

## Rulemaking1CEm Resource

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**From:** RulemakingComments Resource  
**Sent:** Thursday, December 19, 2013 5:50 PM  
**To:** Rulemaking1CEm Resource  
**Subject:** FW: Waste Confidence GEIS and Proposed Rule, SCDNR comments  
**Attachments:** Waste Confidence GEIS and Proposed Rule\_SCDNR comments 19Dec13.pdf

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**TITLE:** Waste Confidence—Continued Storage of Spent Nuclear Fuel

**COMMENT#:** 00546

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**From:** Vivianne Vejdani [<mailto:VejdaniV@dnr.sc.gov>]  
**Sent:** Thursday, December 19, 2013 3:33 PM  
**To:** RulemakingComments Resource  
**Subject:** Waste Confidence GEIS and Proposed Rule, SCDNR comments

Please see attached comments of the SCDNR regarding the Draft Waste Confidence GEIS and Proposed Rule.

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**Hearing Identifier:** Secy\_RuleMaking\_comments\_Public  
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**Sent Date:** 12/19/2013 5:49:33 PM  
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December 19, 2013

Secretary, U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
ATTN: Rulemaking and Adjudications Staff

**REFERENCE:**

**NRC-2012-0246**

**COMMENTS on Draft Waste Confidence Generic Environmental Impact  
Statement and Proposed Waste Confidence Rule**

Staff of the South Carolina Department of Natural Resources (DNR) reviewed the Draft Waste Confidence Generic Environmental Impact Statement (Draft Waste Confidence GEIS) and Proposed Waste Confidence Rule (Proposed Rule) and submits the following comments.

On September 13, 2013 the Nuclear Regulatory Commission (NRC) published the Draft Waste Confidence GEIS and Proposed Rule for public review and comment. The objective of the Draft Waste Confidence GEIS is to examine the potential environmental impacts that could occur as a result of the continued storage of spent nuclear fuel at at-reactor and away-from-reactor sites until a permanent repository is available. The Draft Waste Confidence GEIS attempts to establish generic impact determinations that would be applicable to a wide range of existing and potential future spent fuel storage sites. The Draft Waste Confidence GEIS is intended to improve the efficiency of the NRC's licensing processes by

- 1) providing an evaluation of the environmental impacts that may occur as a result of continuing to store spent fuel at at-reactor or away-from-reactor sites until a repository is available,
- 2) identifying the types and assessing the magnitude of environmental impacts where generic findings can be established, and
- 3) providing the regulatory basis for the NRC's proposed amendments to regulations in Title 10 of the *Code of Federal Regulations* Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."

The Purpose and Need for the proposed action are

- 1) to improve the efficiency of the NRC's licensing process by generically addressing the environmental impacts of continued storage,
- 2) to prepare a single document that reflects the NRC's current understanding of these environmental impacts, and
- 3) to address the deficiencies in the 2010 Waste Confidence Rule identified by the U.S. Court of Appeals for the D.C. Circuit.

The Draft Waste Confidence GEIS evaluates alternatives to the proposed action, including a no-action alternative (which would result in site-specific licensing review), a GEIS-only option (site specific

NRC-2012-0246

Comments on Draft Generic Waste Confidence Environmental Impact Statement and Proposed Waste Confidence Rule

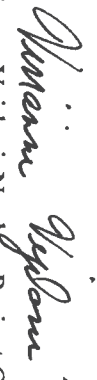
December 19, 2013

review, no Rule), and a policy only statement (site specific review, no Rule). The Draft Waste Confidence GEIS concludes that potential impacts to Surface Water, Groundwater, Terrestrial Resources and Aquatic Ecology would be SMALL (environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource), and that many of the potential impacts would be mitigated through federal or state regulations and statutory authorities. It also evaluates the risk of severe accidents such as spent fuel pool fires, spent fuel pool leaks, and accidents involving dry cask storage and concludes that the probability-weighted risk of such events is SMALL. The NRC concludes that the proposed action would have the same potential environmental impacts as any of the alternatives evaluated, but would be less costly and more efficient than performing site-specific reviews.

Despite the conclusion that the risk and/or magnitude of potential impacts would likely be small, minimized or avoided, DNR is concerned about the potential impact to natural resources in the event that a permanent repository is not approved, particularly contamination of surface and groundwater resources. Although the risk of serious contamination events may be low, the potential impact could be severe, difficult to mitigate, and of long duration. The Savannah River Site (SRS), located near Aiken, South Carolina, is a Department of Energy facility that historically produced tritium, plutonium, and other nuclear materials. Past disposal practices at the SRS resulted in significant site contamination, and the SRS was placed on the Environmental Protection Agency's National Priorities List in 1989. Site investigations identified contamination in groundwater, sediments and surface water that included arsenic, cadmium, lead, mercury, plutonium, radium, and tritium, among others. Multiple groundwater plumes were discovered, and remediation will take decades to complete. To avoid the risk of similar contamination due to at-reactor or away-from-reactor storage of radioactive spent nuclear fuel, DNR urges the approval and construction of a permanent, geologic repository such as the proposed Yucca Mountain Repository in Nye County, Nevada.

DNR appreciates the opportunity to comment on the Draft Waste Confidence GEIS and Proposed Rule. If your office should have any additional questions please contact me at [vejdaniv@dnr.sc.gov](mailto:vejdaniv@dnr.sc.gov) or 803.734.4199.

Sincerely,

A handwritten signature in dark ink, appearing to read "Vivianne Vejdani". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Vivianne Vejdani, Nuclear Project Coordinator