

April 6, 2015

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE SECRETARY OF THE COMMISSION

In the Matter of)
)
) Docket Nos. 52-034-COL,
LUMINANT GENERATION CO. LLC) 52-035-COL
(Comanche Peak Nuclear Power Plant,)
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 former Representative of House District 90 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 fully and adequately assess the environmental impacts of storing and disposing of the spent fuel that will be generated by the Comanche Peak Units 3 and 4 nuclear reactors, if they are licensed.
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 within 45 miles of the proposed Comanche Peak Units 3 and 4 nuclear reactors. 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 environmental risks posed by the spent fuel that will be generated by Comanche Peak Units 3 and 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 Units 3 and 4 nuclear plant 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 Units 3 and 4. For these reasons, I am concerned that the Comanche Peak Units 3 and 4 reactor site may become a *de facto* long term spent fuel storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Comanche Peak Units 3 and 4 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 environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the environmental, health, and safety consequences of storing spent nuclear fuel at the Comanche Peak Units 3 and 4 nuclear plant site during the time following the licensed life of the reactor. In the absence of adequate environmental analyses regarding the storage of spent fuel, 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 conduct the required environmental analyses or deny the license application for Comanche Peak Units 3 and 4.

[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.

A handwritten signature in blue ink that reads "Lon Burnam". The signature is written in a cursive style with a large initial "L" and "B".

Lon Burnam

4-24-15

Date