

From: <Pdbsongs1@cs.com>
To: <dgeis@nrc.gov>
Date: 1/29/02 7:04PM
Subject: Comments-NRC Rules on Decommissioning - EIS Supplement I

11/9/01
66FR56721
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D. Geis - NRC

I am forwarding Attachment (word document) letter to NRC, with my personal comments on proposed NRC Rules on Decommissioning.

Please confirm their receipt and acceptance by email.
Thank you in advance
Patricia Borchmann

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1/30/02

Template = ADM-013

E-RIDS = ADM-03
Add - M. Masnik (MTH2)

Subj:	Fw: USNRC Decom Comments 1-30-02: OK Rubblization, Cut public rights & protection, more
Date:	1/21/2002 9:13:45 AM Pacific Standard Time
<i>From: jayklaus@email.msn.com (Klaus Schumann)</i> <i>To: pedal4mother@yahoo.com (Sheila Baker), ferraronh@webtv.net (Nancy Ferraro), mollypj@yahoo.com (Molly Johnson), pff@fix.net (Fred+Pat Frank), davidjweisman@earthlink.net (David J. Weisman), vonruden@worldnet.att.net (June von Ruden), Jzamek@aol.com (Jill Zamek), Pdbsongs1@cs.com (Patricia Borchmann)</i>	

Hi all,
it's time to protest again. We must call for more issues being considered site-specific and thus open to public participation, rather than less.

Klaus

----- Original Message -----

From: "Michael Mariotte" <nirsnet@nirs.org>

To: <nirsnet@nirs.org>

Sent: Saturday, January 19, 2002 11:08 AM

Subject: USNRC Decom Comments 1-30-02: OK Rubblization, Cut public rights & protection, more

- > ALERT: NRC Weakens requirements for Decommissioning US Nuclear Power
- > Reactors
- >
- > January 30, 2002 is the public comment deadline on the U.S. Nuclear
- > Regulatory Commission's (NRC) draft Decommissioning Nuclear Power
- > Reactors Environmental Impact Statement Supplement 1. Comments can be
- > sent to NRC via
- > EMAIL: dgeis@nrc.gov
- > MAIL: Chief, Rules and Directives Branch/ Division of Administrative
- > Services/ Mailstop T 6 D 59
- > US Nuclear Regulatory Commission
- > Washington, DC 20555-0001
- >
- > The Nuclear Regulatory Commission has already relaxed and is further
- > relaxing its decommissioning requirements for nuclear power reactors.
- > NRC is justifying these regulatory changes by "supplementing" the 1988
- > Generic Environmental Impact Statement on Decommissioning Nuclear
- > Facilities (NUREG-0586) with new, "updated" information on nuclear power
- > reactor decommissioning. If NRC succeeds, many key issues that local
- > communities face as reactors close and owners leave (liability-free)
- > will be unchallengeable, because they are being listed as "generic"
- > issues. "Generic" decommissioning issues are ones that NRC determines
- > apply to numerous reactors and which are supposedly being resolved with
- > this Supplement to the Generic Environmental Impact Statement. "Site
- > specific" issues are ones that can still be raised in local communities,
- > but the opportunities to address even site-specific issues is being
- > curtailed dramatically. NIRS supports the designation of environmental
- > justice and endangered species issues as site-specific (not generic).
- > NIRS opposes Rubblization but supports its designation as site-specific.
- >
- >
- > What is NRC doing?
- >
- > In Supplement 1 to the Generic Environmental Impact Statement on
- > Decommissioning:
- >

- > NRC allows "rubblization" (crumbling the concrete reactor building) of
- > nuclear reactors, without opportunity for public intervention until the
- > action is completed.
- >
- > NRC allows portions of sites to be "released" from regulatory control
- > before the whole site is released.
- >
- > NRC opens up two "entombment" options.
- >
- > NRC ignores radiation dangers after decommissioning is done and utility
- > is relieved of liability.
- >
- > NRC ignores radiation exposures to children and other vulnerable members
- > of the population and creates a fictitious highest exposed "critical
- > group" based on unsubstantiated assumptions.
- >
- > NRC ignores radiation offsite and permits utilities to ignore it in
- > decommissioning planning. NIRS calls on the NRC to incorporate offsite
- > contamination into all evaluations of environmental impacts.
- >
- > NRC prevents the National Environmental Policy Act from applying to most
- > of the decommissioning process. (The claim appears to be that this
- > proposed Supplement 1 satisfies the Environmental Policy Act for most of
- > the decommissioning issues.)
- >
- > NRC cleverly makes most aspects of decommissioning "generic" rather than
- > site-specific, so they cannot be legally reviewed or challenged at
- > individual sites.
- >
- > NRC redefines terms to avoid local, site specific opportunity to
- > question, challenge and prevent unsafe decommissioning decisions.
- >
- > NRC sets arbitrary and unsubstantiated (low, medium and high)
- > environmental impact categories for each of the steps in
- > decommissioning, to give the appearance that they have minimal effects,
- > to justify not fully addressing them now and to prevent their inclusion
- > in site-specific analysis.
- >
- > NRC is removing the requirement for a license amendment when changing
- > from a nuclear power operating license to a nuclear materials
- > possession-only license. (With no license amendment, there is no
- > opportunity for public challenge or adjudicatory processes.)
- >
- > NRC is attempting, with this supplement, to legally justify the removal
- > of the existing opportunities for community involvement and for legal
- > public intervention until after the bulk of the decommissioning has been
- > completed. This includes such activities as flushing, cutting, hauling
- > and possibly rubblizing of the reactor.
- >
- > NRC states that the portion of the decommissioning regulations (10 CFR
- > 20 section E and its Environmental Impact Statement, NUREG 1496) that
- > set the 25, 100 and 500 millirems per year allowable public dose levels
- > from closed, decommissioned nuclear power sites, are not part of the
- > scope of this Supplement
- >
- > NRC defines decommissioning, in part, to include the "release of
- > property for unrestricted use.." and the "release of property under
- > restricted conditions."
- > NIRS stands firmly against the "release" of radioactively contaminated
- > materials into daily consumer use and commerce or unregulated disposal.
- >

> To order a copy of the Draft Supplement to NUREG 0586, GEIS on
 > Decommissioning Nuclear Facilities Dealing with Decommissioning of
 > Nuclear Power Reactors, contact NRC (Mike Masnik) at 1-301-415-1191 or
 > 1-800-368-5642 ext 1191. (His email is probably mtm@nrc.gov)
 >
 > Nuclear Information and Resource Service (NIRS) Contacts: 202
 > 328-0002--Paul Gunter (ext 14) pgunter@nirs.org and Diane D'Arrigo (ext
 > 16) dianed@nirs.org
 >

----- Headers -----

Return-Path: <jayklaus@email.msn.com>
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 Message-ID: <005701c1a29f\$5a429fa0\$178f8a41@hppav>
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 Subject: Fw: USNRC Decom Comments 1-30-02: OK Rubblization, Cut public rights & protection, more
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Patricia Borchmann
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January 30, 2002

Chief, Rules and Directives Branch
Division of Administrative Services / Mailstop T 6 D 59
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

Email to: dgeis@nrc.gov

RE: U.S. Nuclear Regulatory Commission's Draft Decommissioning Nuclear Power Reactors E.I.S. Supplement 1

I am very **strongly opposed** to the regulatory changes sought by NRC to further relax decommissioning requirements for nuclear power reactors, as proposed by the 1998 "Generic" E.I.S. on Decommissioning Nuclear Facilities (NUREG-0586), with new "updated" information on nuclear power reactor decommissioning. **The Proposed regulatory changes sought by N.R.C. are an insult to the public interest.**

I also strongly oppose, and object to the proposed supplement to the "Generic" E.I.S., and the deliberate and inappropriate exclusion of "site specific" issues, which should be an imperative part of any analysis, for any form of an E.I.S. Supplement.

"Site specific" issues are of vital importance, especially at San Onofre Nuclear Generating Station (SONGS) where Unit 1 is currently being decommissioned. It is imperative that N.R.C. evaluate and analyze SONGS Decommissioning on a "site specific" basis instead of a "Generic" basis, due to the very unique physical site characteristics at SONGS, which other existing nuclear plants in U.S. do not possess.

The distinctions, and physical characteristics which make conditions at SONGS so different and unique are vitally important, and are of utmost importance in any analysis of Decommissioning at SONGS, in order to ensure the level of public health and safety will be assured, and provided without compromise to citizens in communities surrounding SONGS. As SONGS Unit 1 is currently being Decommissioned, the site specific analysis must include both the short term and long term effects, and must also analyze effects of offsite contamination, effects of cumulative contamination and exposure, and must provide realistic mitigation measures..

A Summary of the "site specific" physical characteristics and conditions at SONGS, which should justify "site specific" analysis (as opposed to a Generic E.I.S. Supplement) include the following:

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- SONGS is located in a highly populated area, with dense populations in both Orange County and San Diego County, where citizens may be exposed to potentially significant offsite effects.
- SONGS is located in a highly active seismic zone, where seismic activity is speculated by some geological experts to generate quakes up to 7.6 Magnitude on the Richter Scale (by new evidence of local off-shore blind thrust faults, which cause a greater extent of groundshaking and acceleration than the manner in which quakes are traditionally studied). SONGS was only designed and constructed to withstand a maximum quake of 7.0 Magnitude.
- SONGS is located in a area immediately on the southern California coastline, with most facilities elevated only to a level of 20' ft. above mean sea level. These facilities are highly exposed and vulnerable to effects of rising sea levels, and tsunamis, and are insufficiently protected.

I am opposed to NRC regulations pertaining to Decommissioning which would allow:

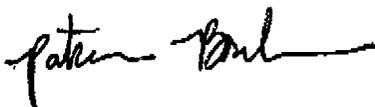
- Rubbilization (crumbling the concrete reactor building) of nuclear reactors, without
- opportunity for public intervention until the action is completed.
- Allows portions of sites to be "released" from regulatory control before the whole site is released.
- Allows offsite radiation to be ignored, and permits utilities to ignore it in decommissioning planning. It is imperative to include offsite contamination into all aspects of decommissioning planning and evaluation of environmental impacts.
- Allows NRC to make most aspects of decommissioning "generic" rather than site specific so NRC cannot be legally reviewed or challenged at individual sites.
- Allows NRC to redefine terms to avoid local, site specific opportunity by public to question, challenge and prevent unsafe decommissioning decisions.
- Allows NRC to set arbitrary and unsubstantiated (low, medium and high) environmental impact categories for each of the steps in decommissioning, to give the appearance that they have minimal effects, to justify not fully addressing them now, and to prevent their inclusion in site-specific analysis. This use of this piecemealing approach is unacceptable.

- Would allow (with this supplement), NRC to legally justify removal of existing opportunities for community involvement and for legal public intervention until after the bulk of the decommissioning has been completed, including activities as flushing, cutting, hauling and possible rubblelization of reactor.
- NRC asserts that the portion of decommissioning regulations (10 CFR 20 section E and its EIS, NUREG 1496) set the 25, 100 and 500 millirems per year allowable public dose levels from closed, decommissioned nuclear plants sites, and are not part of the scope of this Supplement. I disagree, and consider the inclusion of exposure from closed decommissioned plants a necessity to develop an accurate and realistic analysis of cumulative impacts.
- Allows NRC to define decommissioning in part, to include "the release of property for unrestricted use" .. and the "release of property under restricted conditions." It is entirely inappropriate and scientifically ludicrous to allow "release" of highly radioactively contaminated materials into daily consumer use and commerce, or unregulated disposal, or the recycling of such materials into any form which causes public exposure with radioactively contaminated materials.

In conclusion, it is with utmost disappointment to again observe with each and every new NRC Rulemaking, important components of the public's existing "right to know" and the public's right of active involvement in plant processes, decisions and their methodology, on all aspects of decommissioning activities routinely appears to be further diminished. As proposed, the EIS (Supplement I) would eliminate all opportunities for public intervention, and public oversight and/or intervention entirely with use of a "generic" EIS. In such cases, the loss of public oversight and intervention on projects with a scope as large as decommissioning at SONGS, such losses may be unparalleled, or fully understood without a site specific issue analysis. **The citizens in local communities surrounding nuclear plants such as SONGS deserve this entitlement, and demand this entitlement.**

The public has not only the "right to know", but NRC and the industry has the duty to fully disclose all related impacts, short and long term, on and offsite, direct and indirect, as well as cumulative effects resulting from decommissioning to citizens and members of the public living in local communities surrounding the nuclear plants.

We are tired of being unknowingly treated as an entity from whom the industry can escape the obligation of full disclosure, and "used" as the entity upon whom the industry dumps the real long term costs, and as the entity who absorbs the costs.



Patricia Borchmann