

# PUBLIC SUBMISSION

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Systematic Assessment for how the NRC Addresses Environmental Justice in its Programs, Policies, and Activities

**Comment On:** NRC-2021-0137-0001

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

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## General Comment

The NRC should be the first agency to insist that all nuclear materials production must cease until nuclear waste can be contained. People are still dying from trying to live near uranium mines-old and new, from working in production facilities and so-called waste management areas. I lost two friends in the past year whose cancers were directly linked to radioactive contamination. It is evil to allow the public to believe that nuclear weapons, nuclear power, or nuclear waste are safe, clean energy, or manageable with current technology. It is unconscionable to imply that making more nuclear weapons, plants, or energy has benefits to humanity or to the planet.

We have over a century's worth of work to do just to mitigate the hazards already surrounding us. Making our country safe from nuclear accidents, radioactive contamination, and radiation sickness will take much longer.

A next step is to compensate, cleanup, and repair damage done by previous NRC and AEC licensee actions, including over 15,000 abandoned uranium mines and the 1979 Church Rock disaster directly impacting indigenous people. The White House EJ Advisory Committee's list of "PROJECTS THAT WILL NOT BENEFIT A COMMUNITY" includes "procurement of nuclear power."

To prevent repeating the past, NRC should set up structures to assist EJ communities including

- (1) a permanent EJ Advisory Board to assess all NRC processes, with authority to prevent EJ violations and
- (2) an independent division of NRC, with a firewall from existing staff, to assist intervenors (similar to current staff support for applicants).

The costs could be part of license application/amendment fees. Fees should also cover costs of

- (3) intervenor funding for legal and technical expertise. Canada has intervenor funding.

NRC's 10CFR2 rules for intervention are clearly skewed in favor of nuclear proposals—they must be amended

to enable EJ communities to participate, get standing (presume intervenor status), and for their contentions to be accepted. Local Hispanic intervenors and their contentions were dismissed in the Holtec CIS licensing case. Diversity in NRC-ASLB judges might help.

NRC could improve its EJ policy by going beyond the National Environmental Policy Act requirements. Under NEPA, EJ should be automatically considered in Generic EISs and Environmental Assessments.

EJ “consideration” should include the full revelation of cumulative and synergistic impacts from multiple sources of pollution and health stressors.

Make all information available in the primary languages of the communities and provide longer public comment periods to enable more meaningful participation.

Until the COVID-19 crisis with variants passes, extra measures are needed to enable already-over stressed and disproportionately impacted EJ communities to engage.

Finally but importantly, NRC must seek to determine EJ impacts of many decades of nuclear waste transport along rails, roads, waterways largely through EJ communities from reactors to waste sites. The containers hold more plutonium than the Nagasaki bomb and more cesium than Chernobyl releases and routinely emit radiation even without accidents. There will be accidents and front-line communities will bear the deadly burden without free, prior, informed consent or knowledge.