

NRCREP - Fwd: Comments on NRC EA for Diablo Canyon

From: James Randall Hall
To: NRCREP
Date: 07/03/2007 7:24 AM
Subject: Fwd: Comments on NRC EA for Diablo Canyon

5/31/07
72 FR 30398

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The attached comments are addressed to Rules and Directives Branch, but the email transmitting them appears to have been sent only to me.

James R. Hall
492-3319

>>> <beckers@thegrid.net> 07/02/2007 5:56 PM >>>
Dear Mr. Hall,

COMMENTS REGARDING THE
U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
DIVISION OF SPENT FUEL STORAGE AND TRANSPORTATION
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
DOCKET NO. 72-26
PACIFIC GAS AND ELECTRIC COMPANY

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2007 JUL -3 AM 10:03

RULES AND DIRECTIVES
BRANCH
USNRC

As we are slightly disadvantaged in California, I will send an update with additional signatories by 8:59pm this evening which should be meet the NRC's July 2, 2007 deadline.

In Peace

Rochelle Becker, Executive Director
Alliance for Nuclear Responsibility
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SUNSI Review Complete
Template = ADM-013

E-RDS = ADM-03
Att = J. Hall (SRH)

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Subject: Fwd: Comments on NRC EA for Diablo Canyon
Creation Date Tue, Jul 3, 2007 7:24 AM
From: James Randall Hall

Created By: JRH@nrc.gov

Recipients

nrc.gov
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 NRCREP (NRCREP)

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nrc.gov

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MESSAGE	2094	Tuesday, July 3, 2007 7:24 AM
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**COMMENTS REGARDING THE
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DOCKET NO. 72-26
PACIFIC GAS AND ELECTRIC COMPANY**

Chief, Rulemaking, Directives, and Editing Branch,
Mail Stop T6-D59, U.S. Nuclear Regulatory Commission, Washington
DC 20555-0001.
jrh@nrc.gov.

Attention: James R. Hall, Senior Project Manager,

The Supplement to the NRC's Environmental Assessment (EA) provides no more assurance to the public who live in the shadow of Diablo Canyon – or any other nuclear reactor - than did the Commission's short-sighted and non-comprehensive EA of October 24, 2003. Furthermore, the reconstituted EA continues to ignore the requirements of the National Environmental Policy Act (NEPA).

The organizations listed below are in agreement with the assessment of the San Luis Obispo Mothers for Peace that the recently reissued EA:

- Misrepresents and underplays the environmental impacts of attacks on the facility by using baseless suppositions, resulting in an assessment that neglects credible attacks that could trigger significant damage to the human environment.
- Omits key documents on which the Commission's EA relies, thus making it impossible for any party or reviewing court to verify the appropriateness of its reliance on those documents.
- Fails to address the U.S. government's major plan for protection of critical infrastructure and key resources, the National Infrastructure Protection Plan ("NIPP") (2006), and
- Finally, the EA fails to comply with NEPA because it does not consider the significant cumulative impacts of the proposed ISFSI in relation to the impacts of the existing high-density pool storage system for spent fuel at the Diablo Canyon nuclear plant.

As a result of these profound deficiencies, the EA Supplement completely fails to demonstrate that the NRC made a "fully informed and well-considered" determination of

no significant impacts. NEPA requires the NRC to go back to the drawing board and provide an analysis that is understandable and scientifically supported.

The signatories to these comments do not oppose *hardened* dry cask storage systems that will alleviate the dangerous overcrowding of spent fuel assemblies at our nation's 104 reactors. Yet the signatories to these comments believe that the dry cask storage sites will be not "temporary". In fact this belief is reinforced by the fact that the NRC appears to have no definition for "temporary" storage. Furthermore, at a recent workshop of the California Energy Commission, the Department of Energy, the Nuclear Energy Institute and other nuclear proponents stated that there is no need to rush either the Yucca Mountain project or reprocessing projects as radioactive waste stored at reactor sites is perfectly safe for 100 or more years. There were even suggestions that radioactive waste casks from decommissioned sites could be transferred to operating reactor sites, increasing the risks that the NRC has chosen to ignore.

The San Luis Obispo Mothers for Peace Contentions are well reasoned and solely designed to protect the residents of the Central Coast as well as the citizens of the United States. The signatories to these Comments fully support all Contentions and request the NRC reconsider its Supplemental EA as the country deserves protection, and the full attention of the Nuclear Regulatory Commission's oversight. To place the financial interests of nuclear utilities above the safety of the public is more than just a disservice to our country; it is exactly what the 911 Commission determined to be the cause of the worst tragedy on U.S. soil – "The failure to imagine the unimaginable".

There is no single person who could better relate and legally argue for a true, transparent, and independent environmental impact statement—not just a cursory assessment—of foreseeable impacts of acts of terrorism, sabotage or acts of malice and insanity at nuclear targets than Diane Curran. Therefore, we ask that the Nuclear Regulatory Commission honor the request of the San Luis Obispo Mothers for Peace and admit all contentions and hold a formal adjudicatory hearing on the adequacy of the EA Supplement to consider the environmental impacts of intentional attacks on the proposed dry cask storage site for high-level radioactive waste produced at the Diablo Canyon Nuclear Plant.

Sincerely,

Rochelle Becker, Executive Director
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