

SPEAK OUT!

NUCLEAR WASTE HEARINGS FACT SHEET

On June 8, 2012 the US Court of Appeals nullified the Nuclear Regulatory Commission's Waste Confidence Rule, clearing the way for a variety of challenges at scores of commercial nuclear power reactors in the United States.¹ "Waste confidence" is all about high-level nuclear waste which is produced by nuclear reactors, generated in the reactor core and highly radioactive.

What: National hearings on long-term nuclear waste storage at commercial nuclear power reactors. The U.S. Nuclear Regulatory Commission is preparing an Environmental Impact Statement (EIS) to support a rulemaking on its Waste Confidence Decision and Rule. The first step is a scoping process to gather information necessary to prepare the EIS. As part of the scoping process the NRC is planning to hold two public meetings on November 14, 2012, and two webinars on December 5 and 6, 2012.

When: There will be a total of four hearings, one in person and on the Internet and three via Internet only.

November 14, 2012, 1:00 p.m. EST until approximately 4:00 p.m. EST. This hearing will allow both in-person attendance and webstream access via the Internet to members of the public.

November 14, 2012, 9:00 p.m. EST (6:00 p.m. PST) until approximately 12:00 midnight EST (9:00 p.m. PST). This hearing will be held via webstream only.

December 5, 2012, 1:00 p.m. EST through 4:00 p.m. EST via Internet webinar only.

December 6, 2012, 9:00 p.m. EST (6:00 p.m. PST) through 12:00 midnight EST (9:00 p.m. PST) via Internet webinar only.

See the NRC's Live Meeting Webcast page to participate:

<http://www.nrc.gov/public-involve/public-meetings/webcast-live.html>

Where: The one o'clock November 14, 2012 public hearing will be held at NRC headquarters located at One White Flint North, First Floor Commission Hearing Room, 11555 Rockville Pike, Rockville, Maryland 20852.

Why: Following the landmark legal decision, many groups petitioned the Nuclear Regulatory Commission to ensure that the environmental analysis ordered by the Court is properly incorporated into the licensing of nuclear power plants across the nation. The NRC is holding a series of public hearings to develop the new rule. Anyone may submit comments on the scope of the environmental review.

The deadline to submit comments is January 2, 2013.

Blue Ridge Environmental Defense League

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No Confidence in Nuclear Waste

The DC Circuit Court's ruling invalidated a broad federal regulation which supports all US nuclear power plant licenses. The rule: "Temporary storage of spent fuel after cessation of reactor operation" generic determination of no significant environmental impact, 10 CFR Section 51.23. The old rule presumed that waste stored at reactors would go to a waste dump someday. Now there is no longer any legal basis for nuclear power plant operators avoid environmental assessments of long-term irradiated nuclear fuel storage at nuclear power reactors in fuel pools or dry storage. The Court's decision forces the NRC to address the risks of nuclear waste disposal before the power plants near our homes may be licensed or re-licensed. This reckoning is long overdue.

Among the many groups filing waste confidence petitions, BREDL and its chapters filed at Tennessee Valley Authority's Bellefonte in Alabama, Duke Energy Carolina's William S. Lee in South Carolina, and Dominion-Virginia Power's North Anna.

The NRC is rushing the process

The scoping process for the EIS is now underway. Sometime in 2013, the NRC will prepare a draft EIS. Then a draft Waste Confidence Decision and proposed Rule will be issued for public comment. The waste confidence EIS should take seven years. NRC must resolve many technical issues including long-term waste integrity, vulnerability, deterioration and accidents. Also, the nuclear waste stored at Fukushima is still being evaluated. Yet the NRC has set a deadline of September 2014 to finalize the new rule.

For decades we at Blue Ridge Environmental Defense League have had no confidence in assertions by the nuclear industry and various regulatory agencies about nuclear waste and we have not been silent about it. Now a federal court has agreed with us. We must use this opportunity to halt the industry push for a quick and dirty solution and inject some sanity into the debate on nuclear energy and radioactive waste.

Any interested party may submit comments on the scope of the Waste Confidence environmental review. **The deadline to submit written comments is January 2, 2013.** Be sure to include in your comments the Docket ID number: NRC-2012-0246

How to Submit Written Comments: Three ways (1) Federal Rulemaking Web site, go to <http://www.regulations.gov> and search for Docket ID NRC-2012-0246; (2) US Mail to: Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; (3) Fax comments to: RADB at 301-492-3446
Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; or email: Carol.Gallagher@nrc.gov.

To register for and request to present oral comments at the November 14 meetings, whether in-person or over the phone, contact Ms. Susan Wittick or Ms. TR Rowe at 1-800-368-5642, extensions 3187 or 3133. Or register and request to present comments at the hearings via email to WCO Outreach@nrc.gov

¹ *State of New York v. NRC*, USCA Case No. 11-1045, Decided June 8, 2012

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