waste facilities to southern New Mexico,” explains UNM Assistant Professor Myrriah Gómez, “When you look at the makeup of Eddy and Lea County, 64.8 percent of the population identify as people of color. Eddy County 53.8 percent of the population identifies as people of color. 41.5 percent of households in Lea and 26.6 percent in Lea speak a language other than language, which is predominately Spanish.”

From: <http://news.unm.edu/news/the-complicated-history-of-environmental-racism>, Article by Victoria Peña-Parr August 04, 2020

Local, Regional, and National Concerns about High Level Radioactive Waste and CIS

- Permian Basin
- Karst geology
- Design of CIS facilities
- Impacts to existing economy
- Cumulative impacts
- Reprocessing
- Small Modular Reactors
- Extreme weather
- Tornados
- Earthquakes
- De-facto permanent
- Environmental contamination
- Overburdened region
- Majority People of Color State



Local, Regional, and National Concerns about High Level Radioactive Waste and CIS

- No permanent place for HLRW
- Quality and Age of Containers
- Transport of High Level Rad Waste (twice)
- Transportation Infrastructure
- Lack of Emergency Preparedness
- Risk of Accidents & Costs
- Health Impacts
- Risk of Exposure
- Risk of Acts of Malice
- Future Liability
- Save at current sites
- CIS is illegal, CIS can only exist if a permanent repository is operating.

Truck hauling new, empty nuclear storage cask crashes in Andover

Recovery closes Route 11 on Friday and Saturday

Shawn Cunningham | Jun 21, 2020 | Comments 11

By Shawn Cunningham

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A truck carrying a new, empty storage cask for nuclear fuel rods bound for Vermont Yankee in Vernon crashed just before 10 a.m. on Friday in Andover, leading to a two-day recovery effort.

According to Vermont State Police, the east-



The overturned truck sits as crews of recovery workers arrive.

All photos courtesy of Reed Truck Services

New video shows extent of damage from Laguna Pueblo train derailment



NEW VIDEO SHOWS EXTENT OF DAMAGE ON FROM TRAIN DERAILMENT ON LAGUNA PUEBLO

by: KRQE Staff

Posted: Jun 16, 2021 / 12:32 PM MDT / Updated: Jun 17, 2021 / 11:26 AM MDT

LAGUNA PUEBLO, N.M. (KRQE) - New video is showing just how bad a train derailment was on the

and state of residence and particulars about the truck. But photos taken on the scene show an 12-axle tractor-trailer combo pulled by a Miller Transfer tractor.



Workers examine the wreck



Principles of Nuclear Waste Policy

Guiding Principles for Humane and Equitable Nuclear Waste Policy

These six principles apply to federal policy and legislation on nuclear power fuel chain radioactive waste.

1. Stop Making Nuclear Waste

Nuclear Energy has created a vast Nuclear Waste Legacy, which has contaminated and continues to contaminate our environment, threatening public **health** now and for many generations into the future. After more than 70 years, the nuclear industry and the government still have not developed a safe, equitable, and cost-effective way to prevent the adverse and intergenerational effects of nuclear waste. We cannot continue adding to this intractable problem; we must stop making nuclear waste by stopping/preventing new sources of nuclear waste and discontinuing existing sources.

2. Prioritize Human Health and Environmental Protection

Our country's nuclear waste decision-making policy must protect public health and safety and the environment, not nuclear industry profits and subsidies. The foundations of nuclear waste policy must therefore be grounded in environmental and public health principles; racial, gender, and intergenerational justice and equity; sound science; and independent regulation and oversight.

3. Acknowledge and Combat Environmental Racism and Injustice

For decades, Indigenous peoples, communities of color, and working-class communities across our country have been forced to bear the burdens of the nuclear industry. Imposing these burdens on these communities is a result of systemic racism and environmental injustice. Nuclear waste policy must advance environmental justice and equity, honor tribal treaties, and protect Indigenous Peoples' rights.

National Radioactive Waste Coalition (NRWC)

c/o Nuclear Energy Information Service, 3411 W. Diversey Ave., #13, Chicago, IL, 60647
773.342.7650 • neis@neis.org ■

4. Stop Subsidizing the Sources of Nuclear Waste

We must stop subsidizing the private corporations that create nuclear waste and instead give communities the resources they need to address and remediate the adverse impacts caused by the waste. This is one of the most important means of dismantling the inequities that exist between the nuclear industry and the people who bear the burdens of nuclear waste.

5. Protect and Support Communities Already Adversely Affected

The nuclear industry has left communities across our country with economic dependence and generations of nuclear waste and no solutions for safe and effective treatment, transport, or storage. We must invest in solutions and provide direct resources to protect the communities that have already been asked to bear too much of the burden by storing the nuclear industry's waste. Additionally, transportation of nuclear waste is inherently dangerous to communities all along the shipment routes, and should be done once, at most, only once as safely as possible.

6. Communities Must Have the First and Last Word

Top-down and corporate decision-making regarding new nuclear waste siting has failed for decades, putting corporate interests ahead of democracy, justice, equity, and sound science. Decisions about new nuclear waste storage and transportation must begin and end with the communities that will be adversely affected by a proposed decision. Community-centric decisions will be founded in the confidence that those most directly affected can best protect the interests of community members.

National Radioactive Waste Coalition (NRWC)

c/o Nuclear Energy Information Service, 3411 W. Diversey Ave., #13, Chicago, IL, 60647
773.342.7650 • neis@neis.org ■

Community Opposition

50 New Mexico Organizations send joint letter to Governor Lujan-Grisham

October 9, 2020

Governor Michelle Lujan Grisham
State of New Mexico
490 Old Santa Fe Trail
Room 400
Santa Fe, NM 87501

Dear Governor Lujan Grisham:

The undersigned organizations are in firm opposition to the plan to bring the nation's High-Level Waste for "temporary storage" in southern New Mexico at the Holtec site between Hobbs and Carlsbad. We thank you for persistent courageous opposition to Holtec's proposal to bring commercial spent fuel to New Mexico. We also thank you for the in depth comments submitted by your Environment Department to the Nuclear Regulatory Commission (NRC) working Draft Environmental Impact Statement (DEIS) and the September 22 comments of the Environment Department and the Radioactive Waste Consultation Task Force on the many deficiencies in the DEIS.

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- There will strong opposition by other states to transporting it again no funding for such shipments or another site.

Moreover, existing state law prohibits high-level waste and spent fuel in New Mexico. We suggest that you invoke that statute against Holtec:

74-4A-11.1. Condition.

No person shall store or dispose of radioactive materials, radioactive spent fuel in a disposal facility until the state has concurred in the disposal facility, except as specifically preempted by federal law in this section, "disposal facility" means an engineered facility designed primarily for the isolation of radioactive materials, radioactive waste fuel other than tailings or other waste from the extraction, beneficiation, and processing of ores and minerals.

New Mexico's people and our environment deserve better treatment offering millions of years of a public health menace from radioactive waste into our soil, air, water, and rivers.

Please consider what more aggressive steps can be taken to defeat the Holtec plan.

Respectfully,

A&G Rentals
Brigitte Gardner Aguilar
Eunice, NM

Albuquerque Monthly Meeting of the Religious Society of Friends
Sara Keeney and Chadron Kidwell, Presiding Co-Clerks
Albuquerque, NM

Albuquerque Teachers Federation
Ellen Bernstein, President
Albuquerque, NM

Alliance for Environmental Strategies
Rose Gardner
Eunice, NM

Arable Restaurant
Renee Fox
Santa Fe, NM

Available Media Inc
Bob Aly
Dixon, NM

Citizen Action
Dave McCoy
Albuquerque, NM

Citizens for Alternatives to Radioactive Dumping (CARD)
Janet Greenwald
Dixon, NM

Concerned Citizens for Nuclear Safety
Joni Arends
Santa Fe, NM

Concerned Citizens of Wagon Mound
Sofia Martinez, President
Mora County, NM

Desert Rose Flowers & Gifts
Rose Gardner
Eunice, NM

Eldorado Country Pet
Lisa Boegl
Santa Fe, NM

Eldorado Dentistry
Dr. Haley Ritchie
Santa Fe, NM

First Congregational United Church of Christ
Rev. Sue Joiner
Albuquerque, NM

La Tienda at Eldorado
Destiny Allison and Steve Ewers
Santa Fe, NM

Laguna, Acoma Coalition for a Safe Environment
Petuuche Gilbert
Laguna and Acoma Pueblos, NM

LEAF (Leaders for Environmental Foresight)
Josh Parks
Albuquerque, NM

Los Jardines Institute
Richard Moore, Co-coordinator
Albuquerque, NM

Multicultural Alliance for a Safe Environment
Susan Gordon
Santa Fe, NM

New Energy Economy
Mariel Nanasi, Executive Director
Santa Fe, NM

NM Interfaith Power and Light
Joan Brown, of
Albuquerque, NM

Nuclear Issues Study Group
Leona Morgan and Eileen O'Shaughnessy
Albuquerque, NM

NUHHCE District 1199NM
Eleanor Chavez, Executive Director
Albuquerque, NM

Northeast New Mexicans United Against Nuclear Waste
Ed or Patty Hughs
Quay, Union, Harding, and San Miguel Counties

Food & Water Watch
Margaret Wadsworth
Santa Fe, NM

Gardner Pumping
Maurice Gardner
Eunice, NM

Honor Our Pueblo Existence
Marian Naranjo
Española, NM

Indigenous Rights Center
Norman Patrick Brown and Peter Clark
Albuquerque, NM

Indivisible Nob Hill
Rayellen Smith
Albuquerque, NM

Interfaith Worker Justice - New Mexico
Rev. Holly Beaumont, D. Min.
Santa Fe, NM

Jal City Mayor and Councilors

Respectfully,
Councilors:
[Handwritten signatures]

Jal, NM

Knifewing Sound and Production
Beverly Newman Segura
Gallup, NM

KNIZ Radio
Knifewing Segura
Gallup, NM

Nuclear Watch New Mexico
Scott Kovac
Santa Fe, NM

Office of Life, Peace, Justice & Creation
Rose Marie Cecchini, MM
Gallup, NM

Ojo Caliente Registration Society
Pablo Martinez
Las Cruces and Hatch, NM

Park Place Mobile Home Park
Betty Richards
Carlsbad, New Mexico

Parkland Hills Neighborhood Association
Robert Leming, President
Albuquerque, NM

Partnership for Earth Spirituality
Marlene Perrotte, rsm
Albuquerque, NM

Post 71 Uranium Workers Committee
Linda Evers
Grants, NM

Quik-Send Postal Service of Eldorado
Marin Haug
Santa Fe, NM

Rio Grande Chapter of the Sierra Club
Mary Hotvedt, Chair
Albuquerque, NM

Southwest Native Cultures
Terry A. Sloan, Director
Albuquerque, NM

SouthWest Organizing Project
Alejandra Lyons
Albuquerque, NM

Southwest Research and Information Center
Don Hancock
Albuquerque, NM

Taos Environmental Film Festival
Jean Stevens
Taos, NM

Tewa Women United - Environmental Health and Justice Program
Beata Tsosie
Northern Pueblos of New Mexico, Rio Arriba County, NM

Tsaya'In/Circle of Grandmothers, Tewa Women United
Elder Kathy Sanchez
Northern Pueblos of New Mexico, Rio Arriba County, NM

Tularosa Basin Downwinders Consortium
Tina Cordova
Albuquerque, NM

When the Sun Reaches My Sister Hair Salon
Christopher Willett-Crane
Santa Fe, NM

Cc: Hector Balderas, NM Attorney General
Stephanie Garcia Richard, NM State Land Commissioner
Sarah Cottrell Propst, NM Secretary of Energy, Minerals, and Natural Resources
James Kenney, NM Secretary of Environment

