

From: Leigh Ford <lford@snakeriveralliance.org>
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Subject: [External_Sender] Docket ID NRC-2021-0137-0001
Attachments: EJ Comments_SRA_Docket ID NRC-2021-0137-0001.pdf

Please find attached comments on Docket ID NRC-2021-0137-0001.
Thank you for the opportunity.
Leigh

Leigh Ford(she/her)

Executive Director

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Do Not Be Afraid Of Work That Has No End

~Avot de Rabbi Natan~

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ATTN: Program Management, Announcements and Editing Staff

Email: NRC-EJReview@nrc.gov

Re. *Docket ID NRC-2021-0137-0001*

Thank you for the opportunity to comment on the crucial issue of addressing environmental justice (EJ) in NRC policy. Within NRC's mission it states "*to provide reasonable assurance of adequate protection of public health and safety and to promote the common defense and security and to protect the environment.*" The most vulnerable communities have been negatively and disproportionately impacted by all links in the nuclear fuel chain, most notably indigenous people, whose land we colonized and currently occupy.

NRC must also follow the White House directives. The Biden Administration has promised to deliver EJ and in his recent executive order, the President directed that "[a]gencies shall make achieving environmental justice part of their missions by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on disadvantaged communities, as well as the accompanying economic challenges of such impacts." <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and->

[abroad/](#). Additionally, the White House EJ Advisory Committee's list of "PROJECTS THAT WILL NOT BENEFIT A COMMUNITY" includes "procurement of nuclear power."

NRC must acknowledge and take responsibility for past EJ violations all along the nuclear chain. Most nuclear reactors, uranium mines and mills, fuel factories, reprocessing plants, and radioactive waste sites and transport routes are targeted for or located in/upstream/upwind of Indigenous, Black, People of Color, poor, and/or rural communities. These communities need to be compensated for damage done by previous NRC and AEC licensee actions, including over 15,000 abandoned uranium mines and the 1979 Church Rock disaster directly impacting the lives of indigenous people.

NRC's 10CFR2 rules for intervention are clearly skewed in favor of nuclear proposals—they must be amended to enable EJ communities to participate, presume intervenor status, and for their contentions to be accepted. Local Hispanic intervenors were dismissed in the Holtec CIS licensing case.

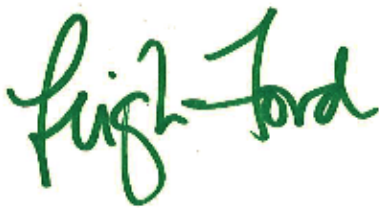
NRC must set up structures to assist EJ communities including (1) a permanent EJ Advisory Board to assess all NRC processes, with authority to prevent violations and (2) an independent division of NRC, free from NRC influence or threat of retaliation, to assist intervenors (similar to current staff support for applicants).

Other considerations for NRC:

- Improvements to EJ policy by going beyond the National Environmental Policy Act requirements. Under NEPA, EJ should be automatically considered in Generic EISs and Environmental Assessments.
- EJ "consideration" should include the cumulative impacts from multiple sources of pollution and health stressors.
- Make all information available in the primary languages of the communities and provide longer public comment periods to enable more meaningful participation.
- Provide extra measures to enable EJ communities already disproportionately impacted by COVID and the variants to engage.
- Provide mandatory trainings for NRC staff on environmental justice and related topics such as diversity, equity, and inclusion.

As a final recommendation, NRC should look to the [17 Principles of Environmental Justice](#) in defining what environmental justice means for the agency. Equitable treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies is key. Both procedural and substantive protections must be secured. Environmental injustices, including environmental burdens disproportionately held by low-income communities and communities of color need to be addressed. Stakeholders that have typically been excluded from the decision-making process must be recognized and heard.

Thank you again for the opportunity to comment.

A handwritten signature in green ink that reads "Leigh Ford". The signature is written in a cursive, flowing style.

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