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CAMPAIGN
FOR A
PROSPEROUS
GEORGIA

DOCKET NUMBER
PROPOSED RULE **PR 20**
(64FR35090)

DOCKETED
December 21, 1999

NRC Chairman Richard Meserve
Attention: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555

'99 DEC 29 P5:22

RE: 64 FR 35090, 6/30/99

Dear Chairman Meserve:

Campaign for a Prosperous Georgia urges the Nuclear Regulatory Commission (NRC) to prohibit the release of any radioactive material into the marketplace. The NRC must decide that the issues paper, 64 FR 35090 6/30/99, which discusses various ways to legalize the introduction of nuclear waste into commerce, should never have been proposed. The NRC should not allow the radioactive contamination of the public and the environment in order to finance and subsidize the toxic legacies that atomic weapons and nuclear power have generated.

Past and current radioactive releases, like the Department of Energy's release in 1994 of copper contaminated with radioactive Cobalt-60 from the Lawrence Berkeley Laboratory to a local scrap metal recycler or the numerous releases from Oak Ridge, Tennessee, must cease immediately. Case-by-case releases, which have occurred without the public's knowledge or permission, have put the public and environment at great risk. The releases should have never occurred and the responsible federal and state agencies, NRC, DOE, and Environmental Protection Agency must prevent future releases and correct past releases.

The NRC should not designate a radioactive dose standard because it will be difficult to impossible to measure, verify, and enforce. Furthermore, there is no safe level of radiation exposure. There are no "acceptable" or "reasonable" risks--any risk is unnecessary. Dr. John W. Gofman, former director of Lawrence Livermore National Laboratory stated in a May of 1999 Letter of Concern, "By any reasonable standard of biomedical proof, there is no safe dose, which means that just one decaying radioactive atom can produce permanent mutation in a cell's genetic molecules."

A NRC Staff Requirements Memo from June of 1998 clearly stated the desire to promulgate a dose-based regulation that would allow the release of radioactively contaminated materials for unrestricted use with clearance levels above background that "are adequately protective of public health and safety." The directed disregard for evaluating the non-release option blatantly violates the National Environmental Policy Act's (NEPA) requirement that all options must be considered. We are also concerned

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about the increasing levels of background radiation that have occurred. To properly address NEPA, the public comment period needs to be extended until at least September 2000.

The nuclear industry along with the governing regulatory bodies should know which materials at weapons sites and nuclear power plants are contaminated. These materials should be carefully isolated from the public and the environment and never be released into commerce, landfills, or incinerators. Mr. Val Loiselle, chairman of the Association of Radioactive Metal Recyclers in Knoxville, Tennessee said in reference to the radioactive release rulemaking, among other things, "The dose shouldn't be ridiculously low...The public health is better served by something measurable. In a sense, that means a looser or less stringent standard. Wouldn't it be easier if it were something we could measure?"

We urge the NRC to stop allowing similar minded industries from profiting at the expense of an innocent public.

Sincerely,



Sara Barczak
Safe Energy Organizer

CC: Governor Ray Barnes
Senator Paul Coverdell
Senator Max Cleland