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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-0038

Comment on FR Doc # 2019-21012

Submitter Information

Name: Anonymous Anonymous

Submitter's Representative: Patricia Marida

Organization: Sierra Club Nuclear Free Campaign

General Comment

See attached file(s)

Attachments

Comments to NRC on Citizens Advisory Boards



*Sierra Club Nuclear Free Campaign
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November 15, 2019

Docket ID NRC-2019-0073

Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Program Management, Announcements and Editing Staff

Re: Docket ID NRC-2019-0073. 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

Dear Commission Members,

While the Nuclear Regulatory Commission (NRC) is looking for comments on Citizens Advisory Boards (CABs) overseeing the decommissioning of commercial nuclear reactors, these comments also importantly cover citizens' experiences with Department of Energy (DOE) CABs overseeing the cleanup of nuclear sites around the country.

The past model of CABs has been a near failure. Several reasons for this failure stand out:

1. The boards are "advisory." The DOE and the NRC have not been obligated to follow the recommendations of the CABs. This has resulted in the agencies and/or contractors going about their business as usual and ignoring the critical input of communities.
2. The DOE or the utilities and contractors doing the cleanups have been in charge of appointing the CABs. They have chosen people who they feel are friendly to their interests, with perhaps a token environmentalist.

People on the DOE Boards, such as the Site Specific Advisory Board overseeing the cleanup at the Portsmouth Nuclear Site, have conflicts of interest, being former site employees or having family members who are employees. This tradition continues in violation of the DOE's own rules.

Politicians and elected or appointed officials are appointed to CABs. These people can have their own vested interests in projects which are not necessarily those of the public. They may be accepting donations from the industry. The nuclear industry is heavily dependent on taxpayer and ratepayer funding. The industry donates a pittance of this public largesse to the local community, thereby ingratiating themselves to community leadership.

Public officials, as well as others of the public that may be appointed, generally have no in-depth background on issues of radioactive contamination and the biological effects of ionizing radiation on the human body. While CABs are often populated by well-intentioned and significant community representatives, they generally have little depth of experience or specific credential dealing with: a) nuclear power and waste; b) reactor decommissioning; c) structural engineering; d) major contaminated site remediation; e) ionizing radiation and f) radioactive waste transportation.

3. CABs are not funded or are inadequately funded. They have no good way of getting critical outside technical advisory expertise and are hampered in other ways as well. Without budget and critically required expertise, the CAB members can only know and accept what is told them by the decommissioning authorities.

4. Information flow between the decommissioning or cleanup entities and the CABs and the rest of the public has been inconsistent and/or non-existent. Public websites are not updated regularly and are inadequate at best, missing a great deal of critical information. Decommissioning entities attempt to hide their mistakes by using terminology such as “exothermic event” instead of reporting a fire. Requests made by members of the public have been termed “outside our authority” to avoid pursuing issues critical to the well-being of the local community and the public. Requested information is not always forthcoming in a timely manner. Some requests have been ignored until forced by outside authorities, for example, the Illinois Attorney General’s office stepped in to get information on Zion decommissioning.
5. The NRC has repeatedly ignored the advice of technical experts, the public, and even their own technical staff. Examples include ignoring the *Principles for Safeguarding Nuclear Waste at Reactors*, otherwise known as Hardened On-Site Storage or HOSS. These HOSS Principles have been signed by literally hundreds of individuals and organizations around the country. “Lessons Learned” from Fukushima have not been required to be implemented, with NRC Commissioners rejecting the advice of their professional technical staff. Just this year, NRC commissioners rejected a recommendation from their senior staff to require reactor owners to recognize hazards created by the new climate reality and fortify their plants against increasing threats from flooding and seismic events.
6. CABs and the public cannot operate without financial transparency of decommissioning funds and contractor expenses. NRC is now allowing decommissioning funds to be diverted to safeguarding spent nuclear fuel, which is not their intended use. High-level radioactive waste and decommissioning are separate issues, even though they both address nuclear waste at reactor sites that will remain hazardous for millennia.

RECOMMENDATION -- INDEPENDENCE, AUTHORITY and FUNDING

Local, independent and transparent Stakeholder Authorities must be created to oversee decommissioning and represent local communities and the public. These Authorities must be independent of contractors, utilities and the NRC. Adequate funding must be given to these Authorities to get critical outside technical expertise.

Thank you.

Sincerely,

/s/ Susan Corbett, Co-chair

/s/ Don Safer, Co-chair