

Rulemaking Comments

From: aceactivist [aceactivists@comcast.net]
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February 5, 2009

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Comments To: **NRC Rulemaking**
73 FR 197-- 10/09/2008 Docket ID-2008-0482 and Docket ID-2008-0404

From: **The Alliance For A Clean Environment**
P.O. Box 3063 Stowe, PA 19464 (610) 326-6433

The Alliance For A Clean Environment finds nothing reasonable about NRC's "reasonable assurances". NRC is failing to provide a realistic approach to protection or precaution related to the nuclear industry's deadly high-level radioactive wastes.

NRC's claim of "confidence" abandons both reality and precaution. NRC's "waste confidence decision" was never in the best interests of the public. NRC should not be "updating" its Waste Confidence Decision" with more misguided unprotective language, but instead taking a position to stop the production of massive amounts of high-level radioactive wastes for which there is no real safe solution.

With all that has happened and all we know 25 years after NRC's 1984 decision, NRC is showing callous disregard for the public's welfare to now propose to further compound a clearly unprotective and indefensible approach to such an obvious threat to the future of our nation. For too long NRC's Rulemaking jeopardized our nation. Clearly, there is NO REAL long-term solution. Both transport and long-term storage of the nuclear industry's high-level radioactive wastes threaten our future in so many ways. In truth and reality, recycling has proven to be a costly environmental disaster.

It is long past time for NRC to take a far more realistic and precautionary approach to dealing with the nuclear industry's high-level radioactive wastes. NRC's 1984 "decision" that said the agency was "confident" that making irradiated fuel was not a problem was not only irresponsible, it has been proven inaccurate. NRC claimed there would be an off-site repository by 2009. It is 2009 and there is no off-site repository.

There is no safe or acceptable solution to the massive amounts of deadly high-level radioactive wastes already produced at US nuclear plants. These dangerous wastes that remain a threat for over a million years already pose unacceptable and astronomical threats to future generations, including the hundreds of billions of dollars that it will cost the public to deal with them.

Clearly, in this economy with the debt forced on future generations for so many things, producing more high-level radioactive wastes and more associated costs is unacceptable. The only way to protect the public's interests is for the nuclear industry to stop producing this deadly high-level radioactive waste.

Nuclear power plants and the deadly high-level radioactive wastes they produce are too costly to taxpayers, too polluting, and too dangerous.

- We don't need nuclear power. There are truly safe, clean energy alternatives that will not produce deadly wastes that jeopardize the health, safety, and welfare of future generations. DOE acknowledges solar power alone could provide 55 times our entire nation's energy needs.

The public can no longer afford to bear the burden for the astronomical financial costs of transporting and storing the nuclear industry's high-level radioactive wastes that already exist, much less those which will continue to be produced by existing or new nuclear power plants. To protect our nation's future, it is long past time for NRC to admit the obvious and take action that will begin a process to stop high-level radioactive waste threats from nuclear power plants.

In reality, there is obviously no safe solution to the nuclear industry's high-level radioactive wastes. Both

transport and storage off-site and on-site storage present unacceptable risks.

1. **TRANSPORT and STORAGE** - The transport of massive amounts of deadly high-level radioactive wastes off-site from nuclear plants is not a safe or responsible solution.
 - Transport sets up the potential for catastrophic accidents whether by train or truck. Devastating accidents in the recent past should sound an alarm to NRC that transport of high-level radioactive wastes is potentially disastrous.
 - Transport also invites terrorists.
 - Massive transport of high-level radioactive wastes poses an unacceptable risk.
2. **DEFACTO High-Level Radioactive Waste Dumps** - Allowing 104 DEFACTO high-level radioactive waste dumps at nuclear plants is also an unacceptable risk for those who live in the region of the nuclear plants, especially those in heavily populated regions such as ours, where there is little real hope of safe evacuation from an accident or terrorist attack involving these deadly high-level radioactive wastes. Above ground storage of massive amounts of deadly high-level radioactive wastes is a recipe for disaster.

Many people in our region have “NO Confidence” in NRC’s claim of “Confidence”. In fact, many of us are terrified. Why? NRC’s irresponsible claim of “confidence” has allowed the build-up of growing piles of deadly high-level radioactive wastes which now need to be stored above ground in casks at Limerick for decades, if not forever. We have been forced to live with a DEFACTO high-level radioactive waste dump in our backyard which invites terrorists and exposes us to the consequences of accidents from human error, fires, corrosion, and other breakdown of materials in casks holding wastes.

Why are we concerned about becoming a DEFACTO high-level radioactive waste dump?

- ✓ Limerick Nuclear Power Plant should never have become a DEFACTO high-level radioactive waste dump in this very heavily populated region. It would be impossible for many to safely evacuate. Storing dangerous high-level radioactive wastes in above-ground casks invites terrorists and subjects us to deadly accidents. Both present unacceptable, unnecessary risks to all in our entire region. Off-site transport also presents unacceptable risks throughout our region.
- ✓ With good reason, there is also major concern about long-term corrosion of steel holding casks. There has never been testing of the materials used with the corrosive air at Limerick. Over 300 pounds of corrosive chemicals are added to the cooling tower waters every day. NRC has no idea how long it will take corrosive chemicals emitted with 42 million gallons of steam every day to corrode the steel holding the high-level radioactive wastes when continuously subjected to such massive corrosive steam that can enter the casks. It is illogical and unscientific for NRC to be “comfortable” affirming that waste could remain on site where it was generated for the interim period, projected to be 30 years after the expiration of the waste generation license.
- ✓ The Limerick Nuclear Power Plant site has a fault line going through it.
- ✓ There is an airport less than 1 mile away providing all kinds of opportunities for terrorists.

We think it is highly negligent to allow deadly radioactive wastes to continue to be produced and stored in the back yard of this heavily populated region for decades (if not forever), or to transport them from this region.

It has become an urgent necessity for NRC employees to take their responsibility seriously and speak out in a loud voice to protect future generations of all families across the nation, including your own.

- **We strenuously object to NRC’s previous and proposed illogical, deceptive, and unsubstantiated claim of “confidence” and “reasonable assurance” related to the nuclear industry’s high-level radioactive waste storage. NRC has protected the profits of the nuclear industry at the expense of the public’s interests. This should not continue.**

Below - NRC’s proposed language shows a detachment from reality and callous disregard:

Finding 2: The Commission finds reasonable assurance that sufficient mined geologic repository capacity can reasonably be expected to be available within 50–60 years beyond the licensed life for operation (which may include The term of a revised or renewed license) of any reactor to dispose of the Commercial high-level radioactive waste and spent fuel originating in such reactor and generated up to that time.

Finding 4: The Commission finds reasonable assurance that, if necessary, spent fuel generated in any reactor can be stored safely without significant environmental impacts for at least 60 years beyond the licensed life for operation (which may include the term of a revised or renewed license) of that reactor in a combination of storage in its spent fuel storage basin and either onsite or offsite

independent spent fuel storage installations.

The financial burden on the public for the nuclear industry's high-level radioactive wastes is neither sustainable, nor acceptable. In this economy, how can the public afford any additional financial burdens? Why should the public be burdened with these costs in the first place?

- **NRC's proposed language will lead to unbearable and unnecessary financial burdens on the public that will increase for future generations.**
- **Full cost accounting costs to the public to fully deal with the damage and storage of the nuclear industry's high-level wastes already produced could be astronomical.**
 - ✓ Just one example of storage costs is Yucca Mountain, a catastrophe in the making, which is an environmentally unsuitable financial debacle. \$9 Billion has already been wasted. Nevada predicted the eventual cost would top \$100 Billion. The Ratepayer Nuclear Waste Fund (from the public) will pay \$30 Billion. Taxpayers will pay the other \$70 Billion just to build a site that won't even hold all the waste.
 - ✓ If Yucca Mountain is completed it won't be before 2020. So much high-level radioactive waste exists already from the 104 nuclear reactors in the US, it is estimated that Yucca Mountain would be unable to hold them all. It was projected that there would be one shipment every 1 hour and 45 minutes entering Nevada for the next 30 years with just wastes to date. This is already unmanageable.

In this economy it is negligent for NRC to make unsubstantiated statements that will lead to an increase in the already unbearable financial burden to the public.

With a new administration that values public health, safety, and welfare, we are hopeful that NRC employees will start to speak up for what is in the best interests of the public and not the profits of the nuclear industry.

Please respond in writing to our comments.

Thank You,

**Dr. Lewis Cuthbert
ACE President**

Cc: Senator Casey
Senator Specter
Senator Boxer
Congressman Gerlach
Congressman Sestak
Congressman Dent

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