

Secy

From: Gloria Griffith [gla4797@earthlink.net]  
 Sent: Saturday, June 07, 2008 7:47 PM  
 To: Secy  
 Cc: Bob Corker; Jason Mumpower; Phil Bredesen; Ron Ramsey  
 Subject: EnergySolutions license NRC application comment

Nuclear Regulatory Commission  
 re: EnergySolutions license application  
 License Applications Nos. IW023 and XW013  
 Federal Register Volume 73, Number 28, 2/11/08

June 7, 2008

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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Nuclear Regulatory Commission regulations require any company wishing to import or export low-level radioactive waste to apply for a specific license from the NRC. EnergySolutions, with processing sites in Tennessee, is seeking a license from the Nuclear Regulatory Commission to import up to approximately 20,000 tons of various types of materials from decommissioned nuclear facilities in Italy. The waste has been stored in Italy since the 1980s. EnergySolutions has also applied for an export license, to return to Italy any waste that does not qualify for disposal at the Utah facility. Does the export application specifically mention exporting waste, that does not qualify for disposal at the Utah facility, directly from Tennessee?

EnergySolutions fails to provide detailed data on the characteristics of each waste stream prior to and after processing by weight, volume, and radionuclide content. Promises by EnergySolutions should not substitute for actual data provided prior to the granting of a license. Waste data should be verified by US regulators in Italy before it is shipped to Tennessee.

EnergySolutions would process and recycle most of the contaminated material at its Oak Ridge facilities in Tennessee, in accordance with licenses issued by the state of Tennessee. EnergySolutions intends to incinerate the remainder (materials such as radioactive - contaminated filters, gloves, plastic equipment etc) at its facility in Oak Ridge, TN to reduce the volume by a factor of 200 before it is shipped to Utah. Tennessee leads the nation in nuclear waste processors, incinerators, radioactive "recycling" and release from control. This added cumulative impact on the citizens of Tennessee should be taken into serious consideration before licensing.

TN residents are at elevated risk for undisclosed, unmonitored and ongoing radiation exposure. Nuclear waste is being burned, melted, physically and chemically processed. The State of TN licenses processors who can make their own determinations to free release radioactive materials and wastes for reuse, recycling or regular landfills.

TN regulators reclassify foreign low level waste as "domestic waste" once it is processed in Tennessee, a practice it has been doing since 2006 with incinerated waste from countries such as Canada, France and Germany. This allows the remaining waste to be buried in US low level waste landfills. Some of this waste has been deregulated by TN Department of Environment and Conservation and allowed to go to regular trash disposal landfills in the state.

The Northwest Compact on Low-level Radioactive Waste voted unanimously to tighten the compact's contract with EnergySolutions to

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make it clear that foreign waste is not permitted. The Compact also closed a loophole that has allowed past shipments of foreign waste to be buried in Utah after being processed at the company's Tennessee processing plant.

Beginning in July, EnergySolutions' Utah site will be the only low-level landfill available in the United States for low-level waste generated in 36 states. Only the least radioactive type of waste, Class A, is permitted in Utah.

The import of significant amounts of radioactive waste is a major federal action and import should not be permitted without an Environment Impact Statement. Such a statement would include options for management and disposal of the wastes in Italy.

Thank you for the opportunity to express Tennessee Chapter Sierra Club's concerns about importing this foreign nuclear waste.

Gloria Griffith, Chair  
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