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Division of Administrative Services
Office of Administration, Mailstop T-6D59
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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By Electronic Submittal: ClintonEIS@nrc.gov

Regarding the Comments of Nuclear Information and Resource Service, Public Citizen and Blue Ridge Environmental Defense League, to Exelon Generating Company, LLC, Clinton Nuclear Power Station Early Site Permit Notice of Intent to Prepare an Environmental Impact Statement and Conduct Scoping Process

To Whom It May Concern:

The Nuclear Information and Resource Service (NIRS), Public Citizen (PC) and Blue Ridge Environmental Defense League (BREDL) submit the following comments on the U.S. Nuclear Regulatory Commission (NRC) scoping process as noticed in the Federal Register on November 25, 2003 (Volume 68, Number 227) Page 66130-66131 for the Environmental Impact Statement (EIS) for the Early Site Permit Application for the Exelon Generating Company, LLC Clinton nuclear power station site.

The purpose of the National Environmental Policy Act [42 U.S.C. §§4321], also known as NEPA, is to promote efforts to prevent or eliminate damage to the environment and biosphere and stimulate public health, as well as enrich the understanding of the workings of ecological systems and natural resources.

NEPA requires the preparation of an EIS with all major federal actions. The proposed expansion of the Clinton nuclear power station site in Clinton, Illinois clearly constitutes a major federal action under NEPA.

NEPA describes the primary purpose of an EIS as "action forcing provisions and procedures" designed to assure that all Federal agencies plan and work toward providing a healthy and balanced environment. The EIS compels the federal agency, NRC, to conduct a "full and fair discussion of significant environmental impacts and shall inform decision makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the environment." [sec.1502.1] NEPA further requires that the "EIS shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made." [sec.1502.2(g)]

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Section 102(2)(c) further compels the federal agency to include in every report on proposals significantly affecting the quality of the environment a "detailed statement." The EIS is therefore intended to be a full public disclosure document akin to that required by securities laws in connection with new public offerings of stocks and bonds.

The EIS for the Clinton nuclear power station is therefore required to address all of the following environmental impacts, including but not limited to:

1. All impacts on the water levels in Clinton Lake arising from increased intake of reactor cooling water for the operation of any proposed new nuclear power units.
2. All impacts on the aquatic environment of Clinton Lake arising from the increase in thermal discharge of reactor cooling water as result of the operation of additional nuclear power units.
3. All impacts on Clinton Lake arising from the increased impingement and entrainment of fish, fish spawn, other aquatic life and nutrients arising from the increased reactor cooling water intake for any proposed additional nuclear power units.
4. All impacts arising from the increase in the routine discharge of chemicals, heavy metals, cleaning solvents, biocides and radioactive isotopes into Clinton Lake arising from the operation of additional nuclear power units.
5. All impacts arising from the additional accumulation of high-level nuclear waste generated and indefinitely stored on-site at Clinton nuclear power station as the result of the operation of additional nuclear power reactors. This discussion is required, given that the Waste Confidence Rule applies only to waste generated by "existing facility licenses." 55 Fed. Reg. 38,474 (September 18, 1990).
6. All impacts on the public health and environment arising out of the increase in routine and accidental radioactive emissions to the air and to the water as the result of the operation of additional nuclear power units. The analysis should consider work by Dr. John Gofman, showing that low-level radiation, at levels considered to be safe for medical use, is a significant contributor to deaths from heart disease and cancer. See *Radiation from Medical Procedures in the Pathogenesis of Cancer and Ischemic Heart Disease* (Committee for Nuclear Responsibility: 1999).
7. All impacts on public health and safety arising out of a severe accident, including the impacts of the accident itself, sheltering, evacuation, radiation exposure treatment and reoccupation or relocation of entire communities in the event of an accident at an expanded Clinton site.
8. All impacts arising from the simultaneous operation of the existing and aging Clinton power reactor in close proximity to any new proposed advanced reactor design, including

the possibility of multiple, simultaneous accidents, whether related (e.g. by fire or natural disaster) or unrelated.

9. All impacts arising from increased security risks and tasks associated with the proposed site expansion of the Clinton nuclear power station given the federal government's acknowledgement that threats to nuclear power stations by acts of terrorism can be delivered in part or in combination from the air, the water and by land.

10. All potential socio-economic impacts from the elevated national security requirements and countermeasures to protect a larger target of terrorism with the expansion of the nuclear power station site including the indefinite and possibly permanent closure of Clinton Lake to public access for sporting, recreation and other means of community economic livelihood.

11. All impacts arising from seismic hazards posed to the Clinton site expansion by the New Madrid Seismic Zone.

Additionally, Section 1502.14 of NEPA clearly requires full consideration of all alternatives as the "heart of the environmental impact statement" including no action. Therefore, based on section 1502.15 "Affected Environment" and section 1502.16 "Environmental Consequences" the NRC's EIS for the Clinton ESP should "rigorously explore and objectively evaluate all reasonable alternatives and for alternatives which are eliminated briefly discuss the reasons for their having been eliminated." NEPA Title I Section 102 (E) clearly states that NRC is compelled to develop and explore "appropriate alternatives to recommended course of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources" such as water and the generation of nuclear waste without the approval of an environmentally accepted and qualified long-term nuclear waste management site. The environmental impacts of such alternatives that need to be explored and objectively evaluated include:

1. Whether effects on the environment would be reduced if Exelon alternatively implemented more applications of energy efficiency technologies and energy conservation rather than the development of additional nuclear power capacity at the Clinton site. The Renewable Energy Policy Project has demonstrated that innovative and well-managed efficiency programs would reduce annual increases in electric growth by 61%, substantially reducing demand over a twenty-year period.

2. Whether effects on the environment would be reduced if Exelon alternatively implemented use of passive solar, photovoltaic, wind turbines and hybrid renewable energy systems rather than the development of additional nuclear power capacity at the Clinton site.

3. Whether effects on the environment would be reduced if Exelon alternatively implemented greater use of natural gas energy rather than the development of additional nuclear power capacity at the Clinton site.

4. Whether effects on the environment would be reduced if Exelon alternatively implemented broader applications of the above mentioned resources as distributed power systems rather than increased reliance on an increasingly vulnerable electrical grid system connecting any additional new power capacity at the Clinton site.

5. Whether effects on the environment would be reduced if Exelon alternatively implemented some or all of the above-mentioned applications as security countermeasures to any act of terrorism that would seek to target an expanded nuclear power station site for the purpose of creating widespread radiological catastrophe.

Additionally as required by 40 C.F.R. § 1503.13 and 10 C.F.R. Part 51, Appendix A § 4, the EIS should consider the need for a new nuclear power plant, including the potential impact of conservation measures in determining the demand for power and consequent need for additional generating capacity. Therefore the EIS must assess:

1. All impacts associated with an evaluation of the need for power and whether effects on the environment would be reduced if no action were taken to increase nuclear generating capacity.

Thank you,



Paul Gunter

Nuclear Information and Resource Service

1424 16th Street NW Suite 404

Washington, DC 20036

pgunter@nirs.org

FOR MICHELE BOYD / PG

Michele Boyd

Public Citizen

215 Pennsylvania Avenue SE

Washington, DC 20036

mboyd@citizen.org

FOR JANET ZELLER / PG

Janet Zeller

Blue Ridge Environmental Defense League

P.O. Box 88

Glendale Springs, NC 28629

bredl@skybest.com