PR 51
(73FR59547)
(73FR59551)

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Rulemaking Comments

From: Generette.Lloyd@epamail.epa.gov
Sent: Thursday, November 20, 2008 4:55 PM
To: Rulemaking Comments
Cc: Mueller.Heinz@epamail.epa.gov; Mcconney.Ramona@epamail.epa.gov
Subject: Waste Confidence Decision Update
Attachments: Waste Confidence Decision Update.doc

(See attached file: Waste Confidence Decision Update.doc)

DOCKETED
USNRC

November 24, 2008 (10:18am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Template = SECY-067

SECY-02

Waste Confidence Decision Update

Publication of this notice is at best premature, given that no interim centralized repository has been designated to receive spent fuel from nuclear power plants, and at the worst a result of inadequate action by DOE in moving forward to meet their obligation to license a permanent repository. The Commission should not promulgate finding 4, which allows for the potential of storing spent fuel at reactor sites more than 60 years beyond the operating license. This position de facto will allow utilities to store spent nuclear fuel at more than 100 sites across the country for time periods that may greatly exceed the operating license of reactors. The technical merits of finding 4 aside, the Commission is no doubt aware that this is poor public policy. In spite of current safeguards in place to protect ISFSIs located at reactor sites, ISFSIs do represent potential targets for terrorists since the locations of reactors is a matter of public record. Interim storage of spent nuclear fuel at a DOE location such as the Nevada Test Site provides for the best alternative until Yucca Mountain or another permanent repository is licensed. Additionally, the Commission's implication that above ground storage may be safely conducted for 60 beyond the operating license of a reactor does not seem to account for probable rapidly changing climatic conditions in the next few decades. This is very critical since most reactor sites are located near large bodies of water.

Section V.B.2., New Reactors, of this decision update states that DOE is proposing a new amendment to the standard DOE-utility contract requiring DOE to accept spent fuel from any new nuclear power plant tens years after expiration of the operating license or extension. The priorities of DOE seem to be misplaced by attempting to address spent fuel from new reactors before dealing effectively with legacy spent fuels. Resolving the spent fuel issue needs better coordination among all of the responsible federal partners.

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Subject: Waste Confidence Decision Update
To: Rulemaking.Comments@nrc.gov
CC: Mueller.Heinz@epamail.epa.gov,
Mcconney.Ramona@epamail.epa.gov
X-Mailer: Lotus Notes Release 6.5.5 November 30, 2005
Message-ID:
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