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To: [RulemakingComments.Resource](#)
Subject: [External_Sender] Docket ID NRC-2018-0300
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Attachments: [Public Comments.Docket ID NRC-2018-0300.docx](#)

My comments for Docket ID NRC-2018-0300 are attached.

July 20, 2021

Email: Rulemaking.Comments@nrc.gov

Subject: Docket ID NRC-2018-0300 Advance Notice of Proposed Rulemaking, Categorical Exclusions from Environmental Review

NRC Commissioners and Staff:

I oppose the NRC's proposed rulemaking to significantly expand Categorical Exclusions from environmental review under the National Environmental Policy Act (NEPA), published on May 7, 2021.

The NRC's attempt to cancel legitimate public and stakeholder debate on controversial issues by categorically excluding a host of radioactive source and byproduct material and other activities from NEPA review is unwarranted.

I do NOT want radioactive waste at any level released from nuclear regulatory control, so that it can enter into regional landfills and commercial recycling streams, or be incorporated into everyday household items such as belt buckles, baby toys and building materials. NRC's proposal could do that, despite decades of public opposition to labeling certain categories of radioactive waste as "below regulatory concern" (BRC) or "very low-level waste" (VLLW), and otherwise issuing blanket exemptions from 10 CFR 20.2002 regulations.

The National Academy of Science reports on the biological effects of ionizing radiation over the last two decades have made it clear that there is no "safe level" of human exposure to radiation because an individual's exposure to even low levels of radiation accumulates in the body over a lifetime.

I do NOT want even higher level, or "hotter", nuclear waste sent to unregulated "low-level" waste sites. The deregulation of a host of radioactive materials and their cumulative radioactive emissions poses significant impacts to human health and our environment.

I DO WANT continued and increased surveillance of air, water and soil at decommissioned uranium mills in my state that have become permanent disposal sites for mountains of radioactive and toxic mill waste in unlined impoundments. The tailings impoundments will continue to seep into our soil and groundwater for hundreds of years. Relaxed groundwater quality standards, or alternate concentration limits, were approved for remediation activities at most of these decommissioned mills, resulting in ongoing Institutional Controls to protect the public from exposure to continuing releases at these sites. These toxic sites will pose significant human health impacts and threats to regional drinking water supplies into the foreseeable future.

I WANT more, not less, input on the highly controversial consolidated interim storage of spent nuclear fuel in my state and on the adequacy of canister and cask designs for the interstate transport of high level nuclear waste on our public highways. The likelihood that licensed interim storage could become permanent storage due to defective thin-walled canisters and the absence of repackaging facilities that preclude transport to another site points toward a "major federal action" with a significant effect on the human environment.

I WANT more input, not less, on decommissioning plans and financial assurance requirements for nuclear power reactors, and uranium and nuclear storage facilities in my state. The long licensing periods for these facilities and the longevity of legacy impacts to air, water and soil from these facilities is very likely to burden surrounding communities for many generations.

I DO NOT want NRC to improperly reclassify actions with significant environmental impacts in order to avoid National Environmental Policy Act (NEPA) requirements.

I DO NOT want the NRC to assume there are no impacts from the many categorical exclusions listed in its Advance Notice of Proposed Rulemaking. NEPA requires NRC to show repeatedly that there has been no significant impact on human health or the environment, either individually or cumulatively, for all actions within a proposed category. NRC's failure to conduct the necessary health risk assessments to make this showing does not exempt it from this NEPA requirement.

The NRC has not made the required showing for its proposed new categorical exclusions - that each action within a proposed category of actions has repeatedly been shown to have no significant effect on the human environment, either individually or cumulatively.

Even when a categorical exclusion has been established pursuant to 10 CFR Section 51.22 criterion, special circumstances may still justify an environmental assessment or an EIS when a significant environmental impact to human health and the environment is shown. NRC should revisit the basis for all existing categorical exclusions before proposing questionable new ones.

Please DO NOT approve any new categorical exclusions for radioactive materials just because more radioactive source and byproduct material is accumulating at decommissioned nuclear reactor sites and uranium mill sites around our country.

It appears that the NRC is attempting to relax its oversight of ubiquitous nuclear material and nuclear legacy sites in order to make more room for vast amounts of anticipated high level nuclear waste from new nuclear weapons production.

NRC and the National Nuclear Safety Administration should instead consider a moratorium on the production of more nuclear byproduct material throughout the nuclear fuel chain until the highly controversial issue of locating a permanent nuclear waste disposal site(s) has been thoroughly vetted with all stakeholders, including states, and members of the public.

Finally, I contend that each proposed new categorical exclusion constitutes a "major federal action" by the NRC concerning the deregulation of significant amounts of radioactive source and byproduct material that make this entire rulemaking subject to an environmental assessment

Thank you for considering my stringent objections to NRC's Proposed Rulemaking.

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