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Systematic Assessment for how the NRC Addresses Environmental Justice in its Programs, Policies, and Activities

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Systematic Assessment for How the NRC Addresses Environmental Justice in Its Programs, Policies, and Activities

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General Comment

The NRC must incorporate environmental justice beyond the National Environmental Policy Act (NEPA). The NRC is wrong to claim that the only existing law relevant to the agency's environmental justice conduct is NEPA. The Atomic Energy Act has health and safety sections that the NRC should also use to address environmental justice. The NRC should broadly use these sections, including to consider environmental justice in every licensing action and to analyze the environmental justice impacts of its policies and regulations. The NRC's mission is to "license and regulate the Nation's civilian use of radioactive materials 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." Providing protection of public health and safety must include ensuring that the most vulnerable communities are not disproportionately impacted.

The NRC should look to the 17 Principles of Environmental Justice in defining what environmental justice means for the agency. <http://www.ejnet.org/ej/principles.pdf> Environmental justice means fair 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. It means providing both procedural and substantive protections. It means actually addressing environmental injustices, including environmental burdens disproportionately held by low-income communities and communities of color, and it also means including stakeholders that have typically been excluded from the decision-making process. The NRC must follow the Biden Administration's promise to deliver environmental justice. In his recent executive order, President Biden directed that "agencies 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."

The NRC's mission requires the agency to consider and address environmental justice more fully and deeply. The NRC must consider the environmental justice impacts of the full nuclear fuel chain. The nuclear fuel chain includes many steps, from uranium mining, milling, conversion, enrichment, and fuel fabrication to energy production, waste storage, treatment, transportation, and disposal. The NRC currently keeps the consideration of

these steps, and their impacts, in distinct silos. But a single community can bear the burden from multiple stages of the nuclear fuel chain and the NRC should take into account these cumulative burdens in their environmental justice analyses. The NRC must look at the impacts of the nuclear cycle beyond radiation.