Rulemaking1CEm Resource

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From: Gary Shaw [mailto:crotonshaw@aol.com]
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WASTE CONFIDENCE HEARING_0CTOBER 30 2013
WESTCHESTER MARRIOTT – TARRYTOWN, NY

GARY SHAW-PERSONAL FULL COMMENTS TO BE SUBMITTED TO NRC
ORAL STATEMENT WAS LIMITED TO 3 MINUTES

My name is Gary Shaw. I live 5.5 miles from the Indian Point Nuclear plant and I have been trying to close the plant since Indian Point2 had a steam pipe rupture in February 2000 and became the first nuclear plant in this country to earn a red rating from the NRC. Indian Point 2 stayed offline for almost a year after the steam pipe rupture. That rupture spread radioactive steam into the air near my house and irradiated water through the Buchanan sewer system into the Hudson, a US Heritage waterway that belongs to all the American people.

One might ask what type of oversight the NRC provides if it could not see that the operator was incapable of maintaining safe operations? Over the last 13 years of observing this agency, my conclusion is that the agency is not so good at preemption, but works hard to find root causes after damage has been done. That is the same type of oversight we have seen from this agency that did not ensure that the IP2 transformer would not explode three years after the same transformer at IP3 exploded, that has not prevented ruptures and leaks from underground piping and that did not know that there was spent fuel pool leakage, probably for years, until the operator started excavating to prepare to move high level radioactive waste into dry cask storage and. That leakage included Strontium 90. Again, Indian Point became the first nuclear plant in our country to set a bad standard. And the GAO has identified Indian Point as the nuclear plant with the highest number of safety violations in the past year. And this agency has granted numerous exemptions from regulatory standards including the waiver of the requirement that Hemyc fire wrap protect critical safety cables in the automatic shutdown system from fire for an hour. The same person who let the Davis-Besse plant in Ohio get within a quarter of an inch from breach of containment then oversaw the reduction of the Hemyc 60-minute requirement to 24-minutes. In a public meeting, when NRC was asked how many exemptions have been granted at Indian Point, not one member of the NRC panel knew the number. Now you are telling us that you

have a workable plan to secure and keep the public safe from the thousands of tons of high level wastes that are currently sitting in the plant and the additional tonnage that will accumulate if the plant gets a new twenty year operating license. If that wasn't so scary it would be funny.

It is my understanding that only about 15% of the spent fuel assemblies that have been accumulating at Indian Point for these last 40+ years have been moved to on-site dry cask storage although far more, perhaps 75% - 80% is cool enough to be moved, and you seem in no hurry to reduce the dense packing that has resulted in many times more fuel assemblies than design basis specified. I would remind the Region 1 NRC that the current NRC Chairman was part of a waste storage study in 2003 at MIT that concluded that dry cask storage is less dangerous than wet pool storage. But we have had 10 more years of wet storage since that report was issued with very little waste moved. Why? Because it costs the operator money. When NRC says it has a viable waste management plan with public health and safety as the preeminent concern, we must look at that in the light of NRC's record. When NRC talks about "lessons learned" what they are in fact saying is "glad that unexpected bad day didn't happen here."

In terms of your one size fits all GEIS approach, how can you rationalize that the magnitude of risk is equal and that policy standards and protocols should be the same at all nuclear plants regardless of size, age and physical environment across the US nuclear fleet, stretching from the Pacific Coast to the flooded Midwest to the East Coast stretching from Florida to New England.

In terms of Indian Point, we have an intersection of two seismic faults, two large high pressure natural gas pipes between the faults and the plant, and during Superstorm Sandy, the plant came close to flood level from the Hudson River surge. It would seem to me that these characteristics might not be universal, so why should there not be site specific EIS perspectives rather than one universal policy paper?

Another element that makes Indian Point unique is that Indian Point has been ordered to install closed cycle cooling. If that order is affirmed by the courts and a large structure must be built, what impact does that have on the ability to expand cask storage space for what would be a 60 year accumulation of fuel assemblies?

What procedures will be in place to conduct dry transfer of degraded fuel assemblies from the Holtec casks when they expire in 100 years or less? What about 200 years? What about 300 years? That is about how long it takes for Cesium137 to become benign? What about 240,000 years? That is the amount of time it takes for plutonium, the deadliest element known to man, to lose its ability to mutate human cells.

The truth is that there is no real plan to isolate high level radioactive materials effectively for the amount of time really necessary to protect public health and safety. If there is no real plan and no real solution, then we should not make any more. Anything less would seem self-destructive and a shameful legacy for our grandchildren and their grandchildren.

With all due respect, the policies perpetrated by this agency put the interests of the nuclear power operators far above the welfare of populations in reactor communities. In the Indian Point community, the result of a spent fuel fire would put at risk the NYC water supply at the Kensico and Croton reservoirs. And if the financial capital of the world suffers a partial evacuation from which there is no return, what happens to the US economy? So let's just roll the dice and say the Waste Confidence approach is "probably good enough."

Gary Shaw

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