

# PUBLIC SUBMISSION

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

**Comment On:** NRC-2021-0137-0001

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

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## Submitter Information

**Name:** Jean Farris

**Email:** jcfarris27@gmail.com

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## General Comment

The NRC CANNOT operate in an environmentally just way without acknowledging EVERY SINGLE ONE OF its past violations of Environmental Justice (EJ) all along the nuclear chain. Most nuclear reactors, uranium mining-milling-“enrichment” facilities, fuel factories, reprocessing, and both high and “low-level” waste sites and transport routes are ALMOST ALWAYS DISPROPORTIONALLY targeted for or located in/upstream/upwind of low income, rural or inner-city, communities of color.

A next step is to ADEQUATELY compensate, TOTALLY cleanup, and repair ALL damage done by previous NRC and AEC licensee actions, including over 15,000 DEADLY 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.”

To prevent HEINOUSLY repeating the past, NRC SHOULD set up structures to assist ALL EJ communities including

(1) a permanent EJ Advisory Board to assess all NRC processes, with authority to STRICTLY prevent EJ violations and

(2) a COMPLETELY 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) SUBSTANTIAL intervenor funding for legal and technical expertise. Canada has intervenor funding.

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

NRC could EASILY 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 EASILY available in the primary languages of the communities and provide SIGNIFICANTLY longer public comment periods to TRULY enable more meaningful participation.

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

Finally but importantly, NRC MUST seek to determine ALL EJ impacts of many decades of DESTRUCTIVE nuclear waste transport along rails, roads, waterways largely through EJ communities from reactors to waste sites. The containers hold more DEADLY plutonium than the Nagasaki bomb and more DEADLY cesium than Chernobyl releases and, AS WE ALL KNOW, routinely emit VILE radiation even without ANY accidents. There will ALWAYS be accidents and, ONCE AGAIN, front-line communities will bear the DEADLY, LIFE-THREATENING burden TOTALLY without ANY free, prior, informed consent or EVEN knowledge.