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Docket: NRC-2019-0073

Agency Activities in Response to a Portion of the Nuclear Energy Innovation and Modernization Act

Comment On: NRC-2019-0073-0030

Stakeholder Input on Best Practices for Establishment and Operation of Local Community Advisory Boards in Response to a Portion of the Nuclear Energy Innovation and Modernization Act

Document: NRC-2019-0073-DRAFT-0030

Comment on FR Doc # 2019-21012

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General Comment

RE: Stakeholder Input on Best Practices for Establishment and Operation of Local Community Advisory Boards in Response to a Portion of the Nuclear Energy Innovation and Modernization Act.

Docket ID NRC-2019-0073-0030

This comment is submitted by Cape Downwinders based in Harwich, Massachusetts. We are a grassroots organization with local, statewide, national, and international connections working to protect the public and environment from the dangers of Holtec's decommissioning plans and NRC poor oversight at the closed Pilgrim nuclear power reactor in Plymouth, MA.

We can all agree that responsible and safe decommissioning is THE priority in order to protect our communities. Now that Congress has tasked the Nuclear Regulatory Commission to elicit public comments on best practices and lessons learned for Citizens Advisory Boards, perhaps there will be real movement for effective public engagement. The NRC has not done its job and continues to fail at responding to important public input. Petitions, letters, concerns, filings, and all efforts for effective engagement meet with rejection. Congress must fulfill our social contract and return power to local and state stakeholders through effective CABs, not as advisory boards but with real authority so our concerns will be addressed and enacted upon.

Back in the 1990s, the Yankee Rowe decommissioning was challenged by a community action group, Citizens Awareness Network. CAN won a lawsuit against the NRC and Yankee Atomic over the illegal cleanup of the site. The NRC was found to be arbitrary, capricious and utterly irrational in its handling of decommissioning. The district court judge wrote in his decision that the NRC's actions reminded him of the Office of Circumlocution in Charles Dickens Bleak House. He noted the potential for the NRC using these tactics at other decommissioning sites was disturbing given the communities vital interests in an effective cleanup. A short victory for citizen intervention. However, the NRC response was to eviscerate public and state participation by changing their rules. CAN also submitted a plan for CABs back in 1996 for Citizens Advisory Boards to engage in decommissioning. CABs have been promoted by the public for decades. Yet today, when so many reactors are scrambling to decommission, the NRC is commanded by Congress to look at the current state of affairs because they have failed to do so.

Our own state Nuclear Decommissioning Citizens Advisory Panel has been working hard to communicate with both Holtec and the NRC with limited success. Holtec promised openness and transparency during the License Transfer Application process. Not only did Entergy and Holtec refuse to answer questions related to the LTA, but the NRC approved the transfer without a Petition to Intervene submitted by our Attorney General Maura Healey addressed. The license transfer was approved without a hearing on radiological, environmental, and financial assurances, issues she raised in that petition. Now Holtec has no incentive to negotiate with the state, and stakeholders. CDW and CAN sent a letter to the NRC signed by 96 organizations across the U.S. and Canada asking for the license transfer be suspended until all the contentions are heard and resolved [see attached letter]. The NRC dismissed our letter. Concerns for safe decommissioning go way beyond the borders of Massachusetts. With no response from the NRC on the petition to intervene, the Commonwealth of Massachusetts has filed a federal lawsuit challenging the license transfer. This is a national concern that must be addressed.

Tell Congress this: We know the NRC is just a rubber stamp for the nuclear industry. The sham of the license transfer clearly demonstrates this reality. Congress must fulfill their responsibility to protect the public. The Energy Reorganization Act of 1974 abolished the Atomic Energy Commission due to biased promotion of the nuclear industry over public safety. The AEC was replaced with the NRC. We now see that pattern repeated as the NRC approved the license transfer before contentions were heard, allowed exemptions for use of decommissioning trust funds without conditions, ignored environmental concerns, plans to reduce emergency planning zones, and supported Holtec's financial plans even when the numbers don't add up.

The public has no trust in the NRC. Expecting passive participation by the public is an affront to our rights and responsibilities as citizens. We demand a democratic process. Cape Downwinders calls for abolishment of the NRC to be replaced with an independent intergovernmental agency, without industry intrusion, and the establishment of CABs including state and local stakeholders with real authority to influence and enact policies and procedures for the protection of our communities.

Respectfully submitted,

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Attachments

CAN:CDW NRC LT ltr 96 organizations