

## **Rulemaking1CEm Resource**

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**Sent:** Monday, December 02, 2013 8:06 AM  
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**Subject:** PR-51 Waste Confidence  
**Attachments:** Public Meeting (11-12-13) Comment of David Kraft on behalf of NEIS.pdf

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# Nuclear Energy Information Service

*Illinois' Nuclear Power Watchdog since 1981*

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**STATEMENT OF NUCLEAR ENERGY INFORMATION SERVICE  
REGARDING  
NRC'S WASTE CONFIDENCE DGEIS  
Docket ID NRC-2012-0246**

**Submitted by  
David A. Kraft, Director  
November 12, 2013**

NEIS is an environmental, safe-energy advocacy organization based in Chicago Illinois. We represent nearly 900 supporters in Illinois, 34 states and four countries. We thank the Commission for allowing us three minutes of meaningful comment on a problem destined to haunt humankind for tens of thousands of years. We hope we have demonstrated that people in Illinois, while not on the original NRC list of sites for a DGEIS public meeting, are indeed interested in radioactive waste issues after all. And we hope you enjoyed Orlando, one of the NRC's originally proposed meeting sites, despite the turnout. You'll always have Disneyworld.

We will use this time to summarize the main points we will make in our detailed written submittal on this Docket before the December 15<sup>th</sup> deadline.

- 1.) We submit that the DGEIS as written is inadequate to both the task of satisfying the directives of the 2012 Court of Appeals; and also inadequate to protecting the health and safety of the public and the environment; and for these reasons we ask NRC to withdraw the DGEIS.
- 2.) We believe that the moratorium on licensing of new and relicensing of currently operating reactors should remain in place until such time as a permanent, deep-geological high-level radioactive disposal facility is designed, licensed, built and in operation. We ask NRC to maintain this moratorium until this condition is reached; and ask that the moratorium be extended to include the siting and licensing of any temporary, away-from-reactor "storage" facilities, such as those referred to as "centralized interim storage" facilities. It is irresponsible to continue the production of such wastes without a demonstrated and operational means of disposal.

3.) We ask that you withdraw all statements to the effect that because of NRC oversight programs, NRC asserts and guarantees that spent fuel can be stored at reactor sites indefinitely. Such a guarantee implies that NRC will be providing constant oversight into that indefinite period of time. One month ago, NRC could not even guarantee that its workers would be able to come to work the next day. The hubris of such an assertion, therefore, borders on colossal, if not outright psychotic.

4.) We find that NRC's "finding of no significant impact" regarding: 1.) spent fuel pool fires; 2.) spent fuel pool leaks; 3.) vulnerability of spent fuel pools and dry cask sites to natural disasters and terrorist assaults; and 4.) NRC's belief in the adequacy of generic findings at reactors -- to be unfounded, inadequate to the protection of the public health and safety, and in contradiction to NRC's own definition of what constitutes a "nuclear safety culture":

*"Nuclear Safety Culture is the core values and behaviors resulting from a collective commitment by leaders and individuals to emphasize safety over competing goals to ensure protection of people and the environment." [NRC side show, Palisades reactor presentation, 9/12/12]*

These assertions will be elaborated upon in detail in our subsequent submittal.

The first rule of holes is, when one finds oneself in the bottom of a hole, STOP DIGGING. NRC finds itself in a very deep hole, narrowly within the details of its inadequate DGEIS, and more broadly in its irrational defense of permitting the generation of more high-level radioactive waste absent an operational disposal facility. In 2012 the Court of Appeals abolished the NRC's magic linguistic detoxification wand known as the "waste confidence rule." NRC must now provide hard proof, based on real evidence, to back up its assertions. This DGEIS fails in this regard. We ask that NRC withdraw its proposed DGEIS.

Thank you for your consideration of our views. ■