

STANDING FOR TRUTH ABOUT RADIATION

November 13, 2000

RECEIVED
200 NOV 16 PM 2:13
Rules and Directives
Branch
USNRC

65 FR 44843
7-19-00
153

Executive Director

Robert Alvarez

Board Of Directors

Alec Baldwin

Dana Stone

Christie Brinkley

Helen Caldicott, M.D.

Peter Cook

Rav Freidel

David Friedson

Jay Gould

Spalding Gray

Barbara Layton

Janet Lehr

Mary Olson

Kathie Russo

Jan Schlichtmann

Alice Slater

Pam Slater

Priscilla Star

Father John White

Technical Board

Glen Alcalay

Bill Reid, MD

Marvin Resnikoff, PhD

Sandy Rose

Janette Sherman, MD

Ernest Sternglass, PhD

David L. Meyer, Chief
Rules and Directives Branch
Office of Administration Mail Stop T-6D59
US Nuclear Regulatory Commission
Washington, DC 20555-0001

Re:

Dear Mr. Meyer:

Radioactive soils should NOT BE RELEASED or recycled in any way-they should be isolated from the public and the environment.

The report, entitled "Human Interaction with Reused Soil: A Literature Search," purports to provide the technical basis for soil reuse scenarios for use in "dose assessments," the intent is clear; the NRC is working toward the wide-spread sale of radioactive soil from nuclear power plants and other NRC-licensed facilities. *We believe that the NRC literature search is inadequate support for a decision of this magnitude.* The U.S. Nuclear Regulatory Commission (NRC) has selected 56 documents with which to define "realistic reuse scenarios" for the many tons of contaminated soils currently piled up at nation's nuclear power plants. According to the NRC, the nuclear power industry's stockpile of contaminated soils could be safely used for a number of private and public endeavors, such as home landscaping projects, athletic fields, and playgrounds. *We believe that NRC's conclusions are premature.*

Furthermore, we urge the NRC to heed the warning of one of the independent reviewers, Carlo Long Casler, who asked the NRC to review Russian documents pertaining to the accident at the Chernobyl nuclear power plant in 1986 and Japanese documents pertaining to the long term health effects of the atomic bombs that were dropped on Hiroshima and Nagasaki some 55 years ago.

In conclusion, we believe that the goal of the NRC should be to isolate radioactive materials and prevent exposures. It is unethical and irresponsible to deliberately expose people by allowing radioactive materials into regular daily commerce. Contaminated materials from nuclear power and the fuel chain should be treated as a waste and isolated. The NRC's standards are not protective of public health and safety and allowing the release of this material into commerce is a violation of the Atomic Energy Act. With the establishment of the

ADM03

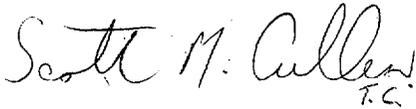
ERDS03

Add Tom
Nicholson
TSN

Template ADM 013

Nuclear Regulatory Commission, Congress undertook to rectify this weakness in the control system by separating the promotion function from the function of safeguarding the public." The legislative history indicates that this division of functions was "a response to growing criticism that there is a basic conflict between the AEC's regulation of the nuclear power industry and its development and promotion of new technology for the industry." Furthermore, Congress determined that "the processing and utilization of source, by-product and special nuclear material must be regulated in the national interest and in order to provide for the common defense and security and *to protect the health and safety of the public.*" Indeed, Congress is clear that ... "regulation by the United States of the production and utilization of atomic energy and of the facilities used in connection therewith is necessary to assure common defense and security and to protect *health and safety of the public.*" Moreover, the Commission has an "overriding responsibility for assuring public health and safety in the operation of nuclear power facilities." We believe that allowing the release of radioactively contaminated material into Commerce is a direct violation of the responsibilities delegated to the NRC by Congress.

Sincerely,



Scott M. Cullen
T.C.

Scott M. Cullen