RESPONSIBLE – ACCOUNTABLE – TRANSPARENT – DEMOCRATIC

Overview Of CAN-NIRS Comments

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NIRS and CAN Plans

Coalition Comment Letter
• Distribute for Review this Week
• Send Feedback by March 1
• Goal: 50 Organizations by March 18

Outreach to States
• Governors, Attorneys General, Local Officials

Public Comment Petition

PLEASE JOIN US!
Where is NRC Headed?

Long-Term Deregulation Trend

ANPR Focus on Fuel Pool Risks
- NRC not Concerned with Cleanup

Recent Exemptions
- Use of Decom Funds for Non-Decom Expenses
- Emergency Preparedness

Industry Economic Pressures
- Closures, Shortfalls, Liabilities

Line of Questioning in ANPR
- Fitness for Duty, Staff Qualifications, PSDAR Review, etc.
1. Require Full Decom Funds

Decommissioning Funding Crisis Undermines Safety

- Reactors Closing without Adequate Decom Funds
- Licensees Exploit SAFSTOR to Avoid Compliance
- Deferring Cleanup for Decades

Easily Fixed: Require Full Decom Funds by Time of Closure

- Require Full Decom Funding when Reactor Closes
- Do Not Permit SAFSTOR to Make Up for Inadequate Planning
2. No Use of Decom Funds for Non-Decom Expenses

Trust Funds Only for Radiological Decom
- NOT High-Level Waste Storage
- NOT Emergency Planning
- NOT Property Taxes
- NOT Lobbying

NRC Exemptions Compromise Decom Funding

Permits Profiteering from Decom Funds
- HLW Settlements Cover 80% of Costs
- NRC Does Not Require Licensees to Reimburse Trust Fund
3. Restore NEPA Compliance

Reclassify Decom as a Major Federal Action

Requires Meaningful Oversight

EPA Involvement Needed

- EPA Role Limited to Groundwater Contamination
- Significant Chemical Contamination at Reactor Sites
4. Restore Public Hearing Rights and Democratic Safeguards

Decom Must be Accountable to Communities, States

NRC Rule Changes Afford No Meaningful Public Involvement
  • Only One Public Meeting (PSDAR)

Full Hearing Rights Needed
  • Cross Examination
  • Discovery
5. Require Full Decom Plans

PSDAR = Figure-It-Out-As-We-Go

Decommissioning Highly Site-Specific
- Reactor Design, Modifications
- Operational History and Contamination
- Geological and Hydrological Features

Detailed Site Surveys and Planning Required
- Worker Safety and Radiation Exposure
- Radiological Controls and Community Safety
- Site Remediation and Pollution Controls
- Financial Planning and Cost Management
6. Place Restrictions on SAFSTOR and DECON

Choice of Decom Options not Neutral
- DECON = Radiation Risk to Workers, Community
- SAFSTOR = Contamination Spread, Site Abandonment Risk

Decom Method Selection Must be Justified
- Community Protection over Financial Concerns

Use of SAFSTOR Must be Limited, Conditional
- Term of SAFSTOR Minimized/Optimized
- Begin Decom at Earliest Possible Date
7. Create a 4th Decom Option

Model Option Needed
- Guide Licensees in Decom Planning
- Help States, Communities Evaluate Decom Plans

Balance Short- and Long-Term Safety, Cost

Rancho Seco Example
- Decom Fund Shortfall at Closure Date (1989)
- Limited Use of SAFSTOR
- Several Years of Careful Planning
- Retained ~50% of the Workforce
- Decom Completed in ~20 years (2009)

Planned Decom and Site Remediation (PDSR)
9. Allow States to Regulate Decom

Decom Outcomes Affect States Directly
- Delays Affect Communities, Tax Base
- Failures Require State Intervention
- Fund Shortfalls Cost Taxpayers, Ratepayers

NRC Certifies States to Regulate Radioactive Materials
- Agreement States Program Provides Mechanism
- States Regulate Chemical Pollution

Safety Issues Reserved to NRC
- ANPR Affirms Nuclear Safety Concerns Minimal
- HLW Waste Management
8. Establish Site-Specific Advisory Boards

Affected Communities Have a Right to Be Informed, Involved

Community Advisory Boards Provide a Model

- Regular, Open Meetings
- Forum for Q&A with Licensee, Regulators
- Weakness: No Real Authority

Formalize Site-Specific Decom Advisory Boards

- Stakeholder Representation: Tribal, Local and State Governments, Public Interest Organizations, Reactor Workers
- Access to Information, Licensee and NRC Staff
- Resources to Hire Technical Consultants
10. Require Inspections and Oversight

Currently No Basis for Oversight or Enforcement
- No Decom Plans
- No Resident Inspectors, Assigned Staff, or Inspections

Dedicated Inspection Staff Needed
- Report to Community Advisory Board
- NRC Institutional Knowledge of the Decom Project
- Creates Atmosphere of Accountability

Regular Inspection Schedules
- Programmatic Oversight and Performance Evaluation
- Unannounced Inspections Possible
11. Increase Decom License Fees

NRC License Fees Send the Wrong Message
- Decom License Fees >5% of Operating Reactor Fees
- 2015: $223,000/yr. vs. $5,030,000/yr.

NRC Must Have Resources for Decom Oversight

Conflict of Interest for NRC
- Enforcing Regulations Undermines Job Security at NRC

NRC Must Adapt to Industry Changes
- Agency Funding Crisis Looms with Reactor Closures
Summary of Recommendations

1. Require Full Decom Funding Upon Closure
2. Bar Exemptions for Decom Fund Expenses
3. Restore NEPA Compliance
4. Restore Public Hearing Rights and Safeguards
5. Require Decommissioning Plans
6. Regulate Use of SAFSTOR and DECON
7. Create 4th Decom Option
8. Establish Site-Specific Advisory Boards
9. Permit State Oversight of Decom
10. Mandate NRC Inspections and Oversight
11. Increase License Fees for Decom Reactors
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