

# PUBLIC SUBMISSION

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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

Over the past decades the NRC operated in an environmentally unjust way. I urge the NRC to correct its past violations of Environmental Justice (EJ). It's my understanding that most nuclear reactors, uranium mining-milling-“enrichment” facilities, fuel factories, reprocessing, and both high and “low-level” waste sites and transport routes are targeted for or located in/upstream/upwind of low income, rural or inner-city, communities of color.

This injustice must be corrected by compensating, cleaning up, and repairing damage done by previous NRC and AEC licensee actions, including over 15,000 abandoned uranium mines and the 1979 Church Rock disaster directly impacting indigenous people. The White House EJ Advisory Committee's list of “PROJECTS THAT WILL NOT BENEFIT A COMMUNITY” includes “procurement of nuclear power.”

I urge the NRC to do the following so past injustices won't be repeated:

- (1) a permanent EJ Advisory Board to assess all NRC processes, with authority to prevent EJ violations and
- (2) an independent division of NRC, with a firewall from existing staff, to assist intervenors (similar to current staff support for applicants).  
The costs could be part of license application/amendment fees. Fees should also cover costs of
- (3) intervenor funding for legal and technical expertise. Canada has intervenor funding.

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

NRC could improve its 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 full revelation of cumulative and synergistic 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.

Until the COVID-19 crisis with variants passes, extra measures are needed to enable already-over stressed and disproportionately impacted EJ communities to engage.

Finally but importantly, NRC must seek to determine EJ impacts of many decades of nuclear waste transport along rails, roads, waterways largely through EJ communities from reactors to waste sites. The containers are dangerous and may emit radiation even without accidents. There will be accidents and front-line communities will bear the deadly burden without free, prior, informed consent or knowledge.