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Revisions to Transportation Safety Requirements and Compatibility with International Atomic Energy Agency Transportation Requirements

Comment On: NRC-2016-0179-0005

Revisions to Transportation Safety Requirements and Compatibility with International Atomic Energy Agency Transportation Standards; Notice of Issues Paper, Public Meeting, and Request for Comment

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General Comment

3. Quality assurance (QA) violations with the design and manufacture of irradiated nuclear fuel transportation containers call into question their structural integrity, and thus their safety in the event of extreme "accidents" (decision makers know a certain number of disasters -- from high-temperature/long-duration fires, to high-speed crashes into unyielding surfaces, to long-duration/deep-underwater submersions, etc. -- are likely, but have decided to go forward with such risks regardless, as "permissible" or "acceptable," so the common understanding of the word "accident" doesn't really apply; these are gambles, rolls of the dice, calculated risk-taking), and even extreme terrorist attacks (as with sophisticated or powerful explosives, such as shaped charges or anti-tank missiles).

Containers that are designed and built in compliance are also vulnerable to failure and release of hazardous ionizing radioactivity in significant amounts during "accidents" and attacks (because NRC's and IAEA's regulations are so "permissively" weak), but containers that violate QA are even more likely to fail catastrophically.

The public is indebted to whistle-blowers Oscar Shirani from Commonwealth Edison/Exelon in Chicago, Illinois, as well as Dr. Ross Landsman, U.S. Nuclear Regulatory Commission (NRC) cask inspector for the

Midwest Region (Region III). Shirani and Landsman blew the whistle on QA violations with the Holtec cask, certified by NRC for transporting irradiated nuclear fuel. See <<http://www.beyondnuclear.org/waste-transportation/2004/7/22/summary-of-oscar-shirani's-allegations-of-quality-assurance-v.html>>, for a "Summary of Oscar Shirani's Allegations of Quality Assurance Violations Against Holtec Storage/Transport Casks."

Given that Holtecs are used not only for storage on-site at dozens of U.S. atomic reactors, but are also certified by NRC for transport, this shows that something is seriously wrong with NRC's regulations and/or enforcement. But given that Holtecs are also used in other countries, such as Spain and Ukraine, this shows that there is also something seriously wrong with IAEA's regulations and/or enforcement, internationally.

Although the summary cited above was written in 2004, and the whistle-blowers' revelations date back to the year 2000, there is no indication that either Holtec or NRC has ever rectified the QA violations, right up to the present day. And Holtec is likely not the only transportable cask with QA problems, given NRC's obviously broken enforcement mechanisms and/or inadequate regulations. QA problems with storage-only cask systems over the decades, such as the VSC-24 (Ventilated Storage Cask, for holding 24 PWR assemblies, a license now owned by EnergySolutions of Utah), provide even more evidence that "something is rotten in Denmark" -- NRC is either incompetent when it comes to QA regulation and enforcement, or else complicit with industry to simply sidestep NRC regulations. In either case, these QA violations related to the design and manufacture of irradiated nuclear fuel shipping containers are putting the public along shipping routes at significant risk of catastrophic releases of hazardous radioactivity into their environment, in the event of "accidents" or attacks.

Even routine ("accident-free") shipments of irradiated nuclear fuel could be implicated, given QA violations. Ironically enough, Shirani was earlier praised by Holtec for discovering and revealing a QA violation regarding neutron radiation shielding on Holtec containers. Holtec then did the right thing, that time anyway -- fixed the QA violation to meet applicable NRC regulations, as Shirani verified in his QA inspector role for Commonwealth Edison/Exelon. Faulty neutron shielding could result in significant exposure to hazardous ionizing radioactivity, to nuclear waste transport workers (truck drivers, locomotive engineers, barge crew, inspectors, etc.), other workers (toll booth attendants, gas station attendants, rest area attendants, port authorities, customs officials, etc.), and unwitting, innocent, passerby members of the public.

Given that these shipments are like mobile X-ray machines that cannot be turned off, the same would be true regarding QA violations decreasing the effectiveness of gamma radiation shielding; QA violations diminishing containers' cargo isolation robustness could lead to the release of various kinds of hazardous ionizing radioactivity into the environment; etc.