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Recipients:

"RulemakingComments Resource" <RulemakingComments.Resource@nrc.gov>

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"Rulemaking1CEM Resource" <Rulemaking1CEM.Resource@nrc.gov>

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Secretary
 U.S. Nuclear Regulatory Commission
 301-415-1101, citing Docket D.D. No. NRC-2012-0246

Dear Secretary,

On behalf of Environmentalists, Inc. (E.I.), I submit the following comments on Waste Confidence Generic Environmental Impact Statement NUREG-2157 and the process by which the statements, conclusions and decisions in it were reached.

Background and Comments

Congress passed the National Environmental Policy Act (NEPA) in 1969. The purpose of this law is to "control the destructive engine of material 'progress.'" (page 2 of the Calvert Cliffs' Coordinating Committee (CCCC) v US Atomic Energy Commission (AEC) Decided July 23, 1971)

Because of the AEC's resistance to complying with NEPA, the CCCC, Inc., a public interest organization, filed a lawsuit against the agency in the U.S. Court of Appeals, District of Columbia.

The Court's Judges expressed strong criticism of the AEC, calling the Commission's approach "strange indeed, so strange that it seems to reveal a rather thoroughgoing reluctance to meet the NEPA procedural obligations in the agency's review process." (Page 9 of the Court's decision)

"We believe the Commission's Rule (in support of its claim) is in conflict with the true purpose of the Act. NEPA mandates a case-by-case balancing judgement on the part of federal agencies. In each individual case the particular economic and technical benefits of planned action must be assessed and weighed against the environmental costs. Alternatives must be considered which would affect the balance of values," the judges said. (page 12 of the Court's decision)

The same basic position of non-compliance which started with the AEC has continued with the NRC. The approach of the Commission has become more flawed over the years. Rule-making procedures have been and go on being used to place concerns beyond NEPA review, such as the building of radioactive waste, the transport of radioactive materials, iron liquids. Generic is now applied to more facilities and projects, such as the relicensing of aging reactors. There are tactics to block public participation and it is going on with the issue of there not being a repository for radioactive waste by-products of the nuclear industry.

It is shocking that this has been going on for 60 or more years and that nuclear energy projects continue to be designed, and built and new designs are being developed, new experiments worked on, millions, billions and more being spent sometimes ^{the facilities} never being operated, never producing any electricity, with citizens, tax payers paying for them,

In the District of Columbia Circuit Court of Appeals decision June 8, 2013, the Court vacated the NRC's Waste Confidence Decision update, remanding it for further proceedings. The judges objected to the NRC's depending on its "Table 8-3" which finds that there would be "no significant impact" from the environmental effects of the nuclear fuel cycle.

Rather than go on with more of the same type of examples of faulty decision-making, all close with the reminder of the generic fact about nuclear materials of the nuclear industry. These sources of man-made radiation are and have been exposing human beings, animals and plants for more than 60 years, and the released radioactivity remains here and its damaging effects are cumulative.

Ruth Thomas
Environmentalists, Inc.
354 Woodland Dr.
Columbus, N. C. 28722

tel 828-894-6305

November 20, 2013