

Rulemaking Comments

From: Judynwtf@aol.com
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To: Rulemaking Comments
Subject: Waste confidence rulemaking

In Reference to: Federal Register Notice: 73 FR 197-- 10/09/2008 Docket ID--2008--0482 and Docket ID-2008-0404 --

I have more than two decades of experience with Yucca Mountain and the high-level nuclear waste policy in the U.S. I oppose the proposed rulemaking.

It appears that the intent, and certainly the result, of the rulemaking will be to allow unlimited new production of waste by simply extending the period of time for anticipation of a waste solution. Wishing for a solution and being confident that it will happen is perhaps appropriate in religious congregations but not in scientific and/or regulatory authorities.

NRC often uses the terms "reasonable assurance" and "reasonable expectation." At this time neither term applies to the realization of a waste disposal site. Those of us working to oppose Yucca Mountain for many valid reasons, worry that a decision in favor of this proposed rule change could prejudice a licensing decision in favor of the Yucca Mountain project simply because it would announce confidence in a waste site and that is the only one there. Further, it is understood that the statutory capacity limit on Yucca Mountain would exclude waste from new reactors. We also fear that this rulemaking could bias a decision to lift or eliminate that capacity limit. Should a license be denied for Yucca Mountain, as we believe it should, and if the Yucca Mountain stays as is, there will be no basis or justification for confidence, assurance, or expectation that a waste site will be available in the future.

While Yucca Mountain is in the licensing process, and because there are no other sites under consideration, the NRC should, as a responsible regulator, not provide waste confidence cover to new reactor applicants. There is no basis for confidence at this time.

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