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Chief, Rules, Announcements, and Directives Branch
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U.S. NRC
Washington, DC 20555-0001

Comments Re: NUREG 2105
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Cc: Fermi3.COLEIS@nrc.gov

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RULES / ANNOUNCEMENTS

TO WHOM IT MAY CONCERN:

Regarding the official NRC public comment procedures for the subject DEIS, I write to **urgently demand the DENIAL of any construction or operating license or permit for the construction or operation of another nuclear reactor ("Fermi 3") in Monroe, Michigan.** In support of this demand, I offer some preliminary remarks, as well as further concise comments on four specific issues: 1) Lack of any safe means to dispose of radioactive waste; 2) Lack of energy demand/excessive capacity; 3) Effects on Lake Erie; and 4) First Nation issues affecting Walpole Island.

Preliminary Remarks

It is necessary and appropriate to begin by commenting on the very strange idea that, under prevailing circumstances in 2011 *after* the nuclear disasters at Three Mile Island, Chernobyl and Fukushima Daiichi, there is any need at all to have this discussion. *If mass commercial nuclear power generation is not a failed, extremely dangerous and uneconomical technology, what would one look like?*

The obviously biased and preconceived opinions of DTE spokesmen and local Monroe County economic development advocates articulated at the public hearing on December 15, 2011, exemplify the inability to learn from history. If allowed to determine policy and decisions regarding this bioregional and global issue, this narrow, self-interested mind set guarantees the repetition of this poisonous, deadly history. Building giant nuclear plants in the 21st century, in the wake of this industry's literal, financial and liability meltdown over the past 50 years, on the basis of local economic development and corporate profit opportunities, would be objectively insane.

It is vital to keep the proposal's basic insufficiency to meet the most elementary test of logic or history in mind throughout the course of any discussion of these topics. Otherwise we risk falling into the trap of a "crackpot realism" that accepts dictates of power and greed, and limits debate to trivial, marginal issues; as if the request for a license backed by great financial power equates to a "right" to pollute and abuse. It is critical to expressly reject that premise at the outset and throughout.

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The very consideration of such a proposal at this stage of our society's tragic and failed experiments with nuclear power evidences a corrupt intellectual and regulatory system environment. It is as if Goldman Sachs, in the wake of the Wall Street collapse in the Fall of 2008, were to propose some new derivative investment scheme "weapon of financial mass destruction," akin to the creative frauds that critically wounded the global economy; as if financial regulatory authorities were to give it respectful consideration; and as if its employees were enlisted to publicly claim what all now know to be false: that their private gamble with the lives and health of our communities represents sound public policy and economic development.

Nuclear reactors are weapons of radioactive mass destruction. Their record of failure, cost overruns, and now *repeated "grade 7" disasters causing mass death* establishes this beyond reasonable contention at this point. DTE, the NRC and the federal and local government officials seeking to perpetuate the failed legacy of the Fermi 1 meltdown, the massive cost overruns of Fermi 2 (as well as those of every other US reactor), and this deadly industry's subsequent, even more catastrophic failures, should be ashamed of themselves. Stop giving DTE permission to threaten the lives and health of our communities and bioregion!

The following specific comments are stated in summary fashion for ease of reference and response. If the goal is to achieve meaningful dialog and open decision-making among multiple stakeholder groups, these issues can be addressed much more effectively than they are in the massive DEIS document that by its size serves as an effective deterrent to meaningful discussion.

Waste Disposal

There is no way to safely or economically dispose of or store radioactive waste for the entire time it remains toxic and hazardous, equivalent to many times the entire history of known human civilization. This problem will never be resolved. Its insolubility is an essential characteristic of the technology, which only the financial power of the industry and the regulatory capture of the government has until now avoided. The ongoing global catastrophe of Fukushima Daiichi involves meltdowns, fires and explosions of spent nuclear fuel waste materials, for which there is no safe disposal option. The worst case scenarios envisioned by the antinuclear movement, and previously dismissed by the industry and the NRC as unlikely, have happened. "Risk assessments" and "environmental impact" analyses that continue to evade these basic truths are simply fraudulent.

Until a DEIS can truthfully state that the spent fuel and other radioactive waste will be stored using specific, proven technologies at an identified, proved adequate location, no further nuclear reactors should be permitted (aside from the major safety issues incident to transportation of the waste). No DEIS can truthfully make this statement, nor will one ever be able to do so. At the December 15 hearing, an NRC official acknowledged that *"At this point there is no permanent solution [to the spent fuel problem] right now."* (emphasis added) The double qualifier is doubly unnecessary. So is a proposed Fermi 3.

Overcapacity

Unfortunately, Michigan's long economic decline in recent years has hurt our people and our resilience. One silver lining to this depressed economic time is a demonstrated reduction in the need for electric power generation. Michigan's people are not in a position to pay higher electric utility rates for this incredibly expensive technology, so that DTE can generate electricity by boiling water with nuclear technology, to generate power that can be sold elsewhere at a profit on the deregulated electricity market. Michigan is not in a position to run the awful risks of hosting this failed technology to benefit its corporate sponsor's bottom line by selling power to other regions. Michigan does not need Fermi 3.

Since local leaders have emphasized the alleged local economic development benefits from the proposal, such as construction jobs and a few operation jobs, the DEIS in fairness should evaluate such claims in terms of a full cost/benefit analysis, accounting for all alternatives and all their statewide and bioregional economic effects. This analysis should specifically include the investment of the equivalent capital in renewable power sources such as wind, solar and geothermal, and in energy conservation. DTE's proposal to take the massive resources needed to construct a commercial nuclear reactor away from such authentic green alternatives, as we struggle to find adequate responses to the dual crises of climate change and peak oil, is outrageous.

Lake Erie

The proposed Fermi 3 is inconsistent with survival of Lake Erie and its aquatic life resources as a Great Lake, in terms of both its massive overuse of lake water and its pollution and overheating of the lake. The DEIS states that "Fermi 3 operations would result in an average consumptive use of approximately 7.6 billion gallons of Lake Erie water per year." (v 2, p 10.9) "Unavoidable adverse impacts on aquatic ecology resources would include an increased potential for entrainment, impingement, and thermal loading to Lake Erie..." The document addresses the current water quality concerns regarding Lake Erie, and identifies serious water problems. Increased phosphorus loading, causing toxic algae; and elevated concentrations of three bio-accumulative contaminants (dioxin, PCBs, and mercury). "On average, concentrations of mercury in site surface water exceeded the Michigan Department of Environmental Quality Rule 57 for human noncancerous values and wildlife values." (v 1, p 2.28)

"Consequently, aquatic habitats and organisms in Lake Erie in the vicinity of the Fermi site have the greatest potential for being affected by building and operation of Fermi 3." (v 1, p 2.69) EPA studies showed the overall condition of Lake Erie's western basin had continued elevating levels of plankton, "which are important indicators of nutrient pollution." (v 1, p 2.72) "Lake Erie supports one of the largest freshwater commercial fisheries in the world, with the majority of commercial fishing occurring along the Canadian border." (v 1, p 2.82)

The western basin of Lake Erie "is of the greatest concern with regard to construction and operation of Fermi 3. The western basin receives 95 percent of the water that drains into

Lake Erie, including five major river drainages (Maumee River, River Raisin, Huron River, and Detroit River) as well as numerous smaller streams that discharge directly into the western basin.” (v 1, p 2.70) Since Lake Erie borders the US and Canada, the existing Fermi 2 is already polluting International Waters. Fermi 3 threatens to turn Lake Erie into a dead lake.

Walpole Island First Nation Community

There are many tribal fishing enterprises on the Canadian side of the lake, and many tribes have dual citizenship in the United States and Canada. The Walpole Island First Nation community’s fishing territories are located within the affected radius, but “because it is in Canada, the review team did not include it in its environmental justice investigation.” (v 1, p 2.187) Whether Walpole Island First Nation residents inhabit sovereign lands, Canadian or US territories, they should have been included in the NRC scoping process and the public notices of these proceedings because they would be affected by Fermi 3. The NRC must reopen the licensing process for this purpose.

Respectfully submitted,

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