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COMMENTS BY NUCLEAR ENERGY INFORMATION SERVICE

regarding

Systematic Assessment for How the NRC Addresses Environmental Justice in Its Programs, Policies, and Activities

Docket ID NRC-2021-0137

Stephanie Bilenko, NEIS Board

David A Kraft, NEIS Director

Sept. 22, 2021

Nuclear Energy Information Service (NEIS) is a 40-year old environmental organization based in Chicago, Illinois. On behalf of the over 850 supporters in 22 states, we submit the following comments concerning the Docket on Environmental Justice (EJ):

The NRC's mission is to license and regulate the Nation's civilian use of radioactive materials, to provide reasonable assurance of adequate protection of public health and safety, and to promote the common defense and security and to protect the environment.

Continued use of nuclear power means:

- 1) licensing old dangerous nuclear reactors then MORE
- 2) uranium mining when there are over 10,000 un-remediated uranium mill tailings in the U.S mostly on Indigenous lands AND THEN
- 3) more radioactive waste produced creating unwanted allegedly "temporary" high level radioactive dumps in West Texas (largely Hispanic) and southeast New Mexico. These areas have not benefited from 1 kw from nuclear power.

If business as usual is continued, ***the NRC programs, policies, and activities conflict with the Principles Environmental Justice***, Oct. 24 - 27, 1991 First People of color Environmental Leadership summit (provided below).

- 1.) If NRC is truly genuine in its interest of environmental justice, NEIS recommends that NRC ***formally adopt*** these Principles into its Mission Statement; and into the ways it conducts business with the public:

"WE, THE PEOPLE OF COLOR, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to ensure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and, to secure our political, economic and cultural liberation that has been denied for over 500 years of

colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice."

The Principles of Environmental Justice (EJ)

- 1) Environmental Justice affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
- 2) Environmental Justice demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
- 3) Environmental Justice mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
- 4) Environmental Justice calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food. 5) Environmental Justice affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
- 6) Environmental Justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
- 7) Environmental Justice demands the right to participate as equal partners at every level of decision making, including needs assessment, planning, implementation, enforcement and evaluation.
- 8) Environmental Justice affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
- 9) Environmental Justice protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.
- 10) Environmental Justice considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.
- 11) Environmental Justice must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.
- 12) Environmental Justice affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.
- 13) Environmental Justice calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical

procedures and vaccinations on people of color.

14) Environmental Justice opposes the destructive operations of multi-national corporations.

15) Environmental Justice opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16) Environmental Justice calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17) Environmental Justice requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

2.) NEIS further suggests adoption and Agency-wise implementation (internally and externally) of the Jemez Principles, regarded as one of the cornerstones of guidance on walking the walk of environmental justice:

JEMEZ PRINCIPLES

Activists meet on Globalization

On December 6-8, 1996, forty people of color and European-American representatives met in Jemez, New Mexico, for the "Working Group Meeting on Globalization and Trade." The Jemez meeting was hosted by the Southwest Network for Environmental and Economic Justice with the intention of hammering out common understandings between participants from different cultures, politics and organizations. The following "**Jemez Principles**" for **democratic organizing** were adopted by the participants.

1 Be Inclusive If we hope to achieve just societies that include all people in decision-making and assure that all people have an equitable share of the wealth and the work of this world, then we must work to build that kind of inclusiveness into our own movement in order to develop alternative policies and institutions to the treaties policies under neo-liberalism.

This requires more than tokenism, it cannot be achieved without diversity at the planning table, in staffing, and in coordination. It may delay achievement of other important goals, it will require discussion, hard work, patience, and advance planning. It may involve conflict, but through this conflict, we can learn better ways of working together. It's about building alternative institutions, movement building, and not compromising out in order to be accepted into the anti-globalization club.

2 Emphasis on Bottom-Up Organizing To succeed, it is important to reach out into new constituencies, and to reach within all levels of leadership and membership base of the organizations that are already involved in our networks. We must be continually building and strengthening a base which provides our credibility, our strategies, mobilizations, leadership development, and the energy for the work we must do daily.

3 Let People Speak for Themselves We must be sure that relevant voices of people directly affected are heard. Ways must be provided for spokespersons to represent and be

responsible to the affected constituencies. It is important for organizations to clarify their roles, and who they represent, and to assure accountability within our structures.

4 Work Together In Solidarity and Mutuality Groups working on similar issues with compatible visions should consciously act in solidarity, mutuality and support each other's work. In the long run, a more significant step is to incorporate the goals and values of other groups with your own work, in order to build strong relationships. For instance, in the long run, it is more important that labor unions and community economic development projects include the issue of environmental sustainability in their own strategies, rather than just lending support to the environmental organizations. So communications, strategies and resource sharing is critical, to help us see our connections and build on these.

5 Build Just Relationships Among Ourselves We need to treat each other with justice and respect, both on an individual and an organizational level, in this country and across borders. Defining and developing "just relationships" will be a process that won't happen overnight. It must include clarity about decision-making, sharing strategies, and resource distribution. There are clearly many skills necessary to succeed, and we need to determine the ways for those with different skills to coordinate and be accountable to one another.

6 Commitment to Self-Transformation As we change societies, we must change from operating on the mode of individualism to community-centeredness. We must "walk our talk." We must be the values that we say we're struggling for and we must be justice, be peace, be community.

3.) NEIS recommends that the NRC establish an "**Environmental Justice Advisory Panel**," similar in scope, format, operation, jurisdiction and legal powers to those of the Atomic Safety and Licensing Board (ASLB).

This Panel should be populated by nationally known and accepted environmental justice advocates and activists, not affiliated with the NRC to insure independence of operation, ruling and decision making.

This Panel will be authorized to rule on any and all NRC dockets, rule-makings, licensing issues and other Agency proceedings that the ASLB is currently empowered to rule on. Their decision shall be as binding on the Agency and all parties as are those of the ASLB.

We thank you for the opportunity to present these views, and are available to discuss them in more detail should you wish to do so.

--

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