

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD PANEL

_____)	
In the Matter of)	
_____)	
LUMINANT GENERATION CO. LLC)	Docket Nos. 52-034-COL,
(Comanche Peak Nuclear Power Plant,)	52-035-COL
Units 3 and 4))	
_____)	

DECLARATION OF REPRESENTATIVE LON BURNAM

Under penalty of perjury, I, Representative Lon Burnam declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am the elected representative of House District of the Texas House of Representatives, and a current member of SEED Coalition. I agree with SEED Coalition's mission of working for clean air and clean energy in Texas, and protecting the public from risks of radioactive contamination, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized SEED Coalition to submit a contention on my behalf challenging the NRC's failure to make findings regarding the safety of disposing of spent fuel to be generated by Comanche Peak.

3. I know that SEED Coalition submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 2103 6th Avenue, Fort Worth, Texas, 76110. My home lies 40 miles from the Comanche Peak Nuclear Power Plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Comanche Peak 3 & 4 if they are licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Comanche Peak site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Comanche

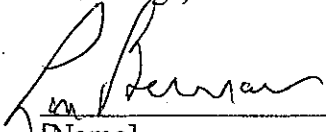
Peak. For these reasons, I am concerned that Comanche Peak may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Comanche Peak site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Comanche Peak can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Comanche Peak in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

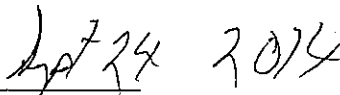
7. I have authorized SEED Coalition to file a contention that seeks to raise my concerns in this proceeding. I believe this contention will redress my concerns by forcing the NRC to either make the required safety findings or deny the license for Comanche Peak.

[The remainder of this page has been intentionally left blank]

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.



[Name]



[Date]