

# 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 cannot operate in an environmentally just way without acknowledging its past violations of Environmental Justice (EJ) all along the nuclear chain. Most nuclear reactors, uranium mining-milling-enrichment facilities, fuel factories, reprocessing, and both high and “low-level” waste sites and, consequently, transport routes are located near/in/upstream/upwind of low income, rural or inner-city, communities of color.

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 area 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:

A permanent EJ Advisory Board to assess all NRC processes, with authority to prevent EJ violations.

An independent division of NRC (with a firewall from existing staff) to assist intervenors.

Intervenor funding for legal and technical expertise. The costs could be covered by application fees. 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.

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.

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

Finally, NRC must seek to determine EJ impacts of many decades of nuclear waste transport along rails, roads, and waterways through EJ communities from reactors to waste sites. There will be accidents, and front-line communities will bear the burden, without prior, informed consent.