Letter/Attachment for GTCC EIS Scoping Comment #79

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September 14, 2007

Greater-Than-Class C Low-Level Radioactive Waste EIS Scoping
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U.S. Department of Energy
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Washington, DC 20585–0119
Comments submitted via www.gtcceis.anl.gov/involve/comments/index.cfm.
Deadline September 21, 2007

Dear James Joyce:

We appreciate the opportunity to submit comments on the subject EIS Scoping. We also appreciate the measures taken by the Department of Energy (DOE) to facilitate public comments, by allowing electronic submittal and by placing relevant documents on a publicly available web site. Below please find comments from the Hanford Task Force of Washington Physicians for Social Responsibility.

DOE process for decision

We note that in November 2004, the chairs of nine site specific advisory boards recommended that the Department sponsor a National Stakeholder Forum, administered and organized by an entity independent of DOE, "to produce technically sound, fiscally responsible, politically acceptable, sustainable, and comprehensive solutions to DOE's system-wide waste and material disposition challenges."[1] This letter recognized DOE's responsibilities for multiple categories of waste, and recommended broad public participation in the National Stakeholder Forum.

It is therefore deeply disappointing that the Department once again chose the inadequate, piecemeal approach of searching for a recipient for a single category of wastes. This smacks of an attempt to set states and regions against each other in the hopes of finding a location willing to accept a particular waste category, or alternatively, one that will object less strenuously than other locations. DOE's announcement that it has been tasked with the additional responsibility of Greater Than Class C (GTCC) Wastes only reinforces the need for a National Stakeholder Forum. The Department should follow the recommendations of its advisory board chairs and engage the public in an effort to

[1] James C. Bierer, et al., National Stakeholder Forum on Waste Disposition, letter to Paul Golan, U.S. Department of Energy, November 24, 2004, at www.srs.gov/general/outreach/srs-cab/recommnds/corresp/golan112404.pdf.

develop comprehensive and politically acceptable solutions to all of its waste management burdens.

Consideration of Hanford

The Department's Notice of Intent reports preferred management of GTCC waste under U.S. Nuclear Regulatory Commission (NRC) regulations through placement in a geologic repository. But the Notice states that Hanford and other DOE sites also will be considered as recipients because they "currently have waste disposal operations as part of their mission."[2] However, no current or contemplated waste disposal at Hanford could possibly qualify as geologic disposal. In addition, high level wastes at Hanford are still temporarily stored in aging tanks that have exceeded their design life spans and have leaked in the past. Moreover, a DOE facility to immobilize those wastes in a stable glass form is about eight years behind schedule and about $8 billion over budget. At the public meeting in Troutdale, OR, an Oregon state official characterized opposition to GTCC wastes at Hanford as distinct from "not in my backyard," but rather reflecting, "no more in our backyard because it is so horribly contaminated already."[3] Besides not meeting NRC requirements, it would be unconscionable under these conditions to consider bringing a new category of wastes to Hanford.

In addition, Washington State voters passed the Cleanup Priority Act in 2004 with 69% approval, a record margin for Washington State initiatives. We recognize that DOE is attempting to overturn this measure in the courts. But whatever the ultimate judicial outcome, voters made clear their preference that DOE clean up all wastes at Hanford, including the tank wastes, and fully comply with environmental requirements before any new waste is imported to Hanford. DOE should recognize reality and respect this clear sentiment in determining where to send GTCC wastes.

We note that locations considered for GTCC wastes did not include Rocky Flats CO or Fernald OH, where DOE has declared cleanup completed. These omissions send a clear signal, that citizens desiring to avoid receiving more atomic waste should push DOE to finish remediation at their particular sites of interest as expeditiously as feasible, while fully complying with applicable environmental requirements.

Hardened On-Site Storage as an alternative

The Alliance for Nuclear Accountability, a network of approximately 35 non-profit groups, "representing the concerns of communities in the shadows of the U.S. nuclear weapons sites and radioactive waste dumps," has proposed Hardened On-Site Storage as a disposition method for GTCC wastes.[4] This method would store radioactive wastes in

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[2] U.S. Department of Energy, Notice of Intent to Prepare and Environmental Impact Statement, 72 FR 40135, July 23, 2007, at www.gtcceis.anl.gov/documents/docs/GTCC_NOI_Federal_Register.pdf.
[3] Annette Cary, Crowd says no to more waste at Hanford, *Tri-City Herald* (WA), August 28, 2007, electronic version at www.tri-cityherald.com/tch/local/story/9257848p-9172799c.html.
[4] Alliance for Nuclear Accountability, Hardened On-Site Storage, at www.ananuclear.org/Issues/EnvironmentalCleanup/GTCCResources/tabid/93/Default.aspx.

robust, secure facilities at or near the site of generation in a retrievable manner until a technically sound, publicly acceptable solution is found. This would also give generators some responsibilities for managing the wastes they produce. We reiterate our recommendation above that a National Stakeholder Forum is the proper proceeding to develop sustainable and comprehensive solutions to all DOE's waste management responsibilities, but within the context of the Department's consideration of GTCC wastes, we recommend that Hardened On-Site Storage be evaluated seriously as an alternative.

Inventory and half-lives

Documents publicly accessible from DOE's GTCC web site include a July 2007 summary of inventory estimates.[5] This document makes clear that the dominant source of projected GTCC wastes in terms of radioactivity (110 million /140 million curies) is expected to be decommissioned commercial atomic reactor plants. The inventory document also describes the different types of waste and indicates the nuclides involved, but there is no discussion of the half-lives of any nuclides. DOE's EIS should make this clear for longer lived substances such as Tc-99 (half life 213,000 yr), I-129 (15.7 million yr) and metal activation nuclides (Ni-59, 75,000 yr; Nb-94, 20,000 yr), and make clear the times of storage necessary for radioactive decay (generally 20 half-lives to reduce concentrations to one-millionth of initial values). On a related matter, the EIS should indicate which sub-category of waste inventory, perhaps such as Co-60 and Cs-137 sealed sources, could be separated from other wastes, and thus require storage for shorter times (hundreds of years rather than millions). It appears such separation would not be practical with activated metals from atomic power plants, since these nuclides are likely to be integrated into metal structures.

Federal responsibilities and financial burdens

In its 2005 Advance Notice of Intent, the Department reported identification of steps to ensure that entities generating GTCC wastes bear "all reasonable costs" for waste management.[6] This should include, but not be limited to, administrative costs, because the infrastructure to manage such wastes has been made necessary by those who generate the wastes. Accordingly, DOE should not allow this program to become another subsidy for the atomic power industry. DOE must set fees according to the actual costs of waste management and administration, revise fees to reflect actual costs, and impose the revised fees in an open-ended manner as necessary. That is, if one fee schedule proves insufficient, DOE should have the authority to impose new fees retroactively on wastes previously accepted.

GTCC wastes represent another legislated responsibility for the federal government to store and manage radioactive wastes generated by the commercial atomic industry, in

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[5] U.S. Department of Energy, accessible via www.gtcceis.anl.gov/documents/index.cfm.
[6] U.S. Department of Energy, Advance Notice of Intent, 70 FR 24775, May 11, 2005, at www.gtcceis.anl.gov/documents/docs/anoi.pdf.

addition to such examples as uranium mill tailings and spent atomic fuel. To our knowledge, no other energy source benefits to such an extent from legislated federal responsibility for its wastes. DOE statements on commercial atomic power should recognize this dependence, and should candidly address atomic power's defects: an energy source that produces large amounts of radioactive wastes and then relies on the federal government to manage those wastes for millennia after the industry profits from their generation is neither safe, clean, nor economical; and it certainly cannot be considered sustainable.

Sincerely,

John Abbotts
on behalf of the Hanford Task Force, Washington Physicians for Social Responsibility

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