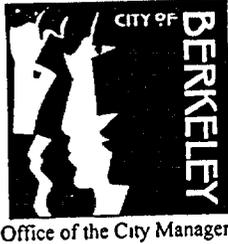


161



DOCKETED  
USNRC

August 26, 2002 (11:44AM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

August 14, 2002

**DOCKET NUMBER**  
**PROPOSED RULE PR 71**  
**(67FR 21390)**

Secretary Annette Vietti-Cook  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

Dear Secretary Vietti-Cook:

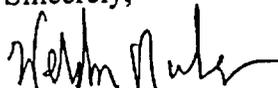
On July 23, 2002, the Berkeley City Council passed a motion to voice their great concern and opposition to proposed studies in the United States that would weaken existing rules for disposition and recycling of radioactive wastes and materials. In particular, the City Council opposes the Nuclear Regulatory Commission (NRC) and Department of Energy (DoE) studies, including the Programmatic Environmental Impact Statement to review alternative policies for disposal and recycling of radioactive metal.

The NRC and DoE will consider a standard method for the release of radioactive materials and wastes into landfills similar to those adopted by the International Atomic Energy Authority (IAEA) and American National Standard Institute (ANSI) guidance. The IAEA and ANSI standards are less stringent than existing NRC or DoE standards.

The existing NRC method of release of radioactive materials is to review each case or each license. Similarly, the DoE's self-imposed moratorium on volumetrically contaminated metals and the existing suspension on recycling into commerce of metal with surface residual activity are also more stringent than the IAEA and ANSI guidance. The City of Berkeley requests that stringent controls be maintained on all materials being recycled, disposed, or otherwise re-used.

Attachment A gives the advance e-mail submitted to NRC on July 26, 2002 preceding the NRC commentary deadline of July 29, 2002.

Sincerely,

  
Weldon Rucker  
City Manager

2180 Milvia Street, Berkeley, CA 94704 Tel: 510-981-7000 TDD: 510-981-6903 Fax: 510-981-7099  
E-Mail: manager@ci.berkeley.ca.us

Template = SECY-067

SECY-02

Cc: Mayor and Members of the City Council  
Sherry Kelly, City Clerk  
Carol D. Barrett, FAICP, Director, Planning and Development  
Nabil Al-Hadithy, PhD, Manager, Toxics Management Division