

NRCREP - Docket No. 72-26

From: Jane Swanson <janeslo@kcbx.net>
To: <NRCREP@nrc.gov>
Date: 07/02/2007 2:42 PM
Subject: Docket No. 72-26

5/31/07
 72 FR 80398

24

RECEIVED

2007 JUL -2 PM 2:57

RULES AND DIRECTIVES
 BRANCH
 USA-NRC

To James R. Hall, NRCREP@nrc.gov :

I am writing in regards to Docket No. 72-26 with comments on the NRC Staff's Supplement to the Environmental Assessment and Draft Finding of No Significant Impact Related to the Construction and Operation of the Diablo Canyon Independent Spent Fuel Storage Installation. This document was written in response to the decision by the Ninth Circuit Court of Appeals in San Luis Obispo Mothers for Peace v. NRC to address the environmental impacts of intentional attacks on the Diablo Canyon dry cask storage facility. I am outraged by the simplistic and inadequate assessment.

The NRC has done a very poor job of evaluating the environmental impacts of intentional attacks on the Diablo Canyon facility. The EA distorts and minimizes the environmental impacts of attacks on the facility by using hidden and unjustified assumptions.

The EA rules out credible threat scenarios that could cause significant environmental damage by contaminating the environment. The EA creates the appearance of compliance with NEPA's requirements to consider reasonably foreseeable catastrophic impacts even if their probability is low by claiming to consider all "plausible" attack scenarios. But the EA clearly fails to consider credible scenarios that could cause significant environmental damage. For instance, the EA fails to consider attack scenarios in which penetration of a spent-fuel canister is accompanied by the use of an incendiary device to ignite the zirconium cladding of the spent fuel. It should include a detailed description of a wide range of potential attack scenarios and in which several canisters could be affected. These details could be available to persons cleared to receive such information.

The EA also fails to identify the key documents on which it relies, thus making it impossible for any party to verify the appropriateness of its reliance on those documents. In violation of Council on Environmental Quality (CEQ), the EA fails to identify the scientific and other sources it relies on for its conclusion that the impacts of attacks on the Diablo Canyon facility pose no significant impact.

SUNSE Review Complete

Template = ADM-013

E-REDS = ADM-03

Att = J. Hall (JRH)

Additionally, CEQ regulation requires an agency to "identify any methodologies used" in its environmental analysis. In violation of this requirement, the EA fails to provide a clear description of the NRC's process for identifying plausible or credible attack scenarios and assessing their consequences to determine whether they are significant. The EA does not describe any analysis that it did for the specific purpose of complying with NEPA. Instead, it describes an analysis that apparently took place in 2002, long before the Ninth Circuit's decision, and that apparently was based on compliance with NRC's AEA-based security requirements. The EA fails to clearly establish that the 2002 analysis was based on reasonable foreseeability of impacts under NEPA.

In considering the consequences of potential releases of radioactive material, the NRC has employed only one indicator, namely "the potential for early fatalities." To exclude consequences other than early fatalities is absurd. Land contamination is a very serious impact that can cause delayed fatalities, illness, and billions of dollars in expenses of relocation and lost income.

The EA for the Diablo Canyon spent fuel storage facility completely fails to demonstrate the NRC made a "fully informed and well-considered" determination of no significant impacts.

Sincerely,

Lucy J Swanson, resident 11 miles from Diablo Canyon
475 Squire Canyon Road
San Luis Obispo, CA 93401

(805) 595-2605

Jane Swanson
janeslo@kcbx.net

Mail Envelope Properties (46894700.BAE : 5 : 27566)

Subject: Docket No. 72-26
Creation Date Mon, Jul 2, 2007 2:39 PM
From: Jane Swanson <janeslo@kcbx.net>

Created By: janeslo@kcbx.net

Recipients

nrc.gov
TWGWPO01.HQGWDO01
NRCREP

Post Office

TWGWPO01.HQGWDO01

Route

nrc.gov

Files	Size	Date & Time
MESSAGE	3875	Monday, July 2, 2007 2:39 PM
TEXT.htm	5482	
Mime.822	11666	

Options

Expiration Date: None
Priority: Standard
ReplyRequested: No
Return Notification: None

Concealed Subject: No
Security: Standard

Junk Mail Handling Evaluation Results

Message is eligible for Junk Mail handling
This message was not classified as Junk Mail

Junk Mail settings when this message was delivered

Junk Mail handling disabled by User
Junk Mail handling disabled by Administrator
Junk List is not enabled
Junk Mail using personal address books is not enabled
Block List is not enabled