

DOCKET NUMBER
 PROPOSED RULE ~~PR 71~~
 (65FR44360)

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From: Louis Zeller <bredl@skybest.com>
To: Meserve NRC Chairman <chairman@nrc.gov>, Susan Sha...
Date: Fri, Sep 29, 2000 4:19 PM
Subject: harmonization of US regs and standards with international regs and standards

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To: Secretary, US Nuclear Regulatory Commission
 US Department of Transportation
 From: Janet Marsh Zeller
 Re: Comments on the proposed harmonization of USNRC and USDOT
 regulations and
 standards for the transport of radioactive materials with
 international regulations
 and standards
 Date: September 29, 2000
 CC: DOT Chairman Slater, NRC Chairman Meserve, Susan Shankman, Naiem S.
 Tanious,
 Frances X. Cameron, George Mulley, Rick Boyle, Fred Ferate,
 Shane Kelley, Kelley Coyner

In addition to our September 28th request for a six month extension of
 the public comment
 period, on behalf of the Blue Ridge Environmental Defense League Board
 of Directors, I submit
 the following questions and comments.

Overview

The US Nuclear Regulatory Commission and the US Department of
 Transportation are moving
 ahead to propose adoption of new regulations and standards for
 radioactive materials
 transportation without clarifying major questions about the impacts on
 public health and the
 environment.

- 1) Neither the NRC nor the DOT has provided to the affected public
 documents which are central
 to understanding the proposed changes in regulations and standards.
- 2) No comparative analysis of US standards and proposed harmonization
 with international
 standards has delineated the increases, decreases, or neutral effects in
 radiation exposure to
 persons living in communities along transport routes.
- 3) The white paper which formed the basis for the discussion at the
 meeting on August 10 and
 the subsequent public meetings in Atlanta and Oakland consisted of
 selected, censored talking
 points which afforded public participants a limited if not distorted

Template = SECY-067

SECY-02

view of proposed radioactive transport changes.

BREDL Recommendations

- 1) NRC and DOT must not support any changes in radioactive materials regulations and standards which increase radiation doses to the general public or increase adverse impacts on the environment.
 - a) NRC must not abandon the double-lined containment for plutonium shipments. If, as some industrial representatives submitted on August 10, other radionuclide shipments are as dangerous as plutonium shipments, then the use of double containment must be extended to those dangerous transports. Further, the people of New Mexico and those communities along the transport routes to the WIPP facility have been promised by Congress that these shipments will have double containment. If the ill-advised plutonium fuel program moves forward for the Duke reactors in the southeast, the people of our region will demand transport containment with no radiation exposure.
 - b) No manufacturer or purveyor of transport containers should be allowed to make changes of any kind without specific approval by the NRC and a guarantee of no additional exposures to the public.
 - c) No proposed regulations or standards for radioactive materials transport should result in addition to categories identified as below regulatory control or de minimis exposures.

- 2) The political forces of harmonization and globalization should not influence US agencies to adopt any regulations or standards which foreshorten or abridge the review processes which Americans have every right to expect under federal law.
 - a) DOT is acting arbitrarily and capriciously to move forward with preliminary changes in transport regulations and standards without due process.
 - b) Unavailable documents, abridged discussion papers, and limited public meetings must not form the basis for substantive changes in radioactive materials transport regulations and standards. Every transport corridor community must have the opportunity to request a formal public hearing; no substantive information should be suppressed or limited; and no decisions should be made without full public consensus.

Questions

- 1) BREDL requests a complete listing of all proposed changes in exposure

to ionizing radiation,
to include a radionuclide by radionuclide comparison of existing
exposure limits and proposed
exposure limits.

2) BREDL requests route and transportation mode estimates of the
acceptable risks inherent in
the proposed changes, i.e. how many people can die legally under the
proposed regulatory
changes?

We at BREDL have long been concerned about the inadequate representation
of the interests of
our people by a small number of US government officials who are members
of international
agencies. That our federal government should move ahead precipitously
to conform to weakened
international standards is a violation of public trust.

I reserve the right to submit additional comments as more substantive
information becomes
available. Thank you for your consideration of our remarks. Please
answer our questions from
the last section soon as you are able.

CC: "diane d'arrigo" <dianed@igc.org>, Peer de Rijk <p...