

From: pamela Glaw <greenlawpk@gmail.com>
Sent: Friday, October 29, 2021 11:27 AM
To: NRC-EJReview Resource; pamela Glaw
Subject: [External_Sender] Comments on Systematic Review of EJ in NRC's Policies, etc.
Attachments: NRC's EJ POLICY, PRACTICE, and ACTIVITIES Comments 29 Oct 2020.docx

Dear Sirs and Madams:

Please find my comments embedded and attached.

Sincerely,

Pamela Greenlaw

INFORMATION and RECOMMENDATIONS

on Improving

SYSTEMATIC REVIEW OF NRC's ENVIRONMENTAL JUSTICE POLICY, PRACTICE,
and ACTIVITIES

submitted on Friday, October 29, 2021

Dear NRC,

Please find and read my input below.

Sincerely,

Pamela Greenlaw

South Carolina

greenlawpk@gmail.com

Over the course of NRC's outreach over the past months for the purpose of gathering information for use in examining its out-of-date EJ Policy and Practice, many environmental justice leaders having worked effectively in the affected communities have the best of advice for the NRC in terms of improving that policy. I will repeat some of the top points and add other ideas below.

First, concerning process after the comments are collected, NRC should consolidate and classify the comments and put them into a draft document to be publicized for additional viewing and additional comment by the public and by environmental justice leaders as well as for the NRC department heads.

Do not be concerned this will take more work than you had at first planned. A well-constructed policy must have oversight throughout the process to ensure a solid base is built and should not depend upon agency expediency.

Second, because the NRC works with other governmental agencies, as you read their EJ policies, you (NRC) must not allow other agencies to bring undue pressure to cut corners which will reduce your ability to fulfill your stated mission to protect the health of people and the rest of the environment. The DOD, DOE, and NNSA have different mission charges and their ideas may tend to water down the effectiveness of well-written and implemented improvements in NRC EJ Policy and Practice. Be sure to ready EJ policies and practices across all agencies.

Furthermore, there may be such vast variation in definitions of what EJ is, who EJ leaders are, what terms are used for measuring success of EJ practices, etc. by different agencies, the NRC must determine its own definitions based upon the "Seventeen Principles of Environmental Justice" and continue to work with EJ leaders in the trenches to work on tightening up, pinning down the definitions which it will be using. The present definitions are too vague.

Third, speaking of definitions, the terms "safety and security" often used in nuclear missions and literature need to be spelled out. There is an inner circle, coded understanding that "safety and

security” throughout federal agencies means national security which is to be maintained by military means. Security should be defined by the NRC in terms of current and succeeding generations of US residents’ having a healthy quality of daily life, exclusive of military means. The military layer must be overtly excluded in a definition of safety and security.

The NRC must dedicate itself to ensure that both current and succeeding generations are free from the toxic effects of radioactive materials from cradle (mining) to grave (burying immobilized waste.) This must be part of the NRC’s policy statement.

Fourth, issues with the National Environmental Policy Act, NEPA, have to be resolved in terms of legal meanings, interpretations, and applications before the NRC determines whether its current EJ policy is properly subsumed under NEPA. Again, looking at interpretations and changes within federal agencies, there is a great deal of variance and question over exactly what NEPA does or does not do. Even the courts struggle with NEPA suits. Over the years many legal changes to and legal exemptions from NEPA have been instituted by various agencies over the past 15-20 years. In fact, as pointed out by EARTHJUSTICE, “In July 2020, the Trump administration gutted the law by providing public review exemptions for numerous projects, limiting public input, and allowing federal agencies to issue permits without considering long-term climate impacts.” NEPA has been so weakened, the NRC should not continue to use NEPA as its sole guide. The NRC must put stringent policies into place in such a way as to support the spirit of NEPA to protect people and the environment from incidental/accidental and avoidable harms.

Furthermore, when the public needs to know how the NRC understands, interprets, and uses NEPA to support policy, the NRC must have an attorney or legal division trained in NEPA to explain how NRC applies NEPA. At this point the NRC has no such expert or expert team available to communicate with the public. Members of the public and of EJ communities will not have the ability to read and understand the online pages on the NRC website on NEPA.

Fifth, institute the insightful recommendations which you have already listed in the Oct. 21, 2021 public meeting slides from your listening sessions and additional recommendations by Rev. Leo Woodberry during that meeting and others. I am not going to detail these here, as you already have them recorded.

Thank you for your continuation on this important work.

Pamela Greenlaw

South Carolina

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Comment Number: 89

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