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CITIZENS AWARENESS NETWORK

July 15, 2000

Chief, Rules and Directives Branch
Division of Administrative Services
Mail Stop T-6 D59
U.S. Nuclear Regulatory Commission
Washington, DC 20555

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RE: Draft supplemental Generic Environmental Impact Statement (GEIS) governing the decommissioning of nuclear reactors

Dear Sir or Madam:

By this letter, the Citizens Awareness Network (CAN) formally submits written comment on the draft supplemental Generic Environmental Impact Statement (GEIS) involving the decommissioning of nuclear reactors. CAN also provided the Nuclear Regulatory Commission (NRC) with verbal comment at the draft supplemental GEIS scoping meeting held in Boston, MA on May 17, 2000. CAN is a volunteer, grassroots organization with chapters in reactor communities in MA, CT, VT and NY. We have over 2,500 supporting members and believe we represent the views of many thousands more.

Your agency in its decommissioning regulations is in violation of the appellate court decision in CAN v NRC where the court found that decommissioning remains a "major federal action" requiring National Environmental Policy Act (NEPA) compliance. CAN strongly urges the NRC to enforce NEPA compliance and require decommissioning reactors to undertake site specific Environmental Impact Statements (EIS). Until such a time when site specific EIS's are done, CAN requests that the list of issues below be incorporated into the draft supplemental GEIS.

1. Health problems in the community must be determined and taken into consideration when decommissioning plans are being established since continued exposure to radiation through routine decommissioning releases and the inadvertent release of hot particles can jeopardize the health and safety of the public.
2. New environmental assessment documents must be required, as old assessments are outdated and inaccurate to determine both on and offsite contamination.
3. It should be openly recognized that decommissioning is an experiment and that not only has the money and time required to decommission a site been grossly underestimated, but more importantly, worker doses have been repeatedly underestimated. Decommissioning is not just about site clean up.

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Add - Chris Nolan
(MCN)

It is about radiological control and the need to limit exposures to the workers which utilities have failed to do, not because they did not want to, but rather because of inexperience and a lack of enforcement by the NRC. The first steps towards minimizing exposure to workers are to acknowledge that reactor decommissioning is an experiment and that the process must be slowed down. With over 100 nuclear reactors yet to be decommissioned in this country, cutting decommissioning exposures by 200-300 person-rem per reactor will reduce the nation's nuclear workforce exposures by 20,000-30,000 person-rem.

4. Nuclear reactors, through planned and unplanned radioactive releases, can create plumes of contamination, which migrate offsite. Yankee Rowe currently has a plume, which has reached Sherman pond as well as the Sherman Spring, which feeds into the Deerfield River where residents recreate. Connecticut Yankee has plumes of tritium which have been migrating into the aquifer and the Connecticut River for decades. Accountability (i.e. remediation and/or long term monitoring) for plumes of contamination that have offsite consequences must be established. Furthermore, accountability must be established for routine NRC-regulated releases, which have accumulated in the discharge pathways. Big Rock Point, Millstone Unit 3 and other reactors have identified contaminated sediment caused by such releases. Licensees must be accountable for such plumes both onsite and off.
5. Methodology must be established to locate and collect for proper disposal contaminated tools, soils, concrete blocks, plywood and other building materials that may have been taken offsite by workers during reactor operation such as was the case at Connecticut Yankee and Yankee Rowe.
6. In addition to all onsite worker doses, decommissioning exposure calculations must include the doses incurred offsite by workers who are involved in the reactor decommissioning activities i.e. shipping, decontamination, smelting, recycling etc. of all radioactive materials and components.
7. The Post Shutdown Decommissioning Activities Report (PSDAR) is inadequate and is a barrier that essentially thwarts public participation. The PSDAR must contain clear methodologies such that the public can understand exactly what will be taking place during decommissioning. Only with a sufficiently detailed plan, can the public meaningfully research, investigate, formulate comments and questions, and possible objections to the plan of decommissioning activities.
8. Using an adult male as the average member of the critical population for dose calculations in site release criteria is illogical, unrealistic and dangerous. The adult male assumptions may work for an operating reactor where workers are receiving the radiation exposures, but when these sites are being released for unrestricted use, then the "average member" of the critical population must be women and children since they bear the greatest burden of the affects of ionizing radiation as described in the Biological Effects of Ionizing Radiation (BEIR) V report. Furthermore, women and preschool-age children are likely to remain on site close to 24 hours a day.
9. The conflict between the Environmental Protection Agency (EPA) and the NRC must be resolved in terms of site release criteria. The public in fact wants zero radiation above background. The NRC should at least adopt EPA's stricter standards.

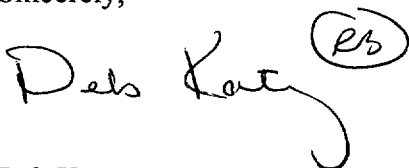
10. The License Termination Plan (LTP) should be established, reviewed by the public and approved by the NRC before site remediation begins.
11. Partial release of property for unrestricted use should not be allowed until the LTP has been established, reviewed by the public, approved by the NRC and implemented on the given piece of land. Furthermore, methodology should be established for preventing recontamination of the released property through environmental migration e.g. rain, wind, etc and future decommissioning activities i.e. excavating, tracking or relocating contaminated materials.
12. Clear methodologies should be established for the clean up of transuranics and hot particles. Yankee Rowe failed to include transuranic measurements in its LTP and currently Connecticut Yankee intends to avoid doing direct alpha measurements (and beta measurements) through less expensive surrogate measurements of easier-to-detect radionuclides. This is unacceptable.
13. The burial of radioactively contaminated material as a means of *site remediation* is absurd and completely unacceptable for property that is to be released for unrestricted use. Rubblization (the burial of contaminated rubble) must not be permitted under any circumstances. The permission to build nuclear reactors hinged upon the utilities' commitments to regulators and the community to restore the site to "green fields". Rubblization is a blatant default on cleanup commitments, is a gross injustice to reactor communities and is a regulatory cave-in to utilities' desires and financial needs.
14. An onsite NRC inspector should be required throughout decommissioning to protect worker health and safety.
15. Utilities should not be allowed to decommission reactors under an operating license through a series of amendments nor should they be allowed to create an Independent Spent Fuel Storage Installation (ISFSI) under an operating reactor license when they are decommissioning. Decommissioning reactors installing ISFSI's should be required to go into a part 72 license to provide adequate regulatory oversight protect public health and safety. The part 72 general license provision for creating an ISFSI at an operating reactor was never intended to cover a decommissioning reactor when regulatory oversight is minimized.
16. There must be a way for the public to participate in the creation of the ISFSI. At present, the creation of an ISFSI falls into a regulatory no man's land. At the NRC pre-hearing on the Yankee Rowe LTP, the NRC administrative law judges were instructed by the commission not to address any contentions concerning the storage of high-level radioactive waste. The creation of the ISFSI has serious consequences for each reactor community that could last hundreds of years. That the public can not participate in the process - give comments, request hearings, intervene - is unreasonable and undemocratic.
17. Given the recent experience with wild fires at the Los Alamos and Hanford Nuclear Reservation and now the potential for flooding and massive soil erosion, the NRC should re-evaluate risk assessments and dose calculations for decommissioning reactors.
18. Methodology must be established to determine the extent of underground rad waste contamination and burial. The Multi-Agency Radiological Site Survey and Investigation Manual (MARSSIM)

establishes measurement criteria for only 6 inches below the surface of soil. MARSSIM does not address the serious problem of locating and remediating underground contamination. Before 1980, the NRC in fact allowed the burial of rad waste onsite. A General Accounting Office (GAO) investigation found that the routine burial of rad waste 4 feet deep at reactor sites before 1980 occurred **without** adequate documentation.

19. To date, doses incurred during the experimental cutting up of the greater than class C (GTCC) waste e.g. reactor internals are far higher than ever projected. At Yankee Rowe where plasma arc cutting was used, there were 114 worker contamination events, 42 of which were facial, and hot particles were released throughout the site. At Connecticut Yankee where abrasive water jet is being used, the estimated doses to complete the job are currently 5 times greater than initially projected. In addition to creating more exposures, the cutting of the internals creates substantial quantities of air born and liquid contamination. If one combines the fact that cutting up the GTCC waste increases decommissioning exposures and loose contamination with the fact that GTCC waste is *orphan waste* since it can not go to the low-level radioactive waste dumps, it stands to reason that the NRC should require long-term onsite cool-down of the 1 to 3 million (or higher) curie reactor internals.
20. Each reactor community should have representatives trained in MARSSIM and other protocols by the NRC so that they can effectively comment and express their concerns about the adequacy of the procedures being used.
21. Public participation in decommissioning is inadequate and undemocratic. It raises serious environmental justice issues since reactor communities are frequently poor and rural and rad waste communities are poor, rural and people of color communities. The President of the United States has established environmental justice requirements to enable affected communities to adequately participate in matters that vitally affect them. NRC may be in violation of these environmental justice requirements by its establishing regulations that stymie and deter public participation rather than enhancing it. As CAN has already communicated to the NRC, committees designed, established, and funded by utilities, such as at Connecticut Yankee's Community Decommissioning Advisory Committee and Yankee Rowe's Community Advisory Board, are not acceptable forums for public participation.

Please contact me if you need additional information on any of the above issues, which we believe should be addressed in the supplemental GEIS.

Sincerely,



Deb Katz
Executor Director of Citizens Awareness Network