

**From:** pamelaw Glaw <greenlawpk@gmail.com>  
**Sent:** Monday, September 20, 2021 5:00 PM  
**To:** WEC\_CFFF\_EIS Resource  
**Cc:** pamelaw Glaw  
**Subject:** [External\_Sender] Comments on the 40-year license contemplated for WEC-CFFF  
**Attachments:** NRC COMMENTS on DEIS for WESTINGHOUSE by Pamela Greenlaw.docx  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sirs and Madams,

**Please add these comments to your official records.**

NRC DRAFT COMMENTS on DEIS for WESTINGHOUSE by Pamela Greenlaw

Introduction to my comments:

The NRC is using several documents and criteria to determine whether or not the Westinghouse Fuel fabrication facility in Hopkins, South Carolina will be issued a 40-year license to continue operations. Only one of these is the Draft Environmental Impact Statement upon which the public is invited to make comments. The documents and criteria wrapped up in safety and in security are decidedly NOT open for public comment or review. The safety record of this facility and security issues may be considered outside the bounds of public comment on the DEIS; therefore, the NRC MUST provide a safety and security document for public review and comment. Otherwise, the comments about safety and security submitted must be acknowledged and reasonable responses made for their inclusion at the decision-making level at the NRC. Ethics, tenets of environmental justice, and NEPA demand this sort of recognition and response.

I. A 40- year license assumes no significant human error or non-compliance will occur. It also assumes that 2 full generations of residents within 20 miles of the WEC-CFFF do not need and should not have a voice with regard to decisions by NRC about Westinghouse, and

WesDyne/Westinghouse Government Services. No one recommends this. Even Westinghouse did not contemplate this until urged by the NRC to request the 40 year span of time.\*

A. Both Representative Jim Clyburn and SC DHEC have looked askance at this sudden and unrealistic 40-year length of time for the license, especially given Westinghouse's track record prior to the Consent Agreement. NRC needed to investigate Westinghouse's track record of safety, security, and the environment over the past 20 years, not merely the past 2 years of conformance during the time with the Consent Agreement with the South Carolina Department of Health and Environmental Control.

B. Flawed Assumptions by NRC include the following:

- the belief that the NRC always will discover facility errors, violations, and mismanagement in a timely manner and that none of these faults will result in instances of criticality;
- the likelihood the tenure of current Westinghouse management who instituted the required improvements on the campus will still be actively employed in their positions for the next 40 years and will keep to agreements with DHEC which are not in the permit application;
- there will not be any serious non-compliance issues;
- pressure to work leaner by the owners of Westinghouse/WesDyne, Brookfield Asset Partners, will not occur

C. The track record of Westinghouse and of other human-operated facilities for the past 10 years has not been taken into account.

- See examples of current lapses at other facilities:

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- See instances having occurred at Westinghouse:

scrubber incident

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(NRC already has these records)

D. NRC has planned fewer direct, in-person inspections since COVID-19 began. NRC inspectors have found surprising incidents of poor safety practices in person which are not reflected in written reports by the company. If fewer, direct, in-person inspections continue and become the norm, the result will be lapses back into poor safety culture, more errors, and more instances of non-compliance on the part of Westinghouse.

Despite the additional purported safeguards such as increased monitoring, agreed upon by Westinghouse and South Carolina DHEC, the Draft EIS does not indicate how they have been added to the application as a permit condition. The DEIS does not refer to any such legal inclusion of any aspects of the SCDHEC-Westinghouse Consent Agreement which would be enforced by the Nuclear Regulatory Commission.

Even if it could DHEC has not enforced state and EPA regulations well and consistently over time. Industries are routinely allowed to continue operating without renewal of NPDES and air permits which expire. Westinghouse has continued to operate already with an expired air permit for several years.

Wateree Coal Fired Power Plant. The Sierra Club has sued DHEC to allow Dominion Energy to continue polluting the water and air under a long-expired NPDES permit for the Wateree Coal-fired Power Plant which is within 20 miles of WEC-CFFF and WesDyne facilities. Forty years of

a track record of non-enforcement actions at the hands of an unreliable state agency would not be acceptable.

## II. Arguments for a License of not-over 20years

A. The additional safety precautions and more stringent plans for more management policies have yet to be tested and proven effective before a long license can be granted

B. Current regulation does not allow routine extension of a renewal permit beyond 20 years for nuclear power plants. Because the The DEIS must explain why this rule does not apply to the WEC-CFFF. See 10 CFR 54.31(b).

C. The owner of Westinghouse and Westinghouse Government Services, aka WeDyne, is an equity company, Brookfield Asset Partners, whose office is offshore in Bermuda. In the recent past they have pressured Westinghouse to work “leaner” and produce more. (The latest word is that they may be seeking to sell. *That is an incessant rumor; however, at present there is no one put Brookfield Partners in check. Could this 40 year license be at the behest of Brookfield’s management for guaranteed returns over 40 years, even if the return dividends drop?*)

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III. Trusting a generic model without having tested it for this particular site’s geometry, soils, weather patterns and likely additional 100-year-flood events. (Congaree’s cresting has a history of being over 28 feet.

## IV. Physical Plant (Buildings)

*(taken from injunction request letter and needs adaptation to DEIS):*

“Built in 1969, the facility is asking for a 40-year license (2027 to 2067). This renewal, as proposed, contemplates continued operations until 2067 when the facility will be 98 years old. There is nothing in this DEIS that discusses infrastructure maintenance and longevity. Infrastructure longevity issues should be addressed.”

V.. The lack of full geologic hazards discussions are minimal and the NRC does not state whether the operational system and its structural support systems in the building and in exterior areas (tanks, piping, wastewater units, etc.) meet any seismic standard. The seismic classification standard in this part of South Carolina is Class C. Westinghouse should provide a seismic structural evaluation consistent with that classification.

This further supports SCDHEC’s request to consider infrastructure longevity. (*get direct quote from source material on DHEC’s site.*)

VI. Presence and Movement of hazardous and radiological elements Technetium-99 is highly mobile and is also taken up by plants. There have been no regular samplings and testing for the presence of Tc-99 in plant studies on or off site. The DEIS states that the source of Technetium-99 has STILL not been determined. As a radiological hazard without known source the potential for any change in the amounts released to the environment over time, the statement that the impact to the environment will remain small over time could be premature. Where is the study which shows the amount of Tech-99 is and has been static over the past 14 years of the current license period?

VII. Health of Workers over time has not been addressed in the DEIS. Health surveys of workers from onset of employment and through the remainder of their days have not been set up and no long-term health data on workers have been collected and considered.

VIII. EJ is poorly understood and dealt with by the NRC and by Westinghouse. The 17 EJ principles have not been implemented in the development and publication of the DEIS by the NRC.

A. Communications

B. Protecting the communities effectively where facilities are sited and operate.

Environmental Justice contemplates more than damages to water, air, and soil. It must take into account cumulative and synergistic effects of all environmental impacts from every industry in the area and cause. There are no recent, in-depth health surveys designed and administered by professionals conducted with the community within the 20-mile circumscribed area with residents in the zipcodes of Lower Richland.

VIII. The Historical and Cultural data study has not even been completed and will be added AFTER the comment period of the DEIS is over. This is completely wrong and violates NRC's own standards.

For all these and many more reasons, the conclusions drawn by the NRC in the Draft EIS are incomplete and do not indicate any rationale for the issuance of a 40-year license.

Please do NOT issue a license for WEC-CFFF for a period of 40 years!

Sincerely,

Pamela Greenlaw

**Federal Register Notice:** 86FR43277  
**Comment Number:** 16

**Mail Envelope Properties** (CADVZvGppjUUfWU4=a5p=j-1qZuEvtjNHdmxmEAr6z\_H+KOrk\_w)

**Subject:** [External\_Sender] Comments on the 40-year license contemplated for WEC-CFFF  
**Sent Date:** 9/20/2021 4:59:45 PM  
**Received Date:** 9/20/2021 5:00:04 PM  
**From:** pamela Glaw

**Created By:** greenlawpk@gmail.com

**Recipients:**  
"pamela Glaw" <greenlawpk@gmail.com>  
Tracking Status: None  
"WEC\_CFFF\_EIS Resource" <WEC\_CFFF\_EIS.Resource@nrc.gov>  
Tracking Status: None

**Post Office:** mail.gmail.com

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MESSAGE	9528	9/20/2021 5:00:04 PM	
NRC COMMENTS on DEIS for WESTINGHOUSE by Pamela Greenlaw.docx			11486

**Options**  
**Priority:** Normal  
**Return Notification:** No  
**Reply Requested:** Yes  
**Sensitivity:** Normal  
**Expiration Date:**

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Most sincerely and earnestly,

Pamela Greenlaw

## **License Modification Process**

To make changes to a license, the licensee prepares an application for an amendment. This application must contain the basis for the changes and a detailed description of how the change would affect safety of the workers, the public, and the environment. The NRC technical staff reviews the application, and if it is approved, the license is amended to include the change.

<https://www.nrc.gov/materials/fuel-cycle-fac/licensing.html#modifications>

II. EJ (Include these as comments to NRC's Greg Suber

Problem: Nothing on NRC site for request to have a public meeting. There are rules for only public hearings. The pathway is always one-way, top-down. Solution: public and agency task force to develop workable plans that can lead to rules concerning the public's request for meetings.

Public involvement link: <https://www.nrc.gov/public-involve.html>