

3/25/03

2/28/03
68 FR 9728

(17)

Southern Alliance for
Clean Energy
 Rules and Directives
 Report
 03 APR 29 AM 9:08
 RECEIVED

PUBLIC COMMENTS REGARDING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
 FOR THE MIXED OXIDE FUEL FABRICATION FACILITY FOR THE MARCH 25, 2003
 SCOPING MEETING IN SAVANNAH, GA

My name is Sara Barczak and I am the Safe Energy Director for Southern Alliance for Clean Energy, formerly, Georgians for Clean Energy, in our Savannah field office. We are a regional non-profit conservation and energy consumer organization. We have members throughout Georgia and the Southeast and have focused on energy policy, including nuclear concerns, for over 20 years.

From the outset, we would like to state that the current draft Environmental Impact Statement (EIS) now before us leaves much to be desired and we are likely going to resubmit and restate all of our past concerns again. In a sense, it appears that many of the important objections to the plutonium bomb fuel, or "MOX," program have been entirely dismissed by the U.S. Nuclear Regulatory Commission (NRC).

For example, at the scoping meeting here in Savannah last September, many people were concerned about terrorism and wanted to know how terrorism would be addressed in the draft report. On P. I-29 the section on "Impacts from Terrorism" dedicates two sentences to this issue, stating, "Many commenters raised a number of different issues concerning terrorism. The draft EIS will not address terrorism, because these impacts are not considered to be reasonably foreseeable as a result of the proposed action."

That is not acceptable given the repeated concerns that we, along with NRC staff, heard voiced back in September. It is hard to believe that transporting tens of tons of weapons plutonium across the country to one single location, the Department of Energy's massive Savannah River Site nuclear facility that is about 90 miles upstream from Savannah, does not constitute an action that terrorists might want to take advantage of. Isn't plutonium a highly toxic substance with a hazardous radioactive life of 240,000 years and is a key component to modern nuclear weapons—and that one only needs several pound of it to make a bomb? Though in numerous federal agency meetings on various nuclear-related topics, the issue of terrorism is supposedly going to be addressed in separate guidelines and under "top-to-bottom" agency reviews, it is extremely pertinent and vital to address terrorism concerns and security measures in *this* DEIS.

Plutonium Disposition Program General Concerns

Southern Alliance for Clean Energy would like to make it clear from the outset that we strongly oppose the production of any type of plutonium bomb fuel for a variety of reasons: it is an experimental program that has never been pursued at this scale; poses a risk to workers and the surrounding communities at both the production and reactor sites; will increase the volumes of hazardous,

Template = ADM-013

 E-RIDS = ADM-03
 Add = T. Harris (T.E.H.)
 A. Lester (A.L.F.)

radioactive waste streams at a location already plagued by enormous quantities of dangerous waste and previous contamination; raises complex consumer and rate-payer concerns over government subsidies unfairly favoring a destructive type of energy production over environmentally friendly and safe alternatives; increases the negative health impacts to communities in cases of severe accidents at reactor locations; and blurs the division established between military and civilian nuclear programs.

We believe that the NRC has only one option that would truly protect the public health: deny the license application request for the MOX fuel fabrication facility (or plutonium fuel factory). We urge that the pursuit of developing a plutonium fuel economy be ceased in all sectors of government and private enterprise, as it will allow plutonium, a dangerous material, to enter civilian commerce and the international marketplace.

We thoroughly disagree with the NRC staff's preliminary decision in this report that the "overall benefits of the proposed MOX facility outweigh its disadvantages and costs." The NRC states on P. 2-37 four main points of consideration that brought them to this flawed decision:

- The national policy decision between Russia and the US to reduce surplus weapons plutonium;
- The minimal radiological impacts of and risk to human health posed by the construction, operating, and decommissioning of the plutonium fuel factory;
- The minimal environmental impacts the plutonium fuel project would pose; and
- The economic benefit to the local community.

On that same page, the NRC states that the most significant potential impact is if there were a large accident at the proposed fuel factory but narrowly concludes that though the consequences of an accident "would be significant, the likelihood of such an accident occurring would be very low (highly unlikely)." We believe that the "No Action Alternative" the NRC was mandated to study is a better choice overall.

We will touch upon errors we have found with the four points and will follow up with more detailed written comments prior to the May 14th deadline. Which leads us to formally request an additional extension of the public comment period, beyond the recently adjusted May deadline. This program is a federal action, and given the state of our nation, and the degree to which Congress and the general public is distracted by events unfolding in the world, we find this request reasonable. Additionally, errors in NRC calculations allowed for the initial extension, and since they are not yet clearly understood, and one cannot be sure of what else may be incorrect, it seems to follow that the public should have more time to research and respond.

Significant Changes in Plutonium Disposition Program

We will first comment on the policy decision to reduce plutonium stockpiles in the US and Russia.

Plutonium Bomb Fuel (MOX) and Nuclear Bomb Factory Overlap

Even though our nation is supposedly engaged in a program being performed under the guise of "disposition" of surplus weapons plutonium in a supposed parallel venture with Russia to reduce our nuclear weapons stockpiles, the Department of Energy's National Nuclear Security Administration issued a press release on May 31, 2002 announcing that it would begin design work for a facility to manufacture plutonium pits, also known as "triggers" for nuclear weapons, a critical component. Rocky Flats—the site in Colorado that is now shipping its plutonium to SRS, had carried out this function up

until 1989 and is now closing. SRS is believed to be the preferred site for this plutonium trigger plant that will cost billions of dollars.

Southern Alliance for Clean Energy is concerned about the overlap or parallels that may occur between the plutonium mixed oxide fuel program (MOX) and the Modern Pit Facility program. At the October 2002 public meeting, DOE staff said that "synergies" would be evaluated in their draft EIS. We believe that the NRC should also give a very close look to the possible use of the same buildings by both programs, the exact amounts and types of waste generated by each and how those wastes will be "dealt with," the thorough tracking of plutonium into and out of both facilities, the possible overlap of contracting partners, etc. All of this information should be made available to the public and should be reviewed prior to issuing a final decision on the MOX plant.

The NRC should deny the plutonium fuel factory license application request based on the obvious conflict within the national policy on surplus weapons plutonium—what really is our national policy? Is it to bring weapons plutonium to SRS to secure it or to bring it here to help us build new nuclear weapons? There is enough public information available to show there is a major discrepancy. Since many of the decisions in this draft EIS are based on not wanting to conflict with foreign policy agreements, such as the unfortunate cancellation of the cheaper and possibly safer immobilization option, it appears that that in itself is a flawed argument since there is no cohesive policy on what we, the US, intends to do with our plutonium stockpiles.

We are very concerned about the number of significant changes that have occurred in the plutonium disposition program, such as the cancellation of immobilization and the implementation of long-term plutonium storage at SRS. We again urge the NRC to request that the Department of Energy conduct a Supplemental Environmental Impact Statement immediately, especially before the NRC issues its own final EIS on the plutonium fuel factory.

Additionally, the DOE's February 2002 *Report to Congress: Disposition of Surplus Defense Plutonium at Savannah River Site*, essentially recommends the need to add at least two additional, unnamed nuclear reactors for plutonium bomb fuel (MOX) use. Our nearby Southern Nuclear Plant Vogtle expressed interest in the plutonium fuel program back in 1996 and we are concerned about the implications of the need for more nuclear reactors. How will the NRC address this need for more nuclear power plants? How will additional reactors be selected? Will the public be involved in this process?

Radiological Risk

The NRC concluded that there are minimal risks to human health if plutonium fuel is produced at SRS. We will comment on this in more detail in our written comments but wanted to point out that from our perspective this project represents a real and unacceptable risk, especially to workers. The report states that "credible" accidents will be studied in either the EIS or the Safety Evaluation Report. What is the NRC's definition of a "credible" accident? Are there no risks of harm to human health if a "non-credible" accident occurs?

Why does the NRC choose to use the less-protective health standard of 1 in 10,000 "accepted deaths" rather than the EPA's 1 in 1 million? Has anyone here accepted their death already from events occurring up at SRS?

Many of the mitigation procedures that are identified in the draft EIS seem lacking in their ability to protect workers and surrounding communities. For instance, the report states that, "issues related to general emergency preparedness of communities are outside the scope of this EIS." That was one of the main concerns raised by Savannah residents in last September's meeting. The report also mentions that, "consequences on human health would be mitigated by following SRS emergency procedures." We formally request a copy of the SRS emergency procedures. Will citizens in Savannah and other communities throughout the Savannah River corridor also receive a copy? Why don't we know what this is? How do we know whether we are going to be protected?

The entire environmental justice section needs to be reviewed again due in part to NRC-acknowledged incorrect accident consequences. Additionally, there seem to be numerous contradictions within the report of what will and what will not be studied in terms of environmental justice. For instance, environmental justice impacts apparently will not be studied along MOX transportation routes but elsewhere in the document it states that transportation will be studied in terms of environmental justice.

We are concerned about the health of SRS workers at the proposed plutonium fuel factory. We recommended that both sand and HEPA filters be used. In the report, it mentions that only HEPA filters will be used. We again hope that a combination of both can be recommended by the NRC to enhance worker protection.

Environmental Concerns

The NRC concluded that there are minimal environmental impacts if plutonium fuel is produced at SRS. We disagree and will highlight just two concerns tonight.

Nuclear Waste Concerns

SRS has a severe nuclear waste problem and the plutonium bomb fuel is only going to make it worse. The site currently has the 2nd largest volume of high-level liquid nuclear waste (more than 30 million gallons) and wins the gold medal for having the most amount of radioactivity at any DOE site in the nation. The future is less than encouraging as the DOE projects that 95% of future high-level radioactive waste generation will occur at SRS. The plutonium fuel program is slated to bring more dangerous nuclear waste to this site—in some instances, waste streams that the site currently has no experience with. As the NRC may remember from the September meetings in Savannah, nuclear waste issues are of grave environmental concern locally. The draft report does not do a good job describing and tracking the various waste streams that will be created by the MOX process. We request that a process flow diagram be developed to clearly show what wastes are being generated where and where those resulting wastes will be eventually stored or treated.

Water Concerns

Water resources are limited and debates on how this precious resource should be protected is under heated debate currently in Georgia and elsewhere. Currently, SRS requires enormous amounts of surface and ground water, in the tens of billions of gallons, *just to support currently established operations*. It was difficult to discern what additional water use will be required and what additional water contamination will be generated by the plutonium fuel factory, over its entire operating life, versus the proposed "no action alternatives," including immobilization? In the report, it does state that groundwater beneath the site is listed as a Class II drinking source by the EPA, meaning it has potential

for existing and future drinking water needs. It later states that contamination is present beneath the entire site. Which is it? And regardless, isn't placing any additional burden on this resource considered more than just a minimal impact?

Economic Benefit

The NRC stated that the positive economic benefit to the local community was part of their preliminary decision to recommend the plutonium fuel plant. We are gravely concerned that this perceived economic benefit is being unfairly promoted to the expense of others. This is an extremely expensive program that is estimated to cost nearly \$4 billion, nearly doubling original estimates. And this is only for the program in the U.S. and does not include ALL the costs. The costs for developing this infrastructure within Russia is also staggering. The U.S. taxpayer is footing this bill. Is it fair for a local community like Aiken, SC to prosper at the expense of others...and that that advantage be used as a reason to recommend the project by the agency mandated to evaluate the merits of the license application?

How is Duke Cogema Stone & Webster going to benefit economically from this endeavor? Why is this not part of the review process? Are they deemed a local benefactor, or correctly as an international consortium?

How does a city like Savannah benefit from plutonium fuel? How are our lives improved if there is a severe accident or a leak to the surrounding environment?

Additional Concerns for DEIS

Due in large part to the errors in the calculation of latent cancer fatalities if there were an explosion at the MOX facility, we alert the NRC to sincere concerns on credibility in all of their calculations.

We also request that full scoping comments be provided instead of just a summary of scoping comments, as was done for this draft in Appendix I. This allows for the reader to see whether their original question was answered and also whether others asked the same item and received a similar or differing response.

We also suggest that if questions or comments are raised that will be addressed in the Safety Evaluation Report, that those comments be transferred over to the proper contacts within the NRC and that the commenter be placed into the pool of interested participants in the SER process. The division between the EIS and SER is very confusing and needs to be simplified in some way.

We again ask that the environmental and safety records of the individual contractors involved in the international consortium, Duke Cogema Stone & Webster (DCS), be studied thoroughly by the NRC. At a time when the French are not currently America's favorite partner, it is suspect that our government is not concerned with Cogema's (a French government owned company) previous track record in handling commercial plutonium and nuclear waste—we are after all giving them proposing to allow them to handle a highly dangerous material and one sought by numerous rogue nations and terrorists. DCS did not exist before this proposed plutonium fuel project came to light—how do we know they will do it right?

Summary

From what has already occurred, it appears that the Department of Energy has decided that SRS will be the centralized, long-term plutonium storage dump, using the plutonium “disposition” plan as justification to bring the plutonium here and that the NRC is doing its part to allow that to unfortunately happen. We should remember that the storage of plutonium at SRS could create one potential source of feed for any new pit plant.

Southern Alliance for Clean Energy believes that the NRC must address the full impacts of the plutonium bomb fuel program—how this scheme is likely contributing to the eventual production of nuclear weapons components at SRS and the use of the site for permanent nuclear waste burial. A full accounting of what and how much plutonium is coming from where and being used for what project when it arrives should be done and made public.

We suggest that after the NRC has reviewed all of the comments on the draft and does more research, they should deny the license request or at least recommend that the “no action alternative” is more advantageous to health and safety than the MOX program.

Southern Alliance for Clean Energy believes this controversial nuclear energy program threatens national security. Support of the plutonium fuel program could lead to the development of a plutonium economy that would threaten nuclear non-proliferation goals and would increase already excessive volumes of deadly, highly radioactive nuclear waste at SRS.

Instead, other programs that appear to be more environmentally sound, safer to workers, less expensive, and could prevent the circulation of nuclear weapons materials, such as immobilization of surplus plutonium, should be funded and supported through further research and development. Though not a perfect technology, it is far cheaper than other options and appears to have less risks overall than the currently encouraged technologies.

Thank you to the staff for holding this meeting in Savannah.

Thank you.

Sara Barczak
Safe Energy Director, Southern Alliance for Clean Energy
3025 Bull Street, Suite 101
Savannah, GA 31405
www.cleanenergy.org
(912) 201-0354