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Subject: NRC MOX EIS Scoping Comments

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(11)

Tim - I attended the Charlotte scoping meeting held to provide input on the proposed NRC/Duke environmental impact statement (EIS). Let me thank you and the NRC staff for providing the public with this opportunity to present our thoughts and concerns. I did not speak that night except to raise the question on what phases of the overall plan would be included in the EIS. We were told that only the Savannah River fabrication facility was within scope and that the McGuire and Catawba use and disposition of spent MOX fuel phases would be considered later.

I believe the McGuire/Catawba facility fitness and fuel processing/disposition issues are critical elements of the OVERALL evaluation that should be assessed PRIOR to concluding whether to proceed with the fabrication plant. Duke is the only identified downstream user for this fuel and it would make no sense, from a taxpayer's perspective, to expend resources converting plutonium to MOX fuel if the only customer is not approved to accept it. Think about the situation that the NRC and the public would be faced with, should there be EIS issues with Duke plants and processes. Wouldn't there be tremendous pressure to mitigate otherwise significant and environmentally important issues (those that otherwise might stop the project)? After all, there would be a huge taxpayer investment in the Savannah River component. What about the pressure to avoid the political fall out? The MOX Manager from Duke clearly made the point that he expected the NRC to explain why the Operating Plants should be included in the EIS scope since this was unprecedented. Further, he later stated that he didn't expect the Operating Plant phase to be subject to a later EIS. It sounds like he doesn't believe the NRC should consider the impact on the Charlotte community. Because the MOX technology with weapons grade material has not been piloted and because these plants will be operating in highly populated areas, the downstream impact to the Charlotte community is clearly relevant to whether the MOX fabrication process is environmentally and economically sound.

I respectfully urge that you include an assessment of the impact of using and disposing this fuel by Duke in THIS environmental impact statement. Specific questions that I would like to see addressed are:

1. To what extent will the fuel use process by Duke be piloted before going to production? I assume it will be piloted so the NRC will know what to expect.
2. Is the residue/spent fuel more or less toxic than the source fuel? If more, why are we doing this?
3. How will the residue be disposed?
4. Where will the residue be disposed (temporary and permanent)?
5. Are the evacuation plans around the operating plants AND the surrounding potentially impacted communities adequate? Are they current and do they reflect recent population changes?
6. What impact would any thermal pollution have on Lake Norman and Mountain Island Lake (Clean Water Act).

I applaud the Department of Energy and NRC for investigating ways to remove

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the significant risk of uncontrolled access to weapons grade plutonium held by both super powers. I have not reached a conclusion about the MOX approach. I look forward to studying the February 2002 draft of the proposed EIS at which time all important issues should be out on the table.

Again - thank you for giving the public the opportunity to listen to the many points of view and conducting the meeting with respect and courtesy to all.

Sincerely,

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