

DOCKET NUMBER
PROPOSED RULE

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League of Women Voters of South Carolina
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OFFICE
REGISTRATION
ADJUTANT

October 17, 2000

To: Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555

From: Mary T. Kelly, Associate Director, LWVSC
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Columbia, SC 29206-2222
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RE: Proposed rulemaking for revision of regulations for transportation of radioactive materials.

The League of Women Voters on all organizational levels has a long history of public participation in the nation's nuclear affairs. The League has played and continues to play an important role in educating our members and the general public about the scientific fundamentals of nuclear energy and about the important public policy issues related to its use. We appreciate the opportunity to comment on this proposed rule making re transportation and packaging.

Although we see ourselves primarily as seekers of solutions to complex problems we can not help but have a strong concern about current proposals as they affect the Savannah River Site. The nation's legacy of environmental contamination and surplus plutonium is being addressed by bringing all of the nation's surplus plutonium to SRS. SRS is itself a heavily contaminated nuclear site, still undergoing remediation that may never be totally successful.

While citizens in other areas are concerned about the transportation of the surplus plutonium through their states, we in South Carolina not only have that problem but much, much more. The surplus plutonium will be transported into SRS, some to a MOX manufacturing plant to be built at that site, and with its own potential for contamination and dangerous incidents. The MOX fuel rods will be transported off site to commercial reactors in South Carolina and North Carolina. In the course of time, the spent MOX fuel rods will pose additional disposal problems.

We strongly agree with the basic principles laid out by Public Citizen: that the harmonization of the NRC regulations with those of the IAEA should in no way reduce the level of protection currently afforded American citizens; that Best Available Technology should be the standard and that the highest level of consumer and

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environmental technology should prevail; that the International standards be regarded as a floor and not a ceiling; that those minimum standards not act to prevent more protective domestic standards; and that harmonization activities should be negotiated in a process that has as its basis open, accountable, and democratic forums.

We are also concerned that the safety of the public and the integrity of the process not be compromised by cost-benefit analysis that puts economics before the health and safety of human beings. Cost-benefit analysis has its place for guidance but since it is too often based on data and modeling assumptions which are challengeable, it should not be an overriding or high criteria level factor in decision making.

Although this communication is not a detailed critique, there are a few items that trouble us.

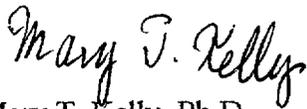
Under Issue 1: Changing Part 71 to SI units only, it would seem that the time has come for the United States to adopt the internationally used metric system and go to one set of units only. Just last year we had a highly publicized and costly example resulting from the use of two measurement systems. The Mars Climate Orbiter spacecraft was lost because one team of workers was using the English System, another was using the metric system. Errors may be forgivable but are they, when they result in the loss of millions of dollars? Simple errors when it comes to nuclear materials could be translated into both dollars and lives

Under Issue 2: Radioactive Exemption Values: Again, we ask that the rules be made as stringent as possible to protect the public. We do not favor exemptions being broadened since we fully understand that radioactive effects on humans and animals are cumulative. We do not believe that there is any safe dose of radiation.

Under Issues 3, 4, and 5 and others:: The criticality issue should not be glossed over nor requirements made less stringent. If the general public really understood the implications of criticality, there would be a lot more public uproar.

It has been recognized going back to the days of the AEC that plutonium is a particularly dangerous material. Even at this late date, the complete chemistry of plutonium is not fully understood. Consequently changes in packaging should be made only if such changes will make the packaging and transportation less dangerous and more protective of public health and safety.

Sincerely,



Mary T. Kelly, Ph.D.
Assoc. Director, LWVSC