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Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste

Comment On: NRC-1999-0005-0048

Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste

Document: NRC-1999-0005-DRAFT-0005

Comment on FR Doc # 2010-30478

Submitter Information

Name: Justin Foucault

General Comment

Document ID NRC-1999-0005-0048

Attachments

NRC-1999-0005-DRAFT-0005.1: Comment on FR Doc # 2010-30478

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DS10

I am commenting in support of the proposed rule that would require licensees to provide advance notification to federally recognized Tribal governments regarding shipments of irradiated reactor fuel and certain nuclear wastes for any shipment that passes within or across their reservation. I believe this is a meaningful rule because it will increase the Tribal governments' ability to perform their responsibilities in protecting public health and safety, as well as recognize Tribal sovereignty. However, I feel the NRC should carefully consider the methods used to inform the Tribal governments of their responsibility in possessing SafeGuards Information (SGI) under the new regulation, as failure to comply with these requirements could result in civil or criminal liability. The mechanisms used to inform the Tribal governments of their responsibilities should be reasonable, effective, and based on further research.

For example, the NRC should first determine whether this material is the type that would lend itself to webinars or short term orientation training. After selecting a mechanism in which to disseminate the material, the NRC should attempt to gain insight into the Tribal government's perspective on the material. In order to do so, surveys should be conducted to determine if the material is comprehensible, or alternatively, whether it contains complex legal provisions and unclear obligations. Both parties should anticipate appropriate costs and lengthy time involved with such training. Although the initial decision to receive or not receive advance notifications will be important, I feel the part of the regulation that allows the Tribal governments the opportunity to change their decision to receive or not receive the advance notifications is well constructed, and should also be explained clearly to the Tribal governments.

Finally, after implementation of the new regulation, the NRC should create a system that continually seeks to update any outdated technology, policies, or procedures. This system should perform an annual review of the system's effect on both the Tribal governments, as well as licensees, to determine whether the regulation is costing either party unexpected financial losses.

Rulemaking Comments

From: Gallagher, Carol
Sent: Wednesday, January 26, 2011 12:03 PM
To: Rulemaking Comments
Subject: Comment on Proposed Rule - Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste
Attachments: NRC-1999-0005-DRAFT-0005.pdf

Van,

Attached for docketing is a comment from Justin Foucault on the above noted proposed rule (3150-AG41; 75 FR 75641) that I received via the regulations.gov website on 1/24/11.

Thanks,
Carol

Received: from HQCLSTR01.nrc.gov ([148.184.44.79]) by TWMS01.nrc.gov
([148.184.200.145]) with mapi; Wed, 26 Jan 2011 12:03:15 -0500
Content-Type: application/ms-tnef; name="winmail.dat"
Content-Transfer-Encoding: binary
From: "Gallagher, Carol" <Carol.Gallagher@nrc.gov>
To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>
Date: Wed, 26 Jan 2011 12:03:18 -0500
Subject: Comment on Proposed Rule - Advance Notification to Native American
Tribes of Transportation of Certain Types of Nuclear Waste
Thread-Topic: Comment on Proposed Rule - Advance Notification to Native
American Tribes of Transportation of Certain Types of Nuclear Waste
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X-MS-Exchange-Organization-SCL: -1
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