

1/25/03

618 McLaws Street
Savannah, GA 31405
March 25, 2003

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Mr. Michael T. Lesar, Chief
U.S. Nuclear Regulatory Commission
Rules & Directives Branch
Division of Administrative Services
Office of Administration
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Washington, DC 20555-0001

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Rules and Directives
Branch
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Re: Comments on Report NUREG 1767, draft

Sir:

I would like to thank the NRC for having this meeting here tonight. At the September 26, 2002 meeting I spoke about my concerns regarding this project, mainly the inclusion of immobilization as a no-action alternative and evacuation plans for Savannah and Chatham County in case of an accident or terrorist attack at the MOX fabrication facility or any shipments of plutonium that may come into the Port of Savannah to support the facility. The report states that if the surplus plutonium were disposed of only by immobilization, Russia would not dispose of its surplus because they believe that we would eventually recover the plutonium and use it to make atomic bombs. To allay their fears we could use the famous Russian proverb: Trust but verify. At the end of the Cold War, monitors from the United States and Russia went to each others' countries to verify that nuclear missiles and other strategic weapons and delivery systems were destroyed. Now, this process could be repeated and supplemented with spy satellites and other surveillance technology to make sure immobilized plutonium is not made into nuclear weapons. With this in mind, I believe that immobilization should still be a viable option for a no-action alternative.

When I read over the draft EIS I felt like only a nuclear scientist, brain surgeon or an attorney could fully understand it. However, it became clear that one did not need any of those people to see that there was no mention of Savannah at all in the report, except for a few citations noting previous meetings here. This leads me to believe that the Commission does not really care about the opinions of the more than 200,000 people living in Savannah and Chatham County, or for that matter those Georgians and South Carolinians living anywhere downwind and downstream of SRS. If that is the case, why is this meeting taking place? The general message seems to be that we, the Commission, are holding this meeting to tell you what we are going to do next but there is nothing you can do about it. Tough luck! It also seems to say that DCS does not care about needlessly putting us at risk by proceeding with this project. That really doesn't come as a surprise since they apparently have no qualms about putting the people of their hometown, Charlotte, North Carolina, and the greater Metrolina region at risk with their plan to use the MOX fuel at Duke's Catawba and McGuire nuclear power plants.

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Call = T. Harris (FHH)
D. Lester (ACIA)

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I am also concerned that communities downstream of SRS will face this same risk if the reactors at the Southern Company's Plant Vogtle are chosen as the fifth and sixth reactors to use MOX, which would put all of us in double jeopardy.

The section on environmental justice mentions the effects on fishing near SRS. Since waste that is released or leaked into the waterways eventually reaches Savannah and because fish can't tell the difference between bait from a fisherman in Blackville, S.C. and that from one in Chatham County, the effects the MOX facility would have on fishing in our area need to be studied. We already have radiation monitors in place that could be used for this purpose. The EIS also bases its definition of environmental justice on the impacts to areas with predominantly racial minority and/or low-income populations. I believe that the failure of this report to take into account the impacts to downstream communities beyond a fifty-mile radius, regardless of their racial or income demographics, constitutes environmental injustice. The definition of environmental justice must be expanded to include these impacts. Therefore, the final EIS for this project, and for that matter, similar reports about future activities at SRS, need to include these impacts as well.

The most disturbing part of the report to me is the mention of the Commission's ruling in December 2002 that it is not obligated to consider risks associated with terrorism in any environmental impact statement. In light of the tragedy of September 11, 2001, concluding that the risk of a terrorist attack is 'speculative' is absolutely absurd, irresponsible and unconscionable! With this ruling, the NRC has not only set a dangerous precedent, it has also stuck its head in the sand like an ostrich! What a shame! If the Commission will not consider these risks, who will? Who will protect us? The EIS further states that the wind at SRS mainly blows to the west-northwest and north and that the probability of a substantial leak is very low. I remember the infamous tritium leak of December 1991 that shut down Savannah's industrial water supply for almost two weeks. I would hate to think what would have happened if that had been plutonium-laced waste instead. Besides duct tape and plastic sheeting, does our only defense against an accident or terrorist attack at the MOX facility consist of praying that the wind continues to blow away from us and that SRS will dramatically improve its more than fifty year track record of leaks? If that is the case, we would be in the same predicament as Wile E. Coyote when he opened a miniature umbrella to protect himself from a falling boulder. Also, in light of recent congressional hearings and news reports pertaining to the Indian Point nuclear power plant in New York, if SRS security is anything like that at a commercial nuclear power plant, we would feel as confident as Bill Dana's famous character Jose Jiminez was before he was launched into space.

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The greater metropolitan areas of Augusta and Aiken can have expanded economic opportunities without jeopardizing downstream communities like Savannah. Making a firm commitment to clean up SRS once and for all can accomplish this. That way, Augusta and Aiken get the benefits of more jobs related to SRS and an expanded tax base. At the same time, downstream communities will not have to worry about more toxic and nuclear waste being generated, resulting in a win-win situation for all.

Since I believe that my concerns have not been adequately addressed in this draft EIS, I am submitting as an attachment a supplement to my oral comments from the previous meeting that was sent in before the prior comment period ended. I still believe that this project will flush our valuable tax dollars down the toilet, especially when one realizes that Duke will essentially be getting free MOX at taxpayer expense. Further, it will not reduce the amount of plutonium stored at the site, especially if the Department of Energy decides to build and operate its Modern Pit Facility at SRS. As I said back in September, this project is an attempt by the DOE and DCS to shove a giant Pu Pu Platter down our throat, and that when I want a Pu Pu Platter I want it from an honorable Chinese restaurant, not a dishonorable MOX plant. I call on our congressman from Georgia's Twelfth Congressional District, Max Burns, whose home in Screven County is only one county downstream of SRS, as well as Congressman James Clyburn of South Carolina, a member of the Energy and Water Development Subcommittee of the House Appropriations Committee, to intervene and stop this project from proceeding forward. In the meantime, it's time for the NRC to get its head out of the sand and start thinking outside the box. Say NO to MOX. Choose the no-action alternative.

Respectfully submitted,



Jody Lanier

Attachment

CC: U.S. Representative Max Burns
U.S. Representative James Clyburn
U.S. Representative Jack Kingston
U.S. Senator Saxby Chambliss
U.S. Senator Zell Miller
Georgia Governor Sonny Perdue
Georgia State Senator Eric Johnson
Georgia State Senator Regina Thomas
Georgia State Representative Tom Bordeaux

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618 McLaws Street
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September 26, 2002

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Mr. Mike Lesar, Chief
U.S. Nuclear Regulatory Commission
Rules & Directives Branch
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Sir:

Please accept the following as a supplement to the oral comments I gave at the September 18 public meeting in Savannah, GA regarding the proposed MOX fuel fabrication facility at the Department of Energy's Savannah River Site (SRS). Thank you.

I am opposed to the plan to build a MOX fuel fabrication facility at the Savannah River Site. SRS is overburdened with nuclear waste from over fifty years of operation stored in tanks that leak into the ground and water. I particularly recall the tritium leak of December 1991, which shut down Savannah's industrial water supply for about two weeks. It makes no sense to generate new waste laced with plutonium when the existing waste has yet to be cleaned up. Instead, the waste should be made into glass logs and used to immobilize the plutonium so no one will be able to get at it. Despite the Energy Department's decision to cancel the immobilization program, I believe it must remain an option whether you consider it a "no action" alternative or not. In light of the federal budget deficit it makes fiscal sense to spend our tax dollars on the cheaper and less risky immobilization process instead of the more expensive MOX fuel program. I would rather there not be any plutonium at SRS but as long as the Energy Department insists on shipping it to the site I would prefer it be immobilized and not made into MOX fuel.

I understand that the licensees for the MOX fuel facility plan to use Cogema's MOX fabrication process used in France as the basis for the process they plan to use at SRS. Cogema has had problems both with making and using MOX fuel in France and they should not be using what they know is a flawed process. To do so puts all of us in Savannah, Chatham County and the surrounding area unnecessarily at risk. It also demonstrates a reckless disregard to human life. Therefore you should carefully review their safety record when arriving at your final decision.

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The proposed MOX fuel facility also represents a terrorist risk to Savannah. Although the Energy Department is using secret truck shipments to bring plutonium to SRS, an operational MOX plant may require some to be brought in by ship through the Georgia Ports Authority terminals, our gateway to the world and one of our main economic engines. This puts a terrorist target right at our front door. In case of an attack on such shipments or the fabrication plant where and how would we evacuate? During the Hurricane Floyd evacuation it took me five hours to go from Savannah to Pembroke, a distance of about thirty miles. We also had between 24-36 hours advance warning before the storm threatened. There has been no mention of evacuation plans for nuclear emergencies in Savannah news media since the September 11, 2001 terrorist attacks. When I called the Chatham County Emergency Management Agency they could not provide any information about nuclear emergencies. Having a tested and certified evacuation plan must be a prerequisite to going forward with the licensing process and it is the responsibility of the licensees and the Energy Department to come up with this plan. The plan also must include areas downwind and downstream of the proposed facility, such as the metropolitan Savannah area. If the licensees and the Energy Department do not come up with such a plan you should summarily deny their license application.

We in Savannah have had to put up with contamination from SRS for over fifty years. The site should be cleaned up immediately. To not do so AND generate waste that is even more radioactive and toxic on top of that is completely unacceptable. I therefore strongly urge you to deny the application for the proposed MOX fuel fabrication facility.

Respectfully submitted,
Jody Lanier
Jody Lanier