

From: Michel Lee Council <lee2councilenergy@gmail.com>
Sent: Friday, October 29, 2021 11:57 PM
To: NRC-EJReview Resource
Subject: [External_Sender] Docket ID NRC-2021-0137-0001 Systematic Assessment for How the NRC Addresses Environmental Justice in Its Programs, Policies, and Activities - Comments of the Council on Intelligent Energy & Conservation Policy

October 29, 2021

Re: Docket ID NRC-2021-0137-0001 Systematic Assessment for How the NRC Addresses Environmental Justice in Its Programs, Policies, and Activities – Comments of the Council on Intelligent Energy & Conservation Policy

To: NRC-EJReview@nrc.gov

The Council on Intelligent Energy & Conservation Policy (CIECP) responds to the questions posed by the Nuclear Regulatory Commission (NRC) as follows:

The NRC does not appear to have an understanding of environmental justice that comports with the current well-described literature on the subject. The agency's outreach this year is applauded, but it is imperative for such an effort to be just the beginning.

The NRC must recognize the history of regions and potential future peril of regions. This is obviously relevant to all populations, but it is beyond reasonable debate that vulnerable individuals and marginalized communities have reduced capacity to endure risk and far less opportunity to recover from actualized harm.

The NRC must recognize that it is a *prima facie* environmental injustice for more toxic mines, more toxic uranium operation (milling, enrichment, fuel fabrication, reprocessing, etc.) facilities, and more radioactive waste dumps to be placed in regions already overburdened by polluting industry, most such communities have relatively high levels of lower-income and persons of color residents. The idea of placing consolidated interim storage (CIS) nuclear waste sites in the heavily polluted Permian Basin region, in environmental justice communities in low-income counties in the minority majority states of New Mexico and Texas is especially egregious.

The NRC should set up a permanent Environmental Justice Advisory Board that (1) assesses all NRC processes, (2) is an entirely independent division of the NRC, with a firewall from other staff; (3) has rotating members of individuals independent of the nuclear industry with expertise from disciplines outside the NRC's primary realms of knowledge (e.g., engineering and physics); (4) is tasked with assisting public interest organizations and intervenors with the vigor the NRC has long provided nuclear industry actors; (5) holds regular public meetings; and (6) has funding for legal and technical experts.

The NRC must also reformulate its ADAMS and web systems to be more user friendly and accessible. And the NRC must always include an email address to be available for filing public comments.

Thank you.

Michel Lee, Esq.

Chair, Council on Intelligent Energy & Conservation Policy (CIECP)

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