PRM-51-13
(75FR16360)
Rulemaking Comments

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From: krish5347@comcast.net
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To: Rulemaking Comments
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Subject: comments on Docket PRM-51-13

The decision by DOE to withdraw their license application for Yucca Mountain "with prejudice" direrctly leads to the unintended consequences of what the PRM-51-13 is asking NRC to do. The marching orders for the Blue Ribbon Commission from the Secretary of Energy include that they are not to consider mined geological disposal (i.e. Yucca Mountain) as one of the alternatives. This directly flies in the face of the Waste Confidence Rule.

Many of the licenses issued for nuclear power plants and their life extensions are directly tied to the Waste Confidence Rule and will be in violation of that rule as a result of DOE' decision. Accordingly, I fully support the actions requested by the petitioner in PRM-51-13. In addition, the violation of the Waste Confidence Rule should also affect the granting of any Construction Permits, Operating Licenses or combined
Construction Permit and Operating Licenses, for any future nuclear power plants envisioned by the recent Presidential initiative to expand the nuclear power option in the country's Energy Policy.

As a retired nuclear engineer who was involved in building and licensing several nuclear power plants in my career, I would have had nightmares to offer my support to the actions called for in PRM-51-13. But,
the DOE's decision is made on a political basis and not because of any suddenly discovered shortcoming in the LA, because it was being withdrawn "with prejudice" in the midst of the licensing process. Therefore, rules are rules and that leads me to support PRM-51-13. As matters stand, NRC has only two major choices: (1) Grant DOE's withdrawal of the LA, then stop the licensing process for all the nuclear power plant cases in the pipeline and entertain numerous law suits contesting the validity of the existing licenses; or (2) deny the withdrawal of DOE's LA, and continue the licensing process of the Yucca Mountain and avoid the unintended consequences.

I am certain that the points made in the above discussion are not new to NRC and are probably vigorously considered in your deliberations within the agency. In support of the Administration's policy
to shut down Yucca Mountain, is the NRC planning to come up with another waste confidence rule which states that on-site storage of spent fuel and high level waste is safe and secure for another 100 years, by which time we may have a repository? That plan will not work. Such a proposal would be strongly opposed and litigated ad nauseum. The litigants will demand, and rightfully so, that while the litigation is proceeding, the actions called for in PRM-51-13 should be implemented and that no new applications for nuclear power plants be considered.

Respectfully submitted,

Paul M Krishna

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