RE: Appeal Regarding “Notice of New Categorical Exclusion for Advanced Nuclear Reactors” Docket ID: DOE-HQ-2025-0405

Office of NEPA Policy and Compliance, U.S. Department of Energy
Carrie Abravanel, *Acting Director* Carrie.Abravanel@hq.doe.gov
Kate Condon, *Environmental Protection Specialist*
Katherine.Condon@hq.doe.gov
cc. askNEPA@hq.doe.gov

Dear Ms. Abravanel and Ms. Condon,

We are writing to oppose the Department’s proposed categorical exclusion (CX) for advanced nuclear reactors. We urge the DOE to withdraw this notice and maintain full NEPA review for any and all nuclear reactor proposals.

Statement from Snake River Alliance, Boise, ID

I write from Idaho—a state already carrying an unfair burden of the nation’s nuclear legacy. Our experience demonstrates precisely why NEPA cannot be gutted in the name of expediency.

Idaho is breathtaking and diverse: from the temperate rainforests of the panhandle, to the jagged peaks of the Sawtooth Range, down to the high desert of the Snake River Plain. This is not an abstract landscape. It is home to family farms, ranches, and communities. Idaho has been home to the Shoshone and Bannock peoples for time immemorial and today, the Snake River aquifer provides over 300,000 people with life-sustaining water.

That aquifer—our lifeblood—percolates beneath the chunky lava flows of Craters of the Moon National Monument and recharges the Snake River. And it sits directly beneath the Idaho National Laboratory (INL), the nation’s center for nuclear energy research and development.

The public must have an opportunity to meaningfully comment on DOE’s notice. DOE cannot claim that new reactors pose no significant environmental impact when INL has a long, well-documented history of both accidental and deliberate contamination. Nuclear activities and poor radioactive waste disposal practices led to the Environmental Protection Agency naming INL a Superfund site in

1989 and the 1995 Idaho Settlement Agreement. Idahoans fought for years to force cleanup and protect our water, and the American people must continue to have a seat at the table.

The proposed CX would eliminate that seat. It would allow reactors to be sited, constructed, and operated without meaningful public input or environmental analysis, even in locations already saturated with nuclear activity.

The DOE suggests that new reactor designs are inherently safer. But changing radiation standards does not change the facts. The transport of fuel, the generation of waste, the risk of accidents, and the routine release of ionizing radiation all carry documented risks to workers and surrounding communities. NEPA exists to examine those risks before—not after—a catastrophe.

Idaho is Not a Testing Ground. We are not opposed to innovation; we are opposed to being treated as a national sacrifice zone. During Cold War nuclear weapons tests, we were considered a "low-use segment of the population" and we have not forgotten. We have gotten sick, died, and lost family. Corporate interests should not be permitted to exploit our most precious resource with reduced oversight. Idahoans worked too hard to protect this place—for our farms, our children, and the fish and wildlife that depend on clean water.

NEPA is not a barrier. It is a guarantee that agencies pause, look, and listen before acting. Ignoring NEPA does not help the industry gain trust and it could be unintentionally self-destructive in the case of an accident.

I respectfully request that the DOE withdraw the proposed categorical exclusion for "advanced" nuclear reactors. If the Department believes certain reactor classes warrant expedited review, it should go through the ordinary process of environmental assessment or programmatic EIS—not by unilaterally exempting an entire class of novel industrial nuclear facilities from NEPA.

Leigh Ford, Executive Director, Snake River Alliance

Statement from PeaceWorks KC, Kansas City, Missouri-Kansas

Kansas is home to many family farms, ranches, small rural communities, several larger cities and prairie including the beautiful Flint Hills. In the furthest southeast corner of the state is the small town of Parsons, an area known for its tourism for fishing and hunting. Parsons, located in Labette County on the Oklahoma border, primarily relies on the Ozark aquifer for its groundwater needs. The Ozark aquifer is the main source of water in the tri-state region (Kansas, Missouri, Oklahoma). Parsons is within the ancestral, hunting and treaty lands of the Osage Nation. Historically, the region saw the presence of the Kaw (Kansas), Cherokee, Delaware and Shawnee.

A two-year old company, Deep Fission, is proposing an experimental micro-reactor at the bottom of a mile-deep borehole, to be located in the Great Plains Industrial Park (GPIP) four miles east of Parsons. GPIP is the site of the Kansas Army Ammunition Plant (KSAAP), which operated from 1941 to 2005 for bomb loading and ammunition manufacturing, resulting in soil and groundwater contamination. The site is being remediated under a U.S. Environmental Protection Agency (EPA) permit to address environmental impacts before full redevelopment. As part of this clean-up there are regular explosions of manufacturing waste in open pits on the site.

Deep Fission announced its first-ever-in-the-world borehole reactor to the public December 4, 2025, held its ground-breaking four days later on December 9, and plans to reach criticality on July 4, 2026. A letter of intent was signed with the GPIP board, but there have been no public meetings or opportunity for public input or questions.

We are writing to oppose the Department's proposed categorical exclusion (CX) for advanced nuclear reactors. The people must have an opportunity to meaningfully comment on DOE's notice. DOE cannot claim that new reactors pose no significant environmental impact. The people of Parsons deserve to weigh-in on being test subjects for a risky, rushed never-before tried idea. Boreholes themselves pose well-known significant dangers, which would only be increased for generations when adding radioactive materials to the mix.

I respectfully request that the DOE withdraw the proposed categorical exclusion for "advanced" nuclear reactors. The people deserve to have their health and environment protected under NEPA.

Ann Suellentrop M.S. R.N., Vice-chair of PeaceWorks - KC

Statement from Portsmouth Piketon Residents for Environmental Safety and Security PRESS INC 2026

In 2018, the US Department of Energy released an 80 acre plot of land at the former Portsmouth Gaseous Diffusion Plant in Piketon Ohio to the Southern Ohio Diversification Initiative SODI. The site was then sold to Trillium H2 Power in 2022 for a hydrogen project and by 2023 Oklo Inc. signed the initial Memorandum Of Understanding and purchased the property without having built their first ever nuclear reactor. US Secretary of Energy Chris Wright states mistakes were made in the past in Piketon Ohio due to speeding up the process for the arms race during the cold war and with the decisions made by the current administration and regulators to loosen regulations to streamline the process for advanced experimental nuclear reactors to be licensed and constructed, the same mistakes are being made today.

Currently, HALEU High Assay Low Enriched Uranium is and has been produced at the American Centrifuge Plant /Centrus Energy Corporation on site in Piketon along with a contract to supply South Korea with Low Enriched Uranium for their reactors and potentially future supplies of HALEU fuel. HALEU Production for Centrus began operating a demonstration cascade in late 2023 to produce HALEU (enriched up to 20%), which is required for many SMR designs. The local community and people of the state of Ohio will face an increase in potential exposures with an increase in nuclear activities all the while new evidence clearly shows the dose estimates presented to workers and the general public alike, have irrefutably provided an underestimation of the internal dose by orders of magnitude. First, a proper risk model providing accurate dose estimates must be finally formulated before we increase our nuclear handling operations.

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Statement on behalf of Columbia Riverkeeper

Columbia Riverkeeper is a non-profit organization with a mission to restore and protect the water quality of the Columbia River and all life connected to it, from the headwaters to the Pacific Ocean. Columbia Riverkeeper has over 16,000 members and supporters who live, work, and recreate throughout the Columbia River Basin, including thousands of members and supporters in Washington state.

For over two decades, Columbia Riverkeeper has worked with Tribal Nations and people in communities throughout the Northwest who rely on a cold, clean Columbia to address toxic and radioactive waste at the Hanford Nuclear Site. Based on this experience, our organization has seen firsthand the complex challenges, and unanswered questions, when it comes to long-term management of nuclear waste.

A legacy of the Cold War, Hanford is the nation's most contaminated site and continues to leach radioactive and chemical pollution into the Columbia River. Hanford's nuclear and chemical contamination threatens the Pacific Northwest's people, animals and fish, river communities, the health of the Hanford Reach, and countless other cultural and natural resources. The public and Columbia Riverkeeper members continue to catch and consume fish from the Columbia River, drink water from the river, irrigate farms with the river water, and recreate in the Hanford Reach and downstream of Hanford. The federal government has an obligation to ensure that Hanford's nuclear legacy does not compromise current and future generations' use and enjoyment of the Columbia River.

Hanford, home to the first nuclear reactor of its kind built in the world now contains over 500 contaminated facilities and structures. Many of these structures, such as underground tanks, cribs, and trenches, were used to contain some of Hanford's most dangerous radioactive and toxic waste. Now, almost 30 years after Hanford transitioned away from plutonium production to cleanup, the aging infrastructure at Hanford poses increased risk of failure, heightening the potential for contamination exposure to people and the environment.

Despite the significant cleanup challenges onsite, companies, such as X-Energy, are planning to develop novel Small Modular Nuclear Reactors (SMNRs). The proposed location of these SMNRs directly impacts cleanup operations onsite, threatens worker and community safety, burdens future generations with increased nuclear waste, and holds the potential to mobilize highly radioactive and toxic waste.

Columbia Riverkeeper strongly opposes the U.S. Department of Energy's categorical exclusion (CX) for advanced nuclear reactors. We urge Energy to withdraw this notice and maintain full NEPA review for any and all nuclear reactor proposals. CXs are reserved for federal actions that **do not** significantly affect the quality of the human environment. At this juncture, it's impossible to know if new nuclear reactors, such as Small Modular Nuclear Reactors (SMNRs), meet this definition since none have been built in the United States. Furthermore, the situation at Hanford is both complex and volatile, it's impossible to know that new development onsite would not significantly impact the environment. Surprise discoveries of radioactivity, new burial grounds and trenches, as well as a rapidly changing climate which is increasing both fire and earthquake risk onsite are all factors.

The proposed location for SMNR's is dangerously close to a tritium contaminated groundwater plume, emanating from the highly radioactive 618-11 burial ground. This plume shows tritium concentrations 50 times higher than EPA's drinking water standard. Currently, the burial ground cannot be addressed because of the presence of the nearby Columbia Generating Station, the Northwest's only operating nuclear power plant. In this case, the operating nuclear plant stands in the path of cleanup, and the burial ground continues to cause high levels of tritium in the groundwater near the Columbia Generating Station and near where X-Energy wants to build its SMNRs.

This is but one example of the clean up challenges onsite at Hanford and the reason why nuclear reactors must undergo federal environmental review. Proposed locations for these reactors include the most contaminated sites in the Western Hemisphere and understanding how development will impact those sites is essential.

Simone Anter
Senior Attorney & Hanford Program Director
Columbia Riverkeeper

Statement on behalf of the Healthy Environment Alliance of Utah (HEAL Utah)

Utah has already been the test case for what can go wrong when the public's interest is considered secondary to the "national interest," and basic safeguards for health and safety are circumvented. Utah residents have been subjected to immense suffering over the course of decades from the operations of the nuclear and uranium industry. Our people have experienced elevated rates of cancer, thyroid disorders, chronic illness, birth defects and other reproductive harms due to exposure to radioactive materials at multiple stages of the nuclear fuel chain. Women, children, rural and tribal communities have been disproportionately affected by these exposures, even as radiation rules have historically not sufficiently taken into account their particular vulnerability and additional paths of exposure.

NEPA was created to ensure that a thorough accounting of environmental and health impacts could be analyzed before a project moves forward–not after these harms have already happened. A faster timeline does not make for a safer one. We have been here before, and we cannot simply trust that the Department of Energy will do the right thing, especially when we know that it has already rewritten environmental and public safety and security rules, without providing any opportunity for public input. Current federal radiation exposure standards need to be updated to reflect the latest science on

vulnerable populations, not downgraded to ensure that tech companies can secure billions more and profit off of their investments.

The DOE should not pursue a categorical exclusion for so-called “advanced” nuclear reactors. Such a pathway will ultimately reduce public acceptance of nuclear energy, as it undermines the federal government’s credibility when it claims that these reactors are “failsafe”. As in the past, if and when harm does happen, Utahns will be some of the first to pay the price economically, environmentally, and with our health. We have been considered expendable before– and our stark, beautiful landscapes have been turned into sacrifice zones. This must not happen again.

On behalf of our 25,000 members across the state I respectfully request that the DOE withdraw its proposed categorical exclusion for “advanced” nuclear reactors. Our people deserve to have their health and environment protected under NEPA.
https://lib.utah.edu/services/geospatial/downwinders/
https://www.radiationproject.org/
https://hsph.harvard.edu/news/cancer-risk-may-increase-with-proximity-to-nuclear-power-plants/
https://pubmed.ncbi.nlm.nih.gov/40844803/

Lexi Tuddenham
Executive Director, HEAL Utah

Blue Ridge Environmental Defense League
Statement on Categorical Exclusion of Advanced Nuclear Reactors

We oppose the extension of existing exclusions and establishment of new exclusions from environmental protections which apply to so-called advanced reactors.

The exclusions, as proposed, apply to authorization, siting, construction, operation, reauthorization, and decommissioning of advanced nuclear reactors; viz,

- Executive Order 14299: Deploying Advanced Nuclear Reactor Technologies for National Security, May 23, 2025.
- Executive Order 14301, directs the Secretary of Energy to create "categorical exclusions as appropriate for reactors within certain parameters."

See "Reforming Nuclear Reactor Testing at the Department of Energy," Section 6, "Streamlining Environmental Reviews," May 23, 2025.

EO 14299 directs the Secretaries of Defense [sic] and Energy to consult with the Chairman of the Council on Environmental Quality regarding "the Department of Defense's [sic] and the Department of Energy's established categorical exclusions under the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 et seq., "for the construction of advanced nuclear reactor technologies on certain Federal sites within the United States. The purposes of implementing this order and 'establishing new categorical exclusions for the same purposes, that "[a]dvanced nuclear reactors include nuclear energy systems like Generation III+ reactors and small modular reactors…that have the potential to deliver resilient, secure, and reliable power to critical defense facilities." [91 FRN 4550, 2/2/26]

Further, "DOE consulted with the Department of War on this categorical exclusion in alignment with E.O. 14299, Deploying Advanced Nuclear Reactor Technologies for National Security (May 23, 2025) with respect to a potential future siting, construction, and operation of advanced nuclear reactor technologies on Department of War installations to accelerate deployment of resilient power solutions in support of mission assurance objectives for critical infrastructure, and ensure military readiness." [91 FRN 4551, 2/2/26]

Comments

So called Advanced Reactors are a category of atomic fission power plants which include small modular reactors and Generation III+ reactors. I will address problems with two advanced reactor types here: SMR and Generation III+

AP1000 PWR, Generation III+

The Westinghouse AP1000 nuclear power plant is a Generation III+ pressurized water reactor with an output of about 1,100 megawatts-electric. Two such units were constructed in Georgia in 2023-2024. The company claimed its passive cooling systems and simplified construction would reduce costs and construction time. However, missed deadlines and cost overruns proved them wrong. Numerous experts—atomic power plant operators, nuclear physicists and experienced regulatory veterans—warned of the many problems inherent in the design. Reviews, some unsatisfactory, were completed and the licenses were issued. [See https://en.wikipedia.org/wiki/AP1000]

If categorical exclusions for advanced reactors had been in place and had prevented even minimum public review and criticism, the weaknesses in this Generation III+ nuclear reactor would not have been known, much less corrected, until it was too late.

SMR in Tennessee

On April 13, 2017, the U.S. Nuclear Regulatory Commission published in the Federal Register (82 FR 17885) its intent to prepare an EIS for the Tennessee Valley Authority's early site permit for the Clinch River Nuclear Site, located in Roane County, Tennessee, about 25 miles from Knoxville. TVA's request identified the Clinch River site as suitable for two or more so-called small modular reactors, experimental nuclear power plants which range from 50 megawatts to 300 megawatts, about one-third the power of conventional nuclear power plants.

Executive Order 13636, "Improving Critical Infrastructure Cybersecurity," was issued February 12, 2013. The order cites "cyber intrusions into critical infrastructure" which "demonstrate the need for improved cybersecurity." The order states:

> Sec. 9. Identification of Critical Infrastructure at Greatest Risk. (a) Within 150 days of the date of this order, the Secretary shall use a risk-based approach to identify critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

TVA states that “SMR deployment will demonstrate that the technology is capable of incrementally supplying…power that is less vulnerable to disruption to facilities owned by federal agencies.” However, we cannot take lightly the prospect of an experimental nuclear reactor design’s impact on electric power infrastructure in light of the evolving threats and the energy economics of the 21st Century. SMR passive cooling systems do not have active backup systems. The weaker containment of SMRs has a greater chance of damage from hydrogen explosions. Underground siting increases risk during flooding. And multiple SMRs present higher risk from reduced support staff or safety equipment. The risks from these reactors are precisely the catastrophic regional or national effects on public health or safety and economic security which EO 13636 sought to prevent.

Louis A Zeller, Strategic Advisor
Blue Ridge Environmental Defense League, Inc.

Statement on Behalf of Nuclear Free Hawai‘i

The Department’s proposed categorical exclusion (CX) for advanced nuclear reactors is procedurally and factually premature and lacks the evidentiary basis required under NEPA.

Under 40 C.F.R. § 1501.4 and § 1508.1(d), a categorical exclusion may only be established for categories of actions that an agency has determined “normally do not have a significant effect on the human environment.” Such a determination must be grounded in experience and demonstrable operational history.

There are no commercially operating advanced nuclear reactors in the United States.

Hawai‘i had a legislatively mandated working group of energy and policy experts, convened by the Hawai‘i State Energy Office pursuant to SCR 136 (2025), to assess the feasibility of advanced nuclear reactors in Hawai‘i. I served as a member of that working group.

The Hawai‘i State Energy Office’s report, Advanced Nuclear Power Technologies in Hawai‘i (SCR 136, 2025 Legislative Report), concluded that deployment of advanced nuclear technologies in Hawai‘i is premature due to the absence of operating units, unresolved waste management pathways, uncertain cost structures, regulatory gaps, and emergency preparedness limitations.

The Working Group stated:

> “The working group largely concurred that Hawai‘i should not serve as a test case for any advanced nuclear demonstration projects… Until these questions are resolved within the industry, the working group considers any constitutional or regulatory changes to be premature.”

Full report:

https://energy.hawaii.gov/wp-content/uploads/2025/12/SCR136_AdvancedNuclearHawaii_2025LegReport.pdf

If a state-mandated expert body evaluating feasibility determined that advanced nuclear deployment is premature because of the lack of commercial experience and unresolved infrastructure requirements, DOE cannot rationally conclude under NEPA that this class of facilities “normally” lacks significant environmental effects.

Categorical exclusions are reserved for routine actions with well-characterized environmental profiles. First-of-a-kind nuclear reactor designs with no commercial operating record do not meet that standard.

Issuing a class-wide categorical exclusion under these circumstances would lack the empirical foundation required by NEPA and would be vulnerable under the Administrative Procedure Act as arbitrary and capricious agency action.

DOE should withdraw the proposed categorical exclusion and instead pursue site-specific or programmatic environmental review sufficient to establish an adequate record.

Lynda Williams

Physicist, Nuclear Free Hawai‘i

Statement of the Oak Ridge Environmental Peace Alliance

The Oak Ridge Environmental Peace Alliance (OREPA) is a 1,000 member public-interest grassroots organization that has participated in Department of Energy NEPA processes for more than 35 years; during that time we have commented in writing and at public hearings on countless Department of Energy/National Nuclear Security Administration proposals for activities on the Oak Ridge Nuclear Reservation. We have also participated in NEPA processes for programmatic and multi-site decisions.

Our participation has included commenting on DOE Categorical Exclusion decisions, Environmental Assessments, and Environmental Impact Statements. Our participation has resulted in DOE modifying planned actions, withdrawing proposals to reconsider, adding consideration of issues and impacts to pending proposals, and, after a favorable decision in federal court in 2019, forcing DOE to more fully analyze environmental impacts.

Categorical Exclusions are intended to apply only to proposed plans whose environmental impacts are, on the face of them, negligible. Examples in the National Environmental Policy Act regulations include such innocuous activities as relocating power lines from one side of a street to the other. Other activities, such as routine maintenance or minor facility upgrades might also be excluded as a category.

While we are aware that the current administration has taken steps to gut the NEPA regulations and empowered federal agencies to make their own rules for implementing NEPA—literally, the fox guarding the henhouse—this action will not withstand legal scrutiny as it is a clear example of Executive Branch overreach and just as clearly runs afoul of the National Environmental Policy Act. Modifications, amendments, or other changes to NEPA can, of course, only be changed by an act of Congress.

In East Tennessee, we are being directly impacted by the decision to exclude Small Modular Reactors from NEPA analysis by misusing Categorical Exclusions. There is no doubt that the siting and construction of a nuclear power generating facility has the potential for massive impact on the environment, especially in

the location currently proposed. The Administration's desire to fast track nuclear power development and to transfer billions of tax dollars from the common treasury to private corporations and semi-autonomous government agencies (Tennessee Valley Authority) does not trump and may not override the public's interest in an open, transparent decision-making process that maximizes protection of the environment for current residents and future generations.

Among other issues not being considered when a Categorical Exclusion is asserted is the fact the proposed SMR will be located in the East Tennessee Seismic Zone, the second most active earthquake area in the continental United States, and in an area where groundwater typically is less than 12 inches from the surface. Add to this the omnipresence of karst geology, responsible for the off-site migration of contaminants from the Oak Ridge Reservation—including the presence of radioactive contamination on the non-reservation side of the Clinch River, and the fact that the proposed action involves novel technologies, and the inappropriateness of assigning a CX to the proposed action is obvious and inarguable. Tennessee has a reputation as the Volunteer state; that does not mean we are idiots; we are not volunteering to be guinea pigs in a nonconsensual, blind trial of an untested and potentially disastrous technology.

OREPA strongly objects to the assignment of CXes to the Small Modular Reactor Program; it is not hyperbole to say this action is both outrageous and dangerous.

Tri-Valley Communities Against a Radioactive Environment
Statement on Categorical Exclusion of Advanced Nuclear Reactors

Tri-Valley Communities Against a Radioactive Environment (TVC) is a Livermore-based nonprofit organization dedicated to protecting public health and the environment from the impacts of nuclear weapons production and nuclear reactor activities. For more than four decades, we have conducted independent research and community education regarding operations at Lawrence Livermore National Laboratory and other Department of Energy (DOE) facilities. We closely monitor DOE regulatory actions because they

directly affect both worker safety and environmental protection. We have over 6000 members across the country.

Tri-Valley CAREs strongly opposes the establishment of a categorical exclusion (CX) to the National Environmental Policy Act (NEPA) review for advanced nuclear reactors (ANAs) by the Department of Energy (DOE). This move—which is part of an ongoing assault against long-established environmental laws and public participation in agency decision making—would undo decades of precedence and normalize the bypassing of the democratic process.

CXs were established to ensure that NEPA didn't hinder federal development projects that were minor, routine and certain not to have a significant impact on the environment. Surely, ANAs are not minor or routine and their impacts to the environment are largely examined, but could impact the environment. They are not eligible for CX status and the application of a CX to ANAs would be an abuse of the CX provision as a loophole by the DOE.

ANA's could include a range of designs, including some that are not yet even contemplated by the agency. To exclude this entire class of projects from environmental review, when these are novel, untested designs in counter to the congressional intent of NEPA.

In fact, the DOE is acknowledging that it intends to initiate a "program" of citing ANA's at existing DOE sites and even other properties not currently designated as DOE property. This program should be analyzed in a "programmatic environmental impact statement" (PEIS) as an initial step. This PEIS would analyze the potential impacts at all/any of the potential sites and from all of the proposed ANA designs. It would analyze potential alternatives, analyze potential for releases of the specific radionuclides that each design contains in the case of an accident or intentional destructive act and provide site specific analysis for sites already identified. Then any additionally proposed site could tier off of that PEIS.

In its record of support for the CX, the DOE claims that current safety measures adequately protect the environment from the harmful effects of constructing ANAs—that a NEPA environmental review is unnecessary. However, an analysis of safety measures can not be established by a blanket assertion. First,

evaluation and analysis of the safety measures, the type of “hard look” that should be done in a NEPA review, should take place. Second, allowing for outside input and comment on that analysis from other experts and the public, not just a cursory claim that has no peer review or public scrutiny.

The claims of safety are deceptive given the history of nuclear reactor failures in the past, especially those that were new designs. In addition to the high profile nuclear reactor incidents like Three Mile Island, Chernobyl and Fukushima Daiichi, (all of which were promised to have adequate safety measures in place), frequently operating nuclear reactors across the US have small-scale malfunctions and shut downs that release low doses of radiation. It is irresponsible and dangerous to assume that current construction safety measures are sufficient to protect human health and the environment to the extent that no environmental analysis under NEPA would ever be required. If ANA’s are not covered by NEPA, what is?

One of the most pressing environmental concerns regarding advanced nuclear reactors is the potential for some designs to produce plutonium as an end product that could then be used in future nuclear weapon development. The DOE already has 61 metric tons of surplus plutonium; adding more plutonium will damage the environment further and increase the risk of proliferation by hostile forces. The production of more plutonium (or any other radioactive element that could be used for a dirty weapon) poses a clear environmental risk. The radioactive waste impacts of these ANAs alone deserve to be analyzed for potential impacts to the environment in a full environmental impact statement under NEPA (as well as other radioactive and hazardous waste streams from ANAs).

Bypassing NEPA environmental review to build ANAs when they clearly have the potential to significantly impact the environment if an accident or intention destructive act were to occur is a brazen violation of NEPA. No amount of safety measures can erase the fact that even a small release of radiation poses an environmental health risk that must be analyzed before these projects are allowed to move forward.

In 1992 the United Nations established the “precautionary principle”; that, “In order to protect the environment, the precautionary approach shall be widely

applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation." NEPA is the embodiment of the precautionary principle established by the UN and applying a CX to ANA at DOE sites is the exact opposite of precaution– it's reckless.

In addition, the public comment component of NEPA is paramount to democratic participation in federal decision making on proposals that could affect the environment. ANA's clearly could potentially affect the environment and the public must be included in the decision making process, not categorically excluded. This goes against the very principles on which America was founded—the American people deserve to voice their opinions, concerns and ideas for improvement or alternatives on proposals like these.

We request that the DOE not move forward with the CX and follow environmental regulations by putting advanced nuclear reactors through NEPA review.

Organizations in support of the above statements:

Beyond Nuclear — Paul Gunter, Reactor Oversight Project

Blue Ridge Environmental Defense League — Louis Zeller, Strategic Advisor

Citizens' Resistance At Fermi Two (CRAFT) — Jesse Deer In Water, Leader

Coalition for a Nuclear-Free Great Lakes — Michael J. Keegan, Chair

Columbia Riverkeeper — Simone Anter, Senior Attorney & Hanford Program Director

Concerned Citizens for Nuclear Safety — Joni Arends, Co-founder and Executive Director

Don't Waste Michigan — Alice Hirt, Co-Chair

Don’t Waste Michigan, Sherwood Chapter — Kathryn Barnes

Fernald Residents For Environmental Safety And Health (FRESH), Inc. — Lisa Crawford, President & Pam Dunn, Treasurer

Healthy Environment Alliance of Utah (HEAL Utah) — Lexi Tuddenham, Executive Director

LEAF of Hudson Valley — Susan Shapiro, Director

Nuclear Energy Information Service — David A. Kraft, Director

Nuclear Free Hawai‘i — Lynda Williams, Physicist

Nuclear Watch New Mexico — Jay Coghlan, Executive Director

Nuclear Watch South — Glenn Carroll, Coordinator

Oak Ridge Environmental Peace Alliance — Ralph Hutchison, Coordinator

Oregon Conservancy Foundation (OCF) — Cathryn Chudy, Board Member

Oregon Physicians for Social Responsibility (OPSR) — Joshua Baker, Nuclear Free Program Director

PeaceWorks KC, Kansas City — Ann Suellentrop, Vice-chair of PeaceWorks

PRESS INC — Vina Colley, President

Rockland Coalition to End the New Jim Crow — Jacquelyn Drechsler, Co-Chair RCENJC Environmental Committee

Safe Energy Rights Group — Nancy Vann, President

San Luis Obispo Mothers for Peace — Linda Seeley, Board Member

Savannah River Site Watch — Tom Clements, Director

Snake River Alliance — Leigh Ford, Executive Director

Southwest Alliance for a Safe Future (SAFE) — Patricia Cardona, Policy Analyst

Southwest Research and Information Center (SRIC) — Don Hancock, Administrator and Nuclear Waste Program Director

The Western New York Drilling Defense — Charley Bowman, Chair

Tri-Valley Communities Against a Radioactive Environment (Tri-Valley Cares), Livermore, CA

Parents Against SSFL- Jeni Knack, Co-director