

**From:** Terry Lodge <tjlodge50@yahoo.com>  
**To:** TWFN\_DO.twf4\_po(CAG)  
**Date:** Tue, Jun 29, 1999 10:50 PM  
**Subject:** Yucca Mountain rulemaking

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USNRC

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Please add my attached comments to your record on this matter.

OFFICE OF  
REGULATORY  
ADMINISTRATION

To the Nuclear Regulatory Commission:

I am writing to oppose, in the strongest possible terms, the NRC's promulgation of rules for the Yucca Mountain proposed nuclear waste repository.

The Nuclear Regulatory Commission has no authority to supersede the U.S. Environmental Protection Agency's role, under the Energy Policy Act of 1992, to set radiation release, public health, and environmental protection standards for the proposed Yucca Mountain repository. The NRC lawfully must wait until the EPA promulgates standards; then, and only then, may the NRC modify its repository licensing rule to meet the EPA standards, as required by the Act. I have reviewed the proposed rules, and it is obvious that the proposes less protection for human neighbors of Yucca Mountain releases than the protection afforded human beings near the New Mexico WIPP site. Yet Nevadans near Yucca Mountain will also be exposed to radioactivity from the Nevada Test Site and the Beatty "low level" radioactive waste dump. Radiation in groundwater would be the most likely source of serious contamination of nearby residents to Yucca; it is therefore incumbent on the Government to place extremely high priority on maintaining water quality - something which the NRC's rule would not do.

Nor does the NRC's proposal assure protection for the hundreds of human generations which would be exposed to radionuclides from Yucca Mountain. Some of the wastes which would be stored (not "disposed of", but "stored") will contain lethal levels of radiation for more than 100,000 years. Humankind has lived together in organized societies for perhaps 10,000 years. Much detail of human development has been lost to the ravages of time over the past Ten Millennia, and I wonder how much will be remembered, or forgotten, about Yucca Mountain in, say, 3,000 years. Not to mention how much might be learned about the comparatively high levels of exposure allowed under the NRC proposed rule during that time frame.

The NRC proposed rule seriously underestimates the potential dangers which might be posed by unanticipated human intrusions over the coming millennia which could compromise the integrity of the proposed repository at Yucca Mountain.

Also, the proposed rule does not limit the thermal energy output of high-level radioactive waste per unit area of the repository emplacement area. This is a significant design and safety shortcoming. It is unknown whether Yucca Mountain's formations will be capable of containing high levels of thermal heat and radioactivity.

Despite the decades of engineering, science and planning involved with the Yucca Mountain repository proposal, it is remarkable that the NRC rule would weaken or undo the requirement that DOE systematically record its decisions which significantly concern safety, the means by which those decisions were made, and the factors that influenced them. Accountability and a very long historical track must be accorded the scientific and engineering

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decisions related to safety, in view of the serious consequences if there is radiation leakage from Yucca Mountain.

Sincerely,

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