

Lawsuit filed to keep Holtec nuclear storage facility out of state

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SANTA FE— Attorney General Hector Balderas announced that the State of New Mexico filed suit against the United States Nuclear Regulatory Commission and the United States seeking to stop them from indefinitely storing the nation's supply of high level radioactive waste in Southeastern New Mexico. The March 29 complaint alleges that the NRC is acting beyond the scope of its authority in licensing the proposed interim storage facility to be located in Lea and Eddy counties and that the interim storage facility will jeopardize the state's water resources and agricultural interests and shift the enormously expensive job of training and equipping first responders to the state and local governments for up to 120 years in order to deal with any mishap that occurs as a result of the NRC's untested and unauthorized plan, among other things.

"I am taking legal action because I want to mitigate dangers to our environment and to other energy sectors," Balderas said. "It is fundamentally unfair for our residents to bear the risks of open ended uncertainty."

The complaint also details the harms that the storage facility represents to natural resource production, which accounts for a substantial percentage of New Mexico's economy. Among the concerns raised by the State's Homeland Security experts and others are the vulnerability of the facility and transportation corridors to potential catastrophic events, including terrorist attack.

The complaint seeks a declaratory judgment that the Commission is acting beyond the scope of its authority and an injunction preventing the licensing from moving forward. The State asks the Court to move as expeditiously as possible to hear and decide the matter.

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