Please include in the Public Record

JUNE 23,1999

TO: USDOE, OFFICE OF FISSILE MATERIALS DISPOSITION ,PO BOX 23786, Washington, DC 20026-3786

FROM: Tim Young and MB Condon, 380 Ilsa Way, Goldendale WA 98620
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RE: Supplement to the Draft Surplus Plutonium Disposition Environmental Impact Statement

We would like to express the following concerns to USDOE regarding the supplement to the Draft Surplus Plutonium Disposition EIS.

It is very disturbing that USDOE has gone forward with contracts with Duke Power and Virginia Power to utilize MOX fuel in commercial reactors before the Final Surplus Plutonium Disposition Environmental Impact Statement has been issued. It is even more disturbing that the only public meetings on this issue were held in Washington,DC, not in the communities where the MOX fuel will be shipped and burned . The people within the reactor communities and those along the shipping routes must be directly involved in USDOE's decisions that could increase the possibility of a nuclear accident and consequently increase the number of cancer deaths in their communities were such an accident to occur during the use of MOX fuels. 1

As residents of Washington State ,who have been to many public meetings regarding Hanford, we would contend that USDOE's lack of outreach in this instance is par for the course . It only serves to reinforce the conception that USDOE acts unilaterally , when there may be public oppossition to it's goals .

USDOE should extend the public comment period on this Supplemental EIS and hold public hearings in the reactor communities that will be affected by contracts with Duke Power and Virginia Power. These meetings should be publicized prominently in the affected communities and held at hours that are convenient for working people to attend.

Tim Young and MB Condon

Tim Young
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FR012

FR012–1 **General SPD EIS and NEPA Process**

DOE conducted a procurement process in accordance with DOE NEPA regulations 10 CFR 1021.216. The selected team, DCS, would design, request a license, construct, operate, and deactivate the MOX facility as well as irradiate the MOX fuel in domestic, commercial reactors. However, these activities are subject to the completion of the NEPA process. As stipulated in DOE's phased contract with DCS, until and depending on the decisions regarding facility siting and approach to surplus plutonium disposition are made and announced in the SPD EIS ROD, no substantive design work or construction can be started by DCS on the MOX facility. Should DOE decide to pursue the No Action Alternative or the immobilization-only approach, the contract with DCS would end. The contract is phased so that only nonsite-specific base contract studies and plans can be completed before the ROD is issued, and options that would allow construction and other work would be exercised by DOE if, and only if, the decision is made to pursue the MOX approach.

DOE acknowledges the commentors' request for additional public hearings in areas affected by the use of MOX fuel and an extension of the public comment period, including the reactor and shipping route communities. After careful consideration of its public involvement opportunities, including the availability of information and mechanisms to submit comments, DOE decided not to hold additional hearings on the *Supplement to the SPD Draft EIS* or to extend the public comment period. The *Supplement* was mailed to those stakeholders who requested it as well as to those specified in the DOE *Communications Plan* (i.e., Congressional representatives, State and local officials and agencies, and public interest groups around the United States) and the utilities' contact lists. The utilities, Duke Power Company and Virginia Power Company, would operate the proposed reactors (located in North Carolina, South Carolina, and Virginia) should the MOX approach be pursued per the SPD EIS ROD. Further, interested parties would likely have the opportunity to submit additional comments during the NRC reactor license amendment process.

YOUNG, TIM, ET AL.
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DOE provided other means and time for the public to express their concerns and provide comments: mail, a toll-free telephone and fax line, and the MD Web site. At the invitation of South Carolina State Senator Phil Leventis, DOE also attended and participated in a public hearing held on June 24, 1999, in Columbia, South Carolina.

Although it did not extend the comment period, DOE did consider all comments received after the close of that period for the *Supplement*. All comments were given equal consideration and responded to as presented in Volume III, Chapter 4.