

PRM-51-10
(71FR64169)

44

From: Darlene Raunio <darvr@newnorth.net>
To: <secy@nrc.gov>
Date: Thu, Mar 15, 2007 8:08 PM
Subject: Massachusetts Attorney General Petition for Rulemaking, Docket No. PRM-51-10

Attn: Rulemakings and Adjudications

I am writing in full support of the Massachusetts Attorney General Petition for Rulemaking (Docket No. PRM-51-10), which requests that the NRC evaluate the environmental impacts of severe accidents and intentional attacks on spent fuel storage in its licensing decisions. The NRC must also consider measures for mitigating these impacts.

The densely-packed spent fuel pools found at every reactor site are vulnerable to terrorist attack and severe accidents that could result in large radioactive releases and the contamination of vast areas. Recent studies make it clear that NRC's claim that a spent fuel fire is "highly remote" is simply incorrect. A 2006 study by the National Academies found that a terrorist attack could cause "considerable physical damage to a spent fuel storage facility" and that even the partial loss of water in a spent fuel pool could lead to a fire and the release radioactivity to the environment.

The Ninth Circuit Court decision in *San Luis Obispo Mothers for Peace v. NRC* concluded that the NRC must evaluate the environmental impacts of a terrorist attack on spent fuel storage in its licensing decisions. I am dismayed that the NRC would choose to ignore this decision outside of the Ninth Circuit. Not only did the court's decision clearly dismiss the NRC's claims that these impacts do not have to be considered in environmental reviews, the Supreme Court refused to hear the appeal. When faced with the same decision, the Department of Energy (DOE) properly decided to apply the decision across the entire country. The NRC must follow the DOE's lead and apply the Ninth Circuit decision to all of its licensing decisions across the country.

May I also ask that you read the following article (in toto):

McClatchy News - Washington Bureau
<http://www.realcities.com/mld/krwashington/16812686.htm>

Experts: U.S. unprepared for nuclear terror attack
By Greg Gordon, McClatchy Newspapers
Posted on Thu, Mar. 01, 2007

Sincerely,

Darlene Raunio
W9343 Highway 86
Tomahawk, WI 54487

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USNRC

March 19, 2007 (445pm)

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