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RULES AND DIRECTIVES BRANCH USNRC

June 25, 2007

Chief, Rulemaking, Directives and Editing Branch
Mail Stop T6-D59
US Nuclear Regulatory Commission
Washington DC 20555-0001

RE: Docket: 72-26, Supplement to the Environmental Assessment and Draft Finding of No Significant Impact for the Diablo Canyon Independent Spent Fuel Storage Installation

Following are the comments of the Santa Lucia Chapter of the Sierra Club on the Supplement to the EA, made on behalf of our 2,500 members residing in San Luis Obispo County and within the emergency evacuation zone of the Diablo Canyon Nuclear Power Plant.

As co-plaintiff in San Luis Obispo Mothers for Peace v. NRC, we note that the NRC appears to have interpreted the ruling of the Court in such a way as to conduct an analysis that was both extremely cursory and deliberately narrowed in scope so as not to consider terrorist attack scenarios on the Diablo Canyon ISFSI that clearly would have serious environmental impacts.

We believe the fatal flaws in the document may be traced to the NRC's statement at 5.0 that "no additional discussions or consultations with outside agencies or persons have been conducted in the development of this draft supplement to the EA." As this document marks the first time the NRC has been required to comply with NEPA in assessing the environmental impacts of an attack on a nuclear facility, it would have been prudent for the agency to consult with other agencies and individuals, and thus potentially to have gained some understanding of what is required in order to make a determination of no significant impacts.

At 4.0, NRC cites the construction and integrity of the spent fuel storage casks in resisting "normal or accident" events and cites the ability of the casks to withstand the impact of a 4,000-pound, tornado-propelled automobile hurled at a speed of 126 miles per hour. From this, we will guess -- and we must guess, as, contrary to the requirements of NEPA, no details or descriptions are provided that would actually allow us to know -- that NRC has not considered the difference between "accidental" and "intentional," a distinction inherent

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in the difference between the random blunt force of "normal or accident events," and the "malevolent act" of an intentional attack. NRC has chosen not to evaluate attack scenarios that would be specifically intended to penetrate the shielding of the casks and ignite the spent fuel within. (i.e. thermite weapons). Yet these scenarios would seem to be the most obvious and plausible among any group of attack scenarios that might be directed at the facility.

Vague references such as "NRC staff has considered the potential radiological impacts of terrorist threats," "NRC has analyzed plausible threat scenarios," and "NRC assessed the attractiveness of the facility," etc., are not accompanied by any detail or description of how these considerations, analyses, and assessments were undertaken or what they involved.

The Supplement to the EA notes that NRC's original EA for the Diablo Canyon ISFSI included the assertion that the no-project alternative might result in the shut-down of the Diablo Canyon Nuclear Power Plant prior to the expiration of its current license, and that this "would have a negative impact on the local economy and infrastructure." No such statement or analysis of such impacts as would result from a terrorist attack on the Diablo Canyon ISFSI is to be found in the Supplement to the EA. Even on the excessively narrow terms of the Supplement and with its improper exclusion of descriptions of attack scenarios, this is an unacceptable omission, as the NRC admits that some attack scenarios are plausible.

Further to this point, we note the apparent contradiction at 4.0 between the assurance that, in the event of an attack breaching the casks, "a large amount of the radioactive material would remain in solid form and would not be dispersed beyond the immediate vicinity of the ISFSI," and the observation, four paragraphs later, of "the greater degree of dispersion of airborne radioactive material likely to occur at the site." The Supplement to the EA lacks an analysis of what the effect would be on "the local economy and infrastructure" from the admitted likelihood of the airborne spread of Cesium-137 et al over an unspecified portion of San Luis Obispo county, in any amount, due to an attack on the Diablo Canyon spent fuel facility.

The Supplement to the EA's citation as references and stated reliance on security studies and "generic assessments" that contain no analysis of the potential environmental impacts of attacks on nuclear facilities underscore the inadequacy of the Supplement to the EA.

The NRC must discard the Supplement to the EA, and return with a Supplement that provides detail, description, and documentation for its claims, as required by NEPA.

Andrew Christie
Chapter Director,
for the Executive Committee