

Beyond Nuclear

working for a world free from nuclear power and nuclear weapons



Attorney General Raúl Torrez of New Mexico: “The hardships that would be endured by New Mexicans in the construction of these nuclear waste storage facilities in and near our state would be **monumental** . . . We urge the [Supreme] Court to recognize that **these facilities pose threats to the health, safety, and wellbeing of our community. States should have a voice in determining whether they will host nuclear waste facilities**, and our office is dedicated to fighting against the impact of such waste storage in New Mexico.”

New Mexico Department of Justice Files Joint Amicus Brief in the U.S. Supreme Court in Effort to Prevent Storage of Nuclear Waste in Permian Basin, Jan. 29, 2025,

<https://nmdoj.gov/press-release/new-mexico-department-of-justice-files-joint-amicus-brief-in-the-u-s-supreme-court-in-effort-to-prevent-storage-of-nuclear-waste-in-permian-basin/>.

“The accumulation of highly radioactive spent fuel is ‘a national problem’ and a ‘major subject[] of public concern.’ . . . Congress addressed that national problem with a **comprehensive legislative solution in the NWPA** . . . The NRC thinks it has found a better solution . . . But **Congress never authorized the Commission to license private facilities to centralize and store the country’s accumulated spent fuel.**”

NRC v. Texas, Brief for Amici Curiae: U.S. Senators Ted Cruz and John Cornyn, and Representatives Jodey Arrington, Henry Cuellar, August Pfluger, and Ronny Jackson in Support of Respondents at 2, Jan. 22, 2025,
https://www.supremecourt.gov/DocketPDF/23/23-1300/339817/20250122095435667_NRC%20v.%20Texas%20Congressional%20Amicus%20Brief.pdf.

Opposition to “Interim” Storage

Attorney General Dana Nessel of Michigan: “**Protecting the health of residents and safeguarding the environment are fundamental responsibilities of any attorney general.** Nuclear waste storage facilities can have a **significant impact** on our communities, and states, on behalf of the people they serve, **deserve to have a role in deciding** whether to store such material. I am proud to stand with New Mexico in its efforts to prioritize the well-being of its citizens.”

New Mexico Department of Justice Files Joint Amicus Brief in the U.S. Supreme Court in Effort to Prevent Storage of Nuclear Waste in Permian Basin, Jan. 29, 2025, <https://nmdoj.gov/press-release/new-mexico-department-of-justice-files-joint-amicus-brief-in-the-u-s-supreme-court-in-effort-to-prevent-storage-of-nuclear-waste-in-permian-basin/>.

Former Director of the Texas branch of Public Citizen Tom Smith: “**The likelihood of an interim site out there becoming the de facto permanent waste site is extremely high.** That facility is not designed for that kind of storage.”

Dylan Baddour, U.S. Supreme Court Takes up Texas Nuclear Waste Disposal Case, Texas Tribune, Mar. 5, 2025,
<https://www.texastribune.org/2025/03/05/west-texas-nuclear-waste-supreme-court-hearing/>.

U.S. Representative Teresa Leger Fernández of New Mexico on the Holtec license: **“Nuevo Mexicanos are no strangers to environmental injustices, especially those related to nuclear testing and waste.** I oppose the granting of a **“temporary”** storage facility when there are no permanent sites available. This license makes New Mexico a **permanent sacrifice zone.** Our beautiful home should not be a dumping ground for nuclear waste. We have a responsibility to protect our communities, environment, and industries.”

Press Release: ‘Our Beautiful Home is Not a De Facto Dumping Ground for Nuclear Waste’, May 9, 2023, <https://fernandez.house.gov/news/documentsingle.aspx?DocumentID=285>.

U.S. Senator Martin Heinrich of New Mexico: **“Until the Department of Energy fulfills its statutory responsibility to provide permanent waste disposal, interim sites can become permanent sites.** That is not something my state is signed up for . . .”

Stansbury Joins Introduction of Bipartisan, Bicameral Legislation Prohibits Federal Funding For Private Interim Nuclear Waste Storage, Mar. 3, 2022, <https://stansbury.house.gov/media/press-releases/stansbury-joins-introduction-bipartisan-bicameral-legislation-prohibits>.

U.S. Senator Catherine Cortez Masto: **“I’ve said for years that Washington shouldn’t have the unilateral authority to make decisions that will impact communities and the environment in the Silver State for generations to come.** Nevadans have made it clear, **Yucca Mountain is dead.** [The Nuclear Waste Informed Consent Act] will give local and Tribal leaders **the seat at the table they deserve in decision-making about nuclear repositories in their communities** – in Nevada and across the country.”

Rep. Titus Reintroduces Nuclear Waste Informed Consent Act to Safeguard Nevadans, Jan. 15, 2025, <https://titus.house.gov/news/documentsingle.aspx?DocumentID=4718>.

U.S. Supreme Court Justice Neil Gorsuch: **“The [Nuclear Waste Policy Act authorizes only two places where spent nuclear fuel may be stored on an “interim” basis—at reactor sites or on federal property.** . . . And nothing in the [Atomic Energy Act] authorizes the NRC to license the storage of spent nuclear fuel at private, offsite facilities like ISP’s.”

Justice Neil Gorsuch, Dissenting Opinion in NRC v. Texas, June 18, 2025, https://www.supremecourt.gov/opinions/24pdf/23-1300_b97c.pdf.

**Bold typeface indicates emphasis added to original.*

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