



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 25, 2023

The Honorable Michelle Lujan Grisham
Governor of New Mexico
State Capitol, Room 400
Santa Fe, NM 87501

Dear Governor Lujan Grisham:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your March 21, 2023, letter related to Holtec International's (Holtec) license application to construct and operate a consolidated interim storage facility for spent nuclear fuel, and New Mexico SB 53, which you signed into law March 17, 2023.

Holtec submitted its license application to the NRC in March 2017. In accordance with the National Environmental Policy Act, the NRC staff completed its environmental review and published the Final Environmental Impact Statement in July 2022, which the staff supplemented in October 2022. Currently, the NRC staff expects to complete its safety review and publish its Safety Evaluation Report in May 2023. The NRC staff will make a decision on the license application based on its evaluation of whether the proposed facility meets the standards and requirements in Title 10 of the *Code of Federal Regulations*, Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste," and the Atomic Energy Act of 1954, as amended.

The NRC will continue to keep you, your staff, and members of your Cabinet informed as the NRC staff works toward a licensing decision. We appreciate your interest in and concerns about this project. We also value the strong partnership between the NRC and the State of New Mexico under the Agreement State Program.

If you have any questions or need any additional information, please contact Andrew Averbach at (301) 415-1956.

Sincerely,

Christopher T. Hanson

cc: Howie Morales, Lieutenant Governor
Senator Mimi Stewart
Senator Peter Wirth
Representative Gail Chasey