

NFSDEACEm Resource

From: Barbara A Oneal [barbaraoneal@embarqmail.com]
Sent: Wednesday, October 27, 2010 12:08 PM
To: NuclearFuel_DraftEA Resource
Subject: Fwd: Barbara O'Neal CMTs, Oct. 26, 2010, NRC-2009-0435
Attachments: BAO Comment to NRC (26Oct10).doc

NRC: Resending previous message to include Docket ID NRC-2009-0435. Barbara

----- Forwarded Message -----

From: Barbara A Oneal <barbaraoneal@embarqmail.com>
To: NuclearFuel DraftEA <NuclearFuel_DraftEA@nrc.gov>
Sent: Wed, 27 Oct 2010 12:02:18 -0400 (EDT)
Subject: Barbara O'Neal Comments, NRC Public Meeting, Oct. 26, 2010, Erwin, TN

Attached are the comments I made at the NRC public meeting, Oct. 26, 2010, Erwin, TN, regarding the draft EA/draft FONSI for Nuclear Fuel Services, Inc. request for a 40-year license renewal.

Please acknowledge receipt.

Thank you,
Barbara O'Neal
f/Erwin Citizens Awareness Network, Inc.

Federal Register Notice: 75FR63519
Comment Number: 16

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NRC Public Meeting – DRAFT EA/DRAFT FONSI

Nuclear Fuel Services 40-year license renewal

October 26, 2010, Erwin Town Hall

My name is Barbara O’Neal. I’m a concerned citizen living about a quarter of a mile from NFS. I’m a retired Department of Defense employee, with 35 years of service.

NRC did not need to waste the paper, ink, time, and money to produce this biased and contradictory document. All they needed is one statement and that is: Nothing NFS has ever done or will ever do, has had, or will have, an impact on our health, safety, or environment, and even if it did, it would be so small and insignificant it wouldn’t really hurt you.

We’ve heard that story for 53 years, and obviously you want us to hear it for 40 more – that’s a total of 93 years of no “significant” impact.

Sounds too good to be true doesn’t it? Maybe it is.

After researching NFS issues and NRC oversight for four years, it appears to me that the regulatory oversight of NFS has been one of:

Collusion, Complacency and Neglect.

So, I'm not surprised by this draft Finding of No Significant Impact, as it clearly shows continued favoritism of the licensee and NOT the protection of the public's health, safety, and environment.

In this document, there is so much "Potential" for both CONTINUED Environmental and Safety Impacts, yet, the NRC has come to this very unscientific conclusion. What I see, once again, is lots of NFS estimates, guestimates, beliefs, plans to, and intentions – and little, if any, hard science.

The NRC is so sure that it is going to renew the license for either 40 years or 10 years that in the No-Action Option, which would result in a full site decommissioning, they simply SPECULATED as to what the impacts would be, without ever having seen a detailed site decommissioning plan. This community deserves more than "speculation" from you NRC, but unfortunately, that's what they have always had. It's time to stop, because some of us know better.

So I will do some speculation of my own -- perhaps the NRC's thinking is that NFS and the surrounding area is already so contaminated, what's another 40 or 10 years. When it comes to offsite contamination, we must remember that NFS's industrial neighbor didn't sue them and win a settlement for no reason.

And, NRC, you make things so complicated and complex such as the on page 2-8, that shows the Radioactive toxins going in to our air and water every day. Thank you Greeneville Sun for interpreting that and publishing it for the public. Others newspapers may want to follow suit.

Another tactic NRC uses is to segment things in order to make them appear lesser than they are, for example 'Issues Outside the Scope of the EA.' (Page 1-5). They are very important, and are supposed to be covered in a separate Safety Evaluation Report, which the public will probably never see.

So, I'm providing 12 (out of the 60 we have) of subject-specific timelines for inclusion in this Safety Evaluation Report and that includes

a 253-page Violation History. I will go into more detail on these subjects, especially Safety Culture, if I have more time later, because the lack of a safety culture matters and so does Noncompliance of Federal Regulations.

And I'd like to add one more to the list:

Falsification of Documents: HONESTY MATTERS.

In addition to the SCUBA findings, there's more evidence of falsification or fraudulent actions, and here's just one example:

According to this draft EA, NFS has 829 employees, but that's not what the public sees on this slick color ad -- it says 1000 employees. And by the way, 43% of those 829 employees are from Washington County.

So based on a history of falsifications, fraudulent actions, and outright lies, we are supposed to believe that all of their environmental estimates, sampling, and discharge numbers are correct? I don't think so.

(2nd Half)

Safety Culture: SAFETY MATTERS

The Independent Safety Assessment Team, called SCUBA, issued a second report on June 21, 2010 and here's just a few of their statements:

- NFS has a standard of “minimal regulatory compliance”
- Safety culture is generally deficient and fails to meet regulatory expectations
- Signing that an action was complete when it was not are examples of falsification and/or fraudulent behavior
- Recurring equipment problems have become accepted on the basis of a “run to failure” philosophy.
- Fire dampers had not been inspected since 2003, and inaccurate information was given to the NRC.
- NFS has a tendency to downplay the significance of errors.
- Significant problems related to accountability have continued to exist within NFS.

Plant building stability: According to SCUBA, the infrastructure is also degraded, and that confirms my findings in the inspection reports. Many of the buildings cannot comply with the fire codes, for example, Building 301 that houses the new CD Line and UF6 processing, is 50 years old.

Seismic risk analysis: NFS sits on karst topography, with two fault lines and 5 fractured zones, and is also in the 100-year flood plain. Combine

that with the drums of hazardous mixed waste stored there for 53 years and 980 more drums of mixed waste that would be generated in 40 years -- and with no place on earth to dispose of it. The people of this community had better pay attention because between what NFS generates and Studsvik processes, Erwin is fast becoming a radioactive waste dump. And the NRC sees no “potential” impact?

Enforcement Actions: In a 25-year period from 1985 to 2010, the NRC has supposedly collected a measly \$217,500 dollars in monetary fines.

License Violations: This 253-page Violation History, from 1974 to the present, was a personal endeavor that took me nearly a year to complete.

NON-COMPLIANCE OF FEDERAL REGULATIONS MATTER.

I’m mad -- because I believe the regulators have failed us over the years. I’m also disappointed that my former employer would be so short-sighted and continue to allow all their nuclear fuel to be made by a “single source” -- especially one that is serially noncompliant, 53 years old, has degraded equipment and a degraded infrastructure. Perhaps

being the “sole source” of Navy fuel has enabled the licensee’s arrogant and noncompliant behavior over the years.

A long-time, now retired, NFS employee told me: “The work at NFS is done on a cost-plus basis, the more they spend, the more they get, and as long as the Navy wants that fuel and is willing to over pay for it, then nothing will ever change at NFS.” I said why doesn’t the NRC stop it. He replied, “they’re worthless.”

Later, I heard again about this overpayment from yet another former employee, and also heard that more product is scrapped than produced.

So I have a message for Department of Defense -- that in this day and time of terrorism, for security reasons alone, it would behoove you NOT to rely on a “single source” for your fuel, and to pay very close attention to what you are being charged for it – because that’s our tax dollars you’re spending so freely.

I’m also mad at TVA, because of their role in changing the DOE Record of Decision to locate the BLEU (Blended Low Enriched Uranium) Project here, because Savannah River was the environmentally preferred

location, and DOE allowed that to happen, knowing that the risk for Latent Cancer Fatalities was the highest for NFS – 1 in 71 for those living offsite in close proximity

However, I believe there are those in the NRC who try to do the “right” thing. And one of them is the local inspectors who do identify and write up the violations and observations. Thank you for doing your job. It seems though that when these reports get to the higher echelons of Region II or NRC Headquarters, somehow they become negotiable, manipulated, minimized, or simply swept under the rug. The NRC regulatory process appears to simply “go through the motions,” and seems to lack any “real teeth.”

I also believe that the current Chairman of the Commission, Gregory Jaczko, is trying to make changes and steer the agency in the right direction. Hopefully, for all our sakes, he will succeed.

My message to the NRC concerning this license renewal request is that if this licensee has not complied with the federal regulations over the

years (which they haven't), lacks a safety culture (which they do), has contaminated our environment (which they have), and cannot manage the facility properly, which is evidenced by the latest SCUBA report, then they do not deserve a 40-year or 10-year license.

You need to start over with this document, and if you won't do it right, which is a full Environmental Impact Statement, then my recommendation is for a 1-year license renewal with the requirement for NFS to submit a detailed site decommissioning plan, which should include: (1) proof that the money exists to carry it out, and (2) the number of jobs it will create (not lose) for Unicoi County. You owe it to this community, NRC.

That concludes my statement. Thank you.