

U.S. Department of Energy
Savannah River Operations Office
P.O. Box A
Attention: Ms. Tracy Williams, NEPA Compliance Officer
Aiken, South Carolina 29802

Subject: Draft EA for the Acceptance and Disposition of Spent Nuclear Fuel (SNF) Containing U.S.-Origin Highly Enriched Uranium from the Federal Republic of Germany

Dear Ms. Williams:

Please consider the enclosed comments from the Savannah River Site (SRS) Citizens Advisory Board (CAB) regarding the subject draft Environmental Assessment (EA).

Sincerely,

Harold Simons
Chairman, SRS Citizens Advisory Board

Enclosure

CAB Comments on the draft EA for the Acceptance and Disposition of Spent Nuclear Fuel (SNF) Containing U.S.-Origin Highly Enriched Uranium from the Federal Republic of Germany:

1. DOE has not established an adequate and compelling purpose and need for the proposalⁱ.
 - A formal statement by National Nuclear Security Administration clearly indicates that the German Spent Nuclear Fuel (SNF) is not a proliferation risk. Therefore, bringing it to the U.S. for safeguarding is unnecessary.
 - Processing the German SNF is unnecessary because the current physical state of the German SNF is stable and substantially proliferation resistant.
 - Germany is a wealthy and stable first-world ally capable of safely and securely managing this SNF without US assistance.
2. DOE has not identified nor evaluated all reasonable technological and siting alternatives (as required by NEPAⁱⁱ) if the SNF is brought to the US.
 - Not processing the German SNF is a reasonable technological alternative because the current physical form of the SNF is stable and amenable to long-term storage and disposal as is.
 - Processing the German SNF at SRS would actually invite more environmental impacts and risk than not processing; therefore, the alternative of bringing it to the U.S. but not processing must be assessed.ⁱⁱⁱ
 - If constructing a processing facility in K-Area is considered a reasonable alternative (rather than processing the SNF in H-Canyon), then clearly there are other reasonable processing location alternatives than only at SRS.

While evaluating the German SNF proposal, it is appropriate to consider the backdrop of other overriding environmental issues facing the SRS. While the Savannah River Operations Office and its contractors have done their best to keep commitments for cleanup and disposition of SRS materials and wastes, this cannot also be said of the support received from DOE Headquarters. DOE has failed in timely establishment of a geologic repository as required by the Nuclear Waste Policy Act; consistently failed to provide sufficient resources for timely disposition of SRS surplus plutonium and spent nuclear fuel; and continues to underfund and delay its legal cleanup commitments, especially regarding treatment of liquid radioactive waste and closure of tanks.

Findings regarding the German SNF proposal:

- 1) It is not needed for US national security or nuclear nonproliferation goals, therefore the purpose and need for the proposal is lacking.
- 2) All reasonable technological and siting alternatives have not been evaluated.
- 3) Even if predicted environmental effects may be small, they still represent an unwarranted environmental risk to the Central Savannah River Area.
- 4) It will unnecessarily add to an already large indefinite SNF and waste storage and disposal burden at SRS.

5) DOE failures to faithfully keep pace with its SRS cleanup commitments impede the acceptability of this proposal by the citizens of South Carolina and Georgia.

Conclusion:

Based on the above noted findings, the SRS Citizens Advisory Board opposes the proposal to receive the German SNF for treatment and storage in the U.S. and supports the “No Action” alternative.

ⁱ The President’s Council on Environmental Quality National Environmental Policy Act (NEPA) Regulations require that federal agencies shall “...specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” 40 CFR 1502.13

ⁱⁱ NEPA Regulations require that federal agencies “... Rigorously explore and objectively evaluate all reasonable alternatives...” 40 CFR 1502.14(a)

ⁱⁱⁱ NEPA Regulations require that federal agencies “...Use the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment.” 40 CFR 1500.1(e)