

**FOR THE RECORD - Questions for NRC at Public Meeting, April 29, 2013, 6 pm, Erwin, TN**

(Request these questions/comments and my previous questions/comments August 30, 2012, be made a part of the NRC record and meeting summary)

1. For the record, I have not received answers to my questions from the Aug. 30, 2012 public meeting, nor were my written questions or comments made a part of the record, nor were they addressed in the NRC's summary of the meeting.

**Previous Questions from Aug. 30, 2012 public meeting:**

Question 1: Since the NFS Emergency Plan is locked up at TDEC and the public can't see it, does it address sinkholes and accident scenarios involving sinkholes?

Question 2: Natural Phenomena Hazards. Regarding an information request in March, including earthquake and flooding hazard "walkdowns." Plants must conform to their current license requirements by 2016. This inspection at NFS was part of the April 30, 2012, NRC Integrated Inspection Report (70-143/2012-002 and Notice of Violation and Temporary Instruction 2600/15 Inspection Report 70-143/2012-006) (ML12122A186).

In this report, it appeared that NFS could not provide seismic design documentation for some of the areas, nor could they provide wind design information, and the northern portion of NFS is in the 100 year floodplain of Martin Creek. Will the NRC now take another look at these issues, and add sinkholes?

Question 3: Is there any chance NRC that you will re-look this Environmental Assessment, which should have been an Environmental Impact Statement, and this period of license renewal in light of the new information and the obvious need for accident scenarios involving sinkholes?

Question 4: On Page 72 (of the Safety and Safeguards Evaluation Report) it states that the cost estimate for decontamination and decommissioning is approx \$338 million and that the responsibility of decontamination and decommissioning of NFS is broadly divided between NFS, DOE, and a Joint Venture between NFS and Framatome. "NFS stated that DOE would cover approximately \$306 million of the total cost estimate." Also, "NFS committed to updating the cost estimate at least every 3 years as required by the code of federal regulations -- (10CFR70-25(e).")

Who, specifically, are these federal agency(ies) who have committed the taxpayers to this clean-up? And while we would like to trust what NFS says, what say you NRC? )

**Insert Question 1 – April 29, 2013**

The \$338M changed to \$415M in **Updated Decommissioning Plan** dated Nov. 30, 2012.

NFS Decommissioning Funding Plan Update. A request from the NRC, dated March 27, 2013, asked NFS to provide an updated Table 1 to reflect current cost estimate values by method of financial assurance (10 CFR 70.25(e))

As of this date, (March 27, 2013), no update in sufficient detail has been provided. NRC says the "update would be beneficial by providing clarity regarding the **"multiple financial assurance mechanisms"** and their updated estimate amounts. You gave them 30 days to provide it. Have they done it?

**Comment:** It might interest folks to know that between 1966-1972, NFS was reprocessing spent nuclear fuel in West Valley New York, about 50 miles outside of Buffalo. They shut it down and walked away leaving 600,000 gallons of liquid, high-level radioactive waste. And, oh by the way, it is now a potential threat to the region's drinking water. (See April 23, 2013 article from Buffalo News). Full remediation of the site is estimated to be \$6 to \$8 Billion.

And what is the estimate for Erwin decommissioning and decontamination if and when they ever decide shut down or simply walk away – a mere \$415 Million, which is contained in "multiple financial" documents.

And, just to give you an example, using the West Valley figures, \$415 million is less than 6% of the low-end estimate of the \$6 Billion clean-up cost at West Valley. So, NFS doesn't even have one dollar for every 10 that it will cost for Erwin remediation -- if the West Valley cost estimates are reasonable to use for Erwin.

X And remember, NFS has years of Mixed Hazardous Waste and their permit renewal has yet to be approved by State.

#### Question 2 – April 29, 2013 – Real Estate Purchases in Erwin

Between 1995 and 2012, NFS has purchased nearly \$4 Million dollars of property – mostly homes. Why is NFS buying up all this property and demolishing the homes on Berkshire Drive, Carolina Avenue, Jackson Love Hwy, and Stalling Lane? Could it be because these houses and property are contaminated? Or after 57 years of operation, they finally realize they need a bigger buffer zone? Or, are they expanding? This is a big loss of tax revenue for the County.

Question 3 – April 29, 2013 – "Internal" Safety Culture Assessment Panel Report June 1, 2012. Six (6) deficiencies still exist.

#1 – Lack of organizational penetration of Operating Experience information to front-line supervisors.

#2 – There is not a way to document the review of major Organizational Changes identified by the president for review by the Change Control Board.

#3 – Although the NFS-EFFECT-EVAL was created for assigning and performing Effectiveness Evaluations (EE's), it appears the guidance document may be impractical and therefore it's use has been very limited.

#4- Deficiencies in consistent use of tracking and trending in the Corrective Action Program, i.e. NRC Unresolved Issue 70-143/2012-07-01) (NRC Team Inspection Report May 4, 2012)

#5 – Deficiencies in consistent application of the Corrective Action program in security and MC&A (NRC Unresolved Issue 70-143/2012-07-02) (NRC Team Inspection Report May 4, 2012)

#6 – Lack of consistent expectations and reinforcement regarding Supervisory oversight.

Comment/Question: Seems to be little improvement in some of the programs required to fulfill the Confirmatory Order (EA-10-076). Will there be another Independent Safety Assessment and if so, when?

Question 4 – April 29, 2013 – Scrap Material

Ref: Correspondence between NRC and NFS, April 16, 2013, subject: Acceptance for Review of Scrap Receipt Measurement. (NFS is requesting a one-time change to use inventory values for scrap material receipts). NRC please explain what this means and why it is necessary?

Question 5 – April 29, 2013 – NFS as the “sole source” of Navy fuel

NRC, could you please explain the difference in what Y-12 does at Oak Ridge and what NFS does regarding Navy fuel? According to two recent news articles, Y-12 produces fuel for the Navy. We’ve always been told that NFS is the “sole source.” What is the truth?

Question 6 – April 29, 2013 – Cancer Study

What is the status of the National Academy of Science cancer study?

**Other unanswered questions from August 30, 2012**

Question 5: 140 Commitments made by NFS in the Safety Evaluation Report (SER), August 2, 2012. NRC, how do you plan to enforce these commitments, especially in the major problem areas of Management Measures and Configuration Management? (NRC Inspector General Sept. 19, 2011 report stated that “commitments are neither legally binding nor obligations of the licensee, and that licensees are entirely responsible for tracking commitments made to the NRC....”)

Question 6: I believe I have outlined here, significant and potential new problems, and the need for NRC to re-look the Environmental Assessment and period of license renewal. Will the NRC do that?

Part 2 – Safeguards (SER)

Question 1: Why are NRC inspection reports of NFS from 1978-1999 considered “non-public” and therefore not available for review?

Question 2: Are NFS guards trained to the level of homeland security standards?

Respectfully submitted: Barbara O’Neal for Erwin Citizens Awareness Network, Inc., P. O. Box 1151, Erwin, TN 37650, (423) 743-4985, barbaraoneal@embarqmail.com