

From: lesliemarch@hotmail.com  
Sent: Tuesday, June 10, 2008 11:58 AM  
To: Hearing Docket; Secy  
Subject: Applications number IW023 and XW013 hearing comments  
Attachments: June 9.docx

June 9, 2008

Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

DOCKETED  
USNRC

June 11, 2008 (4:07pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Dear Office of the Secretary,

The Nuclear Regulatory Commission is currently considering applications (Nos. IW023 and XW013, Federal Register Volume 73, Number 28, 2/11/08) from EnergySolutions for import/export licenses that would bring 20,000 tons, 1 million cubic feet, 600,000,000,000,000 becquerels of radioactive waste (mainly from Italian nuclear power and related industries) into the US for processing including incineration, transport and disposal.

We wrote to you previously in alliance with other groups, asking for a 90 day extension of the comment period because we felt there were too many questions that needed to be answered before we commented on importing such massive amounts of foreign nuclear waste for transport and processing that could affect the ability to manage our own country's growing amounts of nuclear waste.

Since we were granted the extension, the following events have occurred:

The Louisiana Department of Environmental Quality published a white paper on the importation of low level nuclear waste that points out the dangers of bringing this waste through the port of New Orleans (a copy is attached).

The Louisiana State House passed a resolution against bringing nuclear waste into the Port of New Orleans on May 27, 2008 (HCR 98)

The Louisiana Governor signed into law ACT 96 (attached) which prohibits the transportation of foreign-generated radioactive waste into the state. Present law prohibits the transportation of high-level radioactive waste into the state for disposal or storage in this state or elsewhere.

The newly enacted law retains present law and prohibits transporting any radioactive waste generated outside of the U.S. into the state for disposal or storage in this state or elsewhere. Exempts radioactive waste generated by the U.S. Armed Forces.

The Governor of Utah has spoken out against bringing the waste in whatever form it will be into Utah. With the support of Utah's representative the Northwest Compact voted against bringing foreign waste to Utah.

The people of South Carolina who have fought for years to close down the Energy Solutions landfill in Barnwell County are in opposition to the transport of nuclear waste through their state. We understand that the insurance for the port of Charleston excludes any liability in relation to nuclear waste of any kind.

Template = Secy-043

Secy-02

In speaking for the Delta Chapter of the Sierra Club, we are representing over 3,000 residents of Louisiana and their families that are dedicated to protecting people and preserving our natural environment. We are part of the Sierra Club's 1.5 million members throughout the United States and Puerto Rico. The Sierra Club, founded in 1892 is the oldest grassroots environmental organization in the country,

We want to believe that the Nuclear Regulatory Commission will accept that the state of Louisiana is off limits for foreign waste. If it is decided otherwise, we are appalled at the unprecedented large amounts of waste and radioactivity involved. We are very concerned that this is being thrust upon us during a time when we are rebuilding the city of New Orleans as a city for progress. We are very concerned about the potential impact on our port. The port manager was contacted and informed us that the port's insurance excludes any coverage in the event there is an accident or spill. Who will carry the risk?

We are concerned that this will have a potentially disproportionate impact on communities of color and low income communities in the city. These communities are located near the waterways of the port and they depend on port related jobs. These same communities were victims of industrial pollution prior to Katrina. The communities want to rebuild sustainably in a healthy environment that hopefully will turn back the toxic issues of the past. Even DOE acknowledges that any amount of radiation can be harmful. There needs to be a moratorium against moving any hazardous materials through the Port of New Orleans.

Another issue to bring up is the threat of tropical storms and hurricanes in both New Orleans and Charleston. Severe damage to port facilities has occurred due to natural causes over just the last five years. This brings an additional risk to transporting nuclear waste in the Gulf and the South Atlantic Coasts.

We are concerned that the Energy Solution's application is vague on details such as exactly where the country of origin is for this waste, what will happen to it if Utah is not available? will New Orleans become the storage depot while Italy argues with Energy Solutions over how the rejected waste gets returned? What if our neighboring states of Mississippi and Alabama do not want the waste transported through their states on its way to Tennessee?

We are against granting of these two permits but if the NRC elects to continue with this permitting process, these are but a few of the questions that we have about this application. Before any substantial decision is made on this application, questions need to be answered, public hearings need to be held and the members of the commission need to abide by the rights of each state to make decisions for their own destinies.

The destiny of New Orleans is to rebuild as a first class sustainable city not as a transport and storage center for other countries nuclear waste.

Thank you for your consideration,

Sincerely,

Woody Martin  
Chapter Chair  
Delta Chapter of the Sierra Club

Send response c/o Leslie March, 67017 Dolan St, Mandeville, LA 70471

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Chapter Chair  
Delta Chapter of the Sierra Club

Send response c/o Leslie March, 67017 Dolan St, Mandeville, LA 70471

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