

## WCRM-GEIS3CEm Resource

---

**From:** Riverkeeper [info@Riverkeeper.org] on behalf of ann grifalconi [anngrifalconi22@gmail.com]  
**Sent:** Sunday, December 01, 2013 6:47 PM  
**To:** RulemakingComments Resource  
**Subject:** Docket ID NRC-2012-0246

Dec 1, 2013

Secretary U.S. Nuclear Regulatory Commission Rulemakings and Adjudications Staff Washington, DC 20555-0001

ATTN: Secretary Rulemakings and Adjudications Staff,

The NRC has failed to come up with a credible plan to protect communities across the U.S. from the long-term risks associated with nuclear waste, and fails to consider the specific risks associated with storing nuclear waste at Indian Point.

I, along with other regional residents, join in urgently demanding that NRC take up full and direct responsibility this long ignored situation: the incredible risks posed by the de facto nuclear waste dumps in our communities, and commence to conduct the complete environmental review mandated by the court, and realistically consider the risks associated with centuries of nuclear waste storage. The superficial environmental impact statement the Nuclear Regulatory Commission prepared for its "Waste Confidence Rule" in response to New York v. NRC again clearly fails to take the required "long, hard look" at outcome of the pattern of the inevitable long term cumulative impact of untended and unsafe volumes of nuclear wastes at U.S. nuclear reactors, including Indian Point (located just 35 miles from Midtown Manhattan in New York State!

The NRC's flawed environmental study is based on a number of unrealistic assumptions that must be reconsidered. These include the following:

- The NRC assumes that current regulations and oversight, and the current corporate ownership of each reactor, will continue after the reactors are shut down, and will be enough to ensure that the waste is stored safely for thousands of years. By relying on this assumption, NRC has improperly failed to consider that serious impacts would ensue when these fictitious "controls" fail.
- The NRC assumes all the waste will be moved from the spent fuel pools into dry casks within 60 years of the reactors' permanent shutdown, despite the fact that NRC regulations allow plant owners to ask for an exemption from the 60 year cleanup requirement. Due to this fatal assumption, NRC has inappropriately ignored the awesome impacts of storing nuclear waste in unsafe pools, which remain highly vulnerable to accidents and terrorist attacks, long-term.\*( See Japan's recent own experience)
- Instead of a strict risk/consequence approach, the NRC relies on a "probabilistic risk analysis" which loose analysis allows it to fatally underestimate the consequences of an intentional attack or a situational aging of any part of the plant based on its belief that "risk" is extremely low (-- but, in terms of time already elapsed had already far exceeded its safe intentional usage, and is already dangerously escalated!)
- In NRC's view, because past spent fuel pool leaks have

"allegedly"(meaning "benign neglect" caused only "minor" impacts, NRC assumes that future leaks will "also" be "insignificant." WHY? THEY WILL INCREASE AS PLANTS AGE! THIS IS A GIVEN! As a result, NRC's has provided a grossly inadequate and incomplete impact assessment related to pool leaks. In addition, the NRC relies heavily on a purely voluntary? industry initiative to justify its finding that future spent fuel pool leaks will be "handled" and "addressed" sufficiently. (Again , consider the obvious fatal and increasingly polluting record of Japan's handling of its own failing plant pools- whose serious secondary ocean oceanic contamination is rapidly making its way across the Pacific towards our own shores at this very moment!) In addition, NRC's draft EIS also fails to properly analyze all reasonable alternatives and all feasible mitigation measures that could reduce safety risks associated with on-site nuclear waste storage. For example, NRC has not considered, but should have, the possibility of not relicensing operating reactors so that no additional nuclear waste is produced. NRC has also improperly failed to examine how the expedited transfer of spent fuel from dangerously overcrowded pools to dry casks would substantially reduce safety and accident risks.(Literally IMPOSSIBLE!)

Importantly, the NRC should perform site-specific risk assessments and environmental impact statements for each U.S. reactor. The reason for this is perfectly exemplified by the Indian Point nuclear power plant, which is unique in several ways:

- Indian Point sits in a more densely populated area than any other U.S. plant, with more than 20 million people living within 50 miles.
- The plant sits adjacent and nearby to State designated significant fish and coastal wildlife habitats.
- Since at least the 1990s, radioactive toxins such as tritium and strontium-90 have been known to be leaking from at least two spent fuel pools at Indian Point into the groundwater and the Hudson River. The pools at Indian Point are known to be already compromised and are sure to continue causing environmental impacts in the future. For example, in January 2007 Strontium-90 was detected in four out of 12 Hudson River fish tested.
- Parts of New York City's drinking water supply, which provides 9 million New Yorkers with unfiltered drinking water, are less than 15 miles away from Indian Point!
- Indian Point sits at the intersection of two active earthquake faults; these faults could produce upwards of a 7.0 magnitude earthquake, which Indian Point was not initially built to withstand.
- Indian Point's spent fuel pools, which were never designed to hold the nearly 2,000 tons of toxic waste now stored at the plant, are highly vulnerable to terrorism and accidents.

It is clear that the nuclear waste stored at Indian Point poses a serious , growing and unique risk, which warrants thorough and site-specific examination.

It is imperative for NRC to conduct a legally sound and binding Complete Environmental Impact Review --as mandated by the U.S. Court of Appeals. This review must NOT generically " waive off critical risks and impacts " associated with the undoubted prospect of literally CENTURIES of nuclear waste storage at these ALREADY INITIATED REACTOR SITES, and must fully consider site-specific concerns, as well thoroughly going into all feasible alternatives and mitigation measures, including NOT licensing/relicensing plants-- in order to avoid the production of any additional waste, and REQUIRING the specific expedited removal of spent fuel from pools and into dry casks to ensure and reduce the very real and demonstrated safety risks of prolonged pool storage.

Sincerely,  
Ann Weik Grifalconi

Thank you for your consideration.

Respectfully,

Ms. ann grifalconi  
124 Waverly Pl  
Apt 1  
New York, NY 10011-9185  
(212) 777-9042

**Federal Register Notice:** 78FR56775  
**Comment Number:** 745

**Mail Envelope Properties** (20998996.1385941634373.JavaMail.www)

**Subject:** Docket ID NRC-2012-0246  
**Sent Date:** 12/1/2013 6:47:14 PM  
**Received Date:** 12/1/2013 6:47:16 PM  
**From:** Riverkeeper

**Created By:** info@Riverkeeper.org

**Recipients:**  
"RulemakingComments Resource" <RulemakingComments.Resource@nrc.gov>  
Tracking Status: None

**Post Office:** app339

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	6769	12/1/2013 6:47:16 PM

**Options**  
**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**