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PROPOSED RULE **PR 21920 et al.**
(64FR8640)

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Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
attn. Rulemakings and Adjudications Staff

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OFFICE OF
RULEMAKING
ADJUDICATIONS

Greetings:

Let's be clear..

"NAS declined to assign the appropriate level of risk, and stated that it views the determination of this level as a crucial policy judgment that should be addressed in a transparent rulemaking process.

"As a starting point in such a process, NAS suggested that consideration be given to risk levels comparable to those recommended by the International Commission on Radiological Protection (ICRP) (100 mrem/yr (1 mSv/yr) maximum individual dose from all sources, with 10-30 mrem/yr (0.1-0.3 mSv/yr) allocated for high-level waste disposal). "

While 10 CFR Part 20 excludes from the total effective dose equivalent of (TEDE) 1 mSv (100 mrem) per year exclusive of the dose contribution from background radiation, medical procedures, and sanitary sewerage disposals, older members of the populations residing near the proposed facility are, with high probability, **receiving doses in excess of 100 mrem/yr -at this time- above the ambient background at the time of their birth.** without possible doses received from medical procedures or sewage.

"The Commission believes that 0.25 mSv (25 mrem) per year is sufficiently below the public dose limit that no members of the public near Yucca Mountain would be expected to receive doses from all sources, excluding background radiation, in excess of 1 mSv (100 mrem) per year". **It is unconscionable that the exposure to sources derived from and under DOE (and AEC) control should be allowed in any way to be considered part of the background radiation.**

I urge the determination of a base of background radiation, preferably that observed in 1950's, **and that further licensing and/or operations which could possibly result in radioactive releases cease when the annual dose received in a single year by the average member of the critical group exceeds the 1950's background radiation base level plus 1mSv per year.**

Thank you.
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