

WCO outreach CEm Resource

From: Sandra Page [Sandra.Page@arkansas.gov]
Sent: Thursday, February 16, 2012 10:58 AM
To: WCO outreach Resource
Subject: Comments
Attachments: EIS LETTER TO NRC.pdf

Attached, please find the letter regarding the Environmental Impact Statement—Long Term Waste Confidence Update.

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Governor Mike Beebe

Paul K. Halverson, DrPH, FACHE, Director and State Health Officer

February 16, 2012

Christine Pineda, Project Manager
U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguards
Washington D.C. 20555-0001

Dear Ms Pineda:

The Arkansas Department of Health, Radiation Control Section, has reviewed the U. S. Nuclear Regulatory Commission (NRC) Draft Report for Comment entitled "Background and Preliminary Assumptions for an Environmental Impact Statement—Long Term Waste Confidence Update", dated December 2011.

The following comments on the Draft Report are provided:

- Currently, two reports--the Draft Report to prepare an EIS to update the NRC's Long Term Waste Confidence statement (EIS Report) and the final report of the "Blue Ribbon Commission on America's Nuclear Future" (BRC Report), dated January 26, 2012,--addressing the issue of long-term management of spent reactor fuel and other high-level waste have been made public.

Although they differ in purpose, the ultimate goal of both efforts is the safe management of spent reactor fuel and other high-level wastes. Future work, beginning immediately, must consider the merits of each of the efforts to collectively solve waste management issues from both the policy and regulatory perspectives in a united manner. The EIS Report has incorporated two recommendations, specifically Recommendations 4 and 5, relating to the development of a new geologic disposal facility and the development of consolidated storage facilities, respectively. As waste management policies are developed or updated under the recommendations of BRC Report, the EIS Report work must consider these policies and incorporate the "policy", as appropriate. (It is noted this was discussed during the Webinar on January 31, 2012, in response to a question from the audience.)

- The BRC Report in Recommendation 2 addresses the creation of a new organization to implement the waste management program with the existing roles of NRC and EPA being preserved, "...but that steps be taken to ensure ongoing cooperation and coordination between these agencies.". However, the Department believes a "one regulatory agency" concept is the more appropriate organization for the long-term spent fuel and high-level-waste management program.

- The proposed 200 year analytical period seems excessive. However, it is understood the 200 year period (which begins mid-century) is for evaluation and analytical purposes only to assess the environmental impact of the long term storage of the waste. It is understood the 200 years is not a recommendation and is not a departure from the current licensing period for on-site dry cask use. It is further understood that any future licensed storage period must be established by the NRC rule-making process.

The Waste Confidence Update process uses the EIS findings in the rule-making to consider and establish future long-term interim waste management options until the final spent fuel and high-level waste disposal issue is resolved through implementation of the BRC Report recommendations, or similar actions. Interim storage of spent fuel and high-level waste for an extended period is not a final solution and long-term waste management solutions must include spent fuel reprocessing with final geologic disposal of any high-level waste. The Department supports spent fuel reprocessing and the final geologic disposal of the high-level waste.

The EIS Report and the possible updating of the long-term waste confidence statement in 10 CFR Part 51.23 must not be viewed by the public as a "delaying approach" in solving the long-term waste management issues. It is mandatory that the true purpose of the EIS Report be clearly and concisely and openly and often discussed outside the "nuclear community" to gain support for the NRC effort while demonstrating a close and united working relationship with the BRC Report recommendations.

- The EIS Report, Preliminary Assumption (4), states the "Long-term transportation impacts will be based on current package technologies, transportation infrastructures, and regulatory requirements".

The EIS Report must consider the significant increases in the volume of waste transportation activities that will occur from the multiple on-site storage locations that are currently in use. Consideration must be given to the impact this increase will have on the highway systems (new construction, maintenance and repair) and the impact the increase will have on the resources of State and local governments that will be charged with the transportation safety, radiological safety, and transportation emergency preparedness and response.

The impact on State and local government limited resources will be significant.

Thank you for the opportunity to comment on this Draft Report.

Sincerely,



Bernard Bevill, Section Chief
Radiation Control Program

Copy: Jared Thompson, Program Manager
Radioactive Materials Program