

HOUSE MEMORIAL 40

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Cathrynn N. Brown and Stephanie Garcia Richard

This document incorporates changes adopted by House Floor Amendment No. 1 sponsored by Representative Cathrynn N. Brown. It is a tool to show the amendments in context and is not to be used for introduction, amendment or substitution.

A MEMORIAL

REQUESTING THE EDDY-LEA ENERGY ALLIANCE TO DEVELOP A CONSOLIDATED INTERIM STORAGE FACILITY.

WHEREAS, the 2013 report from the blue ribbon commission on America's nuclear future strongly recommended that one or more consolidated interim storage facilities be established to temporarily store the spent nuclear fuel generated by America's nuclear fleet, which generates approximately twenty percent of the electricity in the United States; and

WHEREAS, nuclear power plants are an important carbon-free source of reliable electricity production in the United States, and without them, America would be emitting six hundred million metric tons, or twenty-five percent more, of carbon dioxide into the atmosphere annually; and

WHEREAS, there are thirteen decommissioned reactors in the United States that need a place for their used fuel to be

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stored, and about twenty more will be decommissioned by 2035;  
and

WHEREAS, many power generators have overly packed fuel  
pools, and others have very limited on-site storage capability;  
and

WHEREAS, the nuclear power utilities have standard  
contracts with the United States government requiring that the  
United States government take possession of the utilities'  
spent fuel by 1998 and remove it from their sites to Yucca  
mountain, which has not occurred because Yucca mountain has yet  
to be certified as a spent-fuel repository; and

WHEREAS, most of the utilities have sued the United States  
government for breach of contract and have won settlement  
agreements that will pay the utilities from United States  
government settlement funds for their storage and management  
costs associated with their spent nuclear fuel beginning in  
1998 until the United States government is able to take  
possession of the fuel and remove it to a temporary  
consolidated storage site or a permanent repository; and

WHEREAS, the blue ribbon commission on America's nuclear  
future estimated that the United States treasury would pay out  
more than twenty billion dollars (\$20,000,000,000) to the  
utilities by 2020, and thereafter, the cost to the treasury  
would be five hundred million dollars (\$500,000,000) per year;  
and

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WHEREAS, the Eddy-Lea energy alliance, llc, was formed by the cities of Carlsbad and Hobbs and the counties of Eddy and Lea for economic development purposes; and

WHEREAS, the Eddy-Lea energy alliance purchased one thousand acres of land between Carlsbad and Hobbs to respond to a government project as a joint venture that ultimately did not materialize; and

WHEREAS, the alliance was afforded a grant by the United States government of more than one million dollars (\$1,000,000) to characterize the site extensively for environmental, archaeological, geologic, seismic and geographic criteria; and

WHEREAS, the alliance was dormant until the blue ribbon commission on America's nuclear future began to focus on consolidated interim storage as an interim step to reduce costs through consolidation of the spent fuel and fulfill the contractual obligations with the utilities; and

WHEREAS, the alliance site is ideal for a consolidated interim storage facility because of the technical criteria of the site, because it is thirty-five miles from any population, because there is no overhead air traffic and because there is a trained scientific nuclear workforce in the area; and

WHEREAS, the number one concern of the alliance when developing any project on the site is the safety and security of the residents of Eddy and Lea counties; and

WHEREAS, the board of directors of the alliance

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investigated the safety and security concerns extensively through visitations to nuclear manufacturing facilities and nuclear power plants and discussions with the nuclear regulatory commission; and

WHEREAS, dry cask storage has been used for more than thirty years in America without incident; and

WHEREAS, the alliance has received a favorable proposal from Holtec international to acquire the alliance site and develop it as a consolidated interim storage facility; and

WHEREAS, Holtec international's sub-surface system, known as HI-STORM UMAX, is already certified by the nuclear regulatory commission; and

WHEREAS, design, construction, safety, security, financial assurance and technical control, as well as the complete process for storage, must be overseen and approved by the nuclear regulatory commission; and

WHEREAS, the nuclear regulatory commission approves and certifies all shipping casks, rail cars, trucking or any other method of transit; and

WHEREAS, hundreds of shipments of spent fuel have occurred in America over the past thirty years without incident; and

WHEREAS, the Eddy-Lea energy alliance believes the Holtec international consolidated interim storage facility will create some one hundred fifty highly paid jobs and will provide a one-billion-two-hundred-million-dollar (\$1,200,000,000) capital

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investment in southeastern New Mexico; and

WHEREAS, the alliance believes additional spinoffs in research and repackaging could create an additional two hundred jobs in the future; and

WHEREAS, the Eddy-Lea energy alliance expects that there will be revenue-sharing income from the project that it expects to share with the state of New Mexico and the region;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the Eddy-Lea energy alliance, llc, be requested to develop a consolidated interim storage facility at its site in southeastern New Mexico; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico congressional delegation, United States Secretary of Energy ~~Edward~~ Ernest Moniz and Acting Assistant Secretary for the Office of Nuclear Energy John Kotek.