

Rulemaking Comments

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**From:** Physicians for Social Responsibility [webmaster@psr.org] on behalf of Cathy Lester [catlest@yahoo.com]  
**Sent:** Friday, January 30, 2009 10:49 PM  
**To:** Rulemaking Comments  
**Subject:** Conduct a full Environmental Impact Statement analysis

Jan 30, 2009

NRC Secretary

Dear Secretary,

Do we want Americans to be safe from dangerously radioactive nuclear waste, or not?

I am writing to comment on the Nuclear Regulatory Commission's proposed Waste Confidence Decision and its proposed Finding of No Significant Impact (FONSI) with respect to temporary storage of spent fuel. Both of these proposals fail to protect public health and safety under the Atomic Energy Act or protect the environment under the National Environmental Policy Act (NEPA).

The proposed Waste Confidence Decision is technically inadequate and fails to support any reasonable level of confidence that a radioactive waste repository can or will be licensed. It also violates NEPA because it is not supported by an Environmental Impact Statement

("EIS") that fully evaluates the environmental impacts of the waste streams whose creation would be authorized by the Waste Confidence Decision. An EIS must analyze the characteristics of radioactive waste generated by the nuclear fuel cycle, including spent fuel, depleted uranium tails, and Greater-Than-Class-C (GTCC) waste.

An analysis should also be conducted for waste streams that would be generated from nuclear fuel cycles being pursued under the Global Nuclear Energy Partnership, the program to reprocess spent fuel. The EIS should describe current knowledge about the feasibility of disposing of each waste stream, including costs and uncertainties.

The EIS must apply current scientific knowledge to evaluate the health impacts of the nuclear fuel cycle, updating the outmoded analyses and data in Table S-3 of NRC regulations. For example, the EIS should estimate the radioactive doses to the most exposed individual, who may be an infant or a woman rather than the "reference man;" it should estimate population doses to understand the full extent of

health risks over time; and it should use time frames for health impact analyses that are based on the time frame of the contaminant's persistence in the environment.

The EIS must address the cumulative impacts of radioactive waste

generation, including the costs of adding new repositories for disposal of spent fuel, depleted uranium tails, and GTCC waste. The EIS must

also be integrated with the EISs for licensing new nuclear reactors and

re-licensing of existing reactors so that all environmental impacts and costs of NRC licensing actions can be examined in a single document.

The EIS must also evaluate the costs of the entire nuclear fuel cycle, from uranium mining to radioactive waste disposal, and compare them to the costs of renewable sources of energy such as wind, geothermal and solar. The proposed FONSI on the environmental impacts of temporary onsite storage of spent fuel at nuclear reactors fails to account for the

significant risks of catastrophic fire posed by high-density storage of

spent fuel. The secrecy imposed by the NRC with respect to the hazards of pool storage of spent fuel is completely unacceptable and unnecessary. The NRC must prepare an EIS that examines the relative costs and benefits of its proposal to continue high-density pool storage at nuclear reactor sites with the costs and benefits of combining low-density pool storage of spent fuel with hardened on-site storage. This combination of technologies would dramatically reduce the risk of catastrophic fire, without the need for the secrecy and lack of accountability that is now the most prominent feature of the NRC's program for interim spent fuel management.

It is illegal for the NRC to license any new nuclear power plant or re-license any existing nuclear power plant unless and until it complies with the Atomic Energy Act and NEPA by performing the studies described above.

Sincerely,

Ms. Cathy Lester  
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