

NRCREP - Fwd: Additions to Comments sent earlier by ANR

From: James Randall Hall
To: NRCREP
Date: 07/03/2007 7:26 AM
Subject: Fwd: Additions to Comments sent earlier by ANR

5/31/07

72FR30398

RECEIVED

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RULES AND DIRECTIVES
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31

Additional comments received on Docket No. 72-26.

James R. Hall
492-3319

>>> <beckers@thegrid.net> 07/02/2007 11:47 PM >>>
Dear Mr. Hall,

A few additional signatures and some extra contact information came in after Comments were sent, so please include these updated Comments in the record for:

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

In Peace

Rochelle Becker, Executive Director
Alliance for Nuclear Responsibility
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San Luis Obispo, Ca 93406-1328

SUNSI Review Complete
Template = ADM-013

E-RIDS = ADM-03
Add = J. Hall
(JR#)

Mail Envelope Properties (468A3251.ADE : 13 : 35090)

Subject: Fwd: Additions to Comments sent earlier by ANR
Creation Date Tue, Jul 3, 2007 7:26 AM
From: James Randall Hall
Created By: JRH@nrc.gov

Recipients

nrc.gov
 TWGWPO01.HQGWDO01
 NRCREP (NRCREP)

Post Office

TWGWPO01.HQGWDO01

Route

nrc.gov

Files	Size	Date & Time
MESSAGE	1989	Tuesday, July 3, 2007 7:26 AM
TEXT.htm	1285	
COMMENTS_Re_NRC_DJW1 final.doc	69120	Tuesday, July 3, 2007
7:25 AM		

Options

Expiration Date: None
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Return Notification: None

Concealed Subject: No
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**COMMENTS REGARDING THE
U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
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DOCKET NO. 72-26
PACIFIC GAS AND ELECTRIC COMPANY**

Chief, Rulemaking, Directives, and Editing Branch,
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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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