

WCO outreachCEM Resource

From: Brian O'Connell [BOConnell@naruc.org]
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February 16, 2012

Ms. Christine Pineda
Mailstop EBB-2B2
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**Re: Comments on Environmental Study
of Storage of Spent Nuclear Fuel**

The National Association of Regulatory Utility Commissioners (NARUC) appreciates continuing to be kept informed of the activities of the NRC to analyze the effects of long-term storage of spent nuclear fuel from commercial power reactors, such as the “Draft Report for Comment—Background and Preliminary Assumptions for Environmental Impact Statement—Long-Term Waste Confidence Update.” We reserve the right to provide additional comments during the subsequent EIS stages.

The several storage scenarios listed in the report are not all equally likely alternatives under present applicable law, namely the Nuclear Waste Policy Act (NWPA) which states that it is national policy that the federal government is responsible for permanent disposal of commercial spent nuclear fuel in a geologic repository, beginning in 1998. Thus, the alternative of spent fuel continuing to be stored at nuclear power plants is in conflict with the. The President and the Secretary of Energy, while maintaining that the site at Yucca Mountain is “not a workable option,” continue to declare the intent to fulfill the obligations of both NWPA and the contracts between the Department of Energy (DOE) and nuclear power plant owners.

We understand the reasoning behind developing “generic, composite sites” for each scenario, but in our view that methodology has limitations in terms of not only the physical environmental impacts but especially with the socio-economic impacts. Likewise, we expect the scenario of status quo reactor-site storage will be identified as the “no action alternative” for which a generic impact assessment will be compiled. We would recommend selecting—perhaps with community input—a handful of diverse settings to serve as ‘surrogates.’ In that way some sampling of the reactions in the community to the possibility that instead of removal from the site “as we were promised,” the spent fuel may remain where it is for as much as 200 years.

We request that special attention—perhaps a scenario of its own—be given to the ten sites where the reactors have been shutdown or decommissioned. The broad consensus among those who addressed the Blue Ribbon Commission and in the BRC Final Report is that the spent fuel at those sites should be consolidated at a storage site. In this regard, we are impressed with the comments on the Draft Report sent to you by the Decommissioning Plant Coalition. The Coalition cites some valid considerations for a “pause” in the EIS development process. Perhaps the development by DOE of a “strategy” for implementing the Blue Ribbon Commission report directed by Congress will allow the various government agencies and stakeholders time to consider the interrelationships of the scenarios, recommendations and studies.

Thank you for the opportunity to comment.

A handwritten signature in black ink, appearing to read "B. O'Connell".

Brian O'Connell, PE
Director, Nuclear Waste Program Office