

From: Sam Miranda <sm0973@gmail.com>
Sent: Wednesday, August 4, 2021 4:59 PM
To: McIntyre, Dave; NRC-EJReview Resource; Fetter, Allen
Subject: [External_Sender] "environmental justice"

Here are my comments concerning the NRC's plan to systematically review how its programs, policies and activities address "environmental justice".

(1) The NRC claims that it addresses "environmental justice", as part of its mission of protecting people and the environment. The Energy Reorganization Act of 1974 directs the NRC to protect the public health and safety, not "people", or the environment.

(2) What is the difference between (a) enhancing environmental quality, (b) protecting the environment, and (c) providing for "environment justice"?

(a) Enhancing environmental quality is largely undefined.

(b) Protecting the environment is the mission of the Environmental Protection Agency (EPA), which deploys special agents, of its Criminal Investigation Division (CID), who are fully authorized law enforcement officers empowered to enforce environmental laws as well as any other federal law in accordance with the guidelines established by the Attorney General of the United States (18 U.S.C. 3063). (They carry badges and guns.)

Is the NRC authorized to enforce any environmental laws? How would they do that? What actions can the NRC take, other than levying fines, revoking licenses, and/or restricting operations? Enhancing the NRC staff's reviews of license applications and of other regulated activities hardly compares with the EPA's enforcement authority. Would the NRC staff refer any environmental regulation violations it finds to the EPA?

(c) "Environment justice" does not pertain to either the environment or justice. Anytime "justice" is modified by an adjective (e.g., racial, restorative, social, distributive, or economic), it no longer pertains to justice. It becomes a political issue of equity, usually along racial lines. That is, disparate treatment or discrimination between persons of differing races, origins, faiths, or sexual preferences is authorized and applied to assure equal outcomes, not equal opportunity. "Equity" and equal opportunity are mutually exclusive.

(2) Why has the NRC's Environmental Justice Review Team begun reviewing recent Executive Orders? Is the NRC, an independent regulatory agency, subject to Executive orders? If so, then under what circumstances, and to what extent?

(3) Specifically, what reviews or actions does the NRC staff expect to undertake pertaining to environmental justice that are not already implemented during established environmental impact studies that are performed as part of the nuclear plant licensing process?

(4) How would "environmental justice" work in concert with NRC's mandate to protect the public health and safety? That is, how would "environmental justice" contribute to the NRC's primary responsibility (i.e., to protect the public health and safety)?

(5) How much would the NRC "environmental justice" programs cost the taxpayers? How would the NRC justify the cost of establishing, implementing, and monitoring any proposed "environmental justice" programs? To whom would these costs be billed?

(6) Would activities of the NRC's "environmental justice" programs be coordinated with related EPA programs? If yes, then for what purpose?

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Federal Register Notice: 86FR36307
Comment Number: 2

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