

From: Patrick White <pwhite@nuclearinnovationalliance.org>
Sent: Tuesday, September 21, 2021 8:34 PM
To: NRC-EJReview Resource
Cc: Judi Greenwald; Fetter, Allen
Subject: [External_Sender] Comment Submission from Nuclear Innovation Alliance: Docket ID NRC-2021-0137
Attachments: NIA Comment Submission - Docket ID NRC-2021-0137.pdf.pdf

Dear Mr. Suber:

The Nuclear Innovation Alliance (NIA) is pleased to submit the attached comments on the systematic assessment of NRC's approach to environmental justice (Docket ID NRC-2021-0137).

NIA appreciates the NRC's continued work in conducting this important review. Please feel free to reach out with any additional questions or clarifications on our comment submission.

Thank you,

Patrick White
Project Manager
Nuclear Innovation Alliance
pwhite@nuclearinnovationalliance.org

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Created By: pwhite@nuclearinnovationalliance.org

Recipients:
"Judi Greenwald" <jgreenwald@nuclearinnovationalliance.org>
Tracking Status: None
"Fetter, Allen" <Allen.Fetter@nrc.gov>
Tracking Status: None
"NRC-EJReview Resource" <Nicole.Crouch4@nrc.gov>
Tracking Status: None

Post Office: mail.gmail.com

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September 21, 2021
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: Nuclear Innovation Alliance Comments on the U.S. Nuclear Regulatory Commission's Systematic Assessment for How the NRC Addresses Environmental Justice in Its Programs, Policies, and Activities (Docket ID NRC-2021-0137)

Dear Mr. Suber:

The Nuclear Innovation Alliance (NIA) is pleased to submit this comment to the U.S. Nuclear Regulatory Commission (NRC) regarding the agency's systematic assessment of environmental justice in its programs, policies, and activities. We applaud the NRC for extending the initial comment period into October, and are pleased the extension has resulted in many thoughtful comment submissions by interested parties.

NIA believes that process matters and that a prerequisite to environmental justice is the creation of opportunities for disadvantaged communities to effectively engage in NRC processes. These opportunities enable environmental justice stakeholders to ask questions, share perspectives, communicate concerns, and advocate for shared social values and priorities that the NRC should consider in its outreach, licensing, and regulatory activities.

NIA supports the recommendations already submitted by Good Energy Collective (ADAMS Accession No. ML21224A065) for the creation of advisory groups on environmental justice that include members of affected or disadvantaged communities. Creating more opportunities for communities to inform NRC decision making is important to achieving more equitable regulatory outcomes. NIA would like to submit two additional recommendations on improving opportunities for substantive technical participation and the importance of process efficiency in ensuring environmental justice.

First, as stated before, a key requirement for environmental justice is that disadvantaged communities have adequate opportunities to participate in regulatory processes. But the NRC must not simply stop at providing the opportunity to participate. These opportunities will not sufficiently contribute to an environmentally just process if stakeholders do not have the resources to meaningfully participate and communicate specific technical concerns. Rather, resources should be made available and fairly allocated to disadvantaged communities to fund or otherwise support consultation with qualified experts and support high-quality and third-party technical analysis, review, or explanation of proposed NRC activities. This support would help ensure that communities can communicate technical concerns in NRC discussions and

processes, including advisory boards, in a more informed and substantive manner and facilitate high quality technical interactions with NRC staff.

This community support could be similar to the Participant Funding Program established by the Canadian Nuclear Safety Commission that facilitates and enhances participation in licensing activities for nuclear facilities.¹ It is not enough for communities to simply have opportunities to participate; the NRC should investigate methods to empower communities to participate and meaningfully contribute to any regulatory process.

Second, all stakeholders benefit from processes that are not only informed but also efficient. Protracted regulatory processes can place unreasonable demands on limited community time and resources to maintain effective engagement, create unnecessary uncertainty on applicant project planning and scheduling, and challenge appropriate NRC allocation of staff resources. Moreover, wide scale deployment of clean energy sources (including nuclear energy) are needed in a timely manner to help reduce the consequences of climate change. Inefficient regulatory processes harm stakeholders and can have longer-term societal impacts for all.

The NRC should work to ensure that new processes that facilitate more informed and substantive community engagement are organized in a timely and efficient manner. Providing adequate time for community outreach, education, engagement, and incorporation of concerns is critical to ensuring a just process, but excessively drawn-out processes only benefit stakeholders with sufficient time and resources to dedicate to continued participation. A focus on just processes with an emphasis on ensuring just outcomes can help ensure that NRC regulatory processes provide all stakeholders (particularly those from disadvantaged communities) with equitable opportunity to participate.

In conclusion, process matters. The NRC must do more to provide the necessary resources, expertise, and support so that communities can more effectively engage in the conversations in which they are included. Outcomes also matter. The NRC must ensure a just outcome through informed processes and by optimizing, and conserving through efficient use, finite community time and resources.

Thank you again for the opportunity to comment. The NIA looks forward to future work with the NRC on environmental justice and other important matters.

Sincerely,

Judi Greenwald
Executive Director
Nuclear Innovation Alliance

¹ Additional details on the Canadian Participant Funding Program can be found at <http://nuclearsafety.gc.ca/eng/the-commission/participant-funding-program/index.cfm>