

536

From: "marlene colgate" <mcolgate@yahoo.com>
To: " Secretary Nuclear Regulatory Commission" <secy@nrc.gov>
Date: Sun, Jun 22, 2003 3:22 PM
Subject: Comments on Controlling the Disposition of Solid Materials (10 CFR Part 20)

marlene colgate
220 e. 95 st
NY, NY 10128

DOCKET NUMBER
PROPOSED RULE PR 20
68FR09595

June 22, 2003

DOCKETED
USNRC

Nuclear Regulatory Commission:

June 23, 2003 (11:22AM)

Dear Secretary:

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

The scope of the U.S. Nuclear Regulatory Commission's (NRC) proposed "rulemaking on controlling the disposition of solid materials" should be strictly focused on the following: 1) strictly prohibiting the deregulation of any solid materials either containing or contaminated with manmade radiation, 2) requiring that such materials be disposed of ONLY in secure, licensed facilities that are designed to isolate such radioactive waste from humans and the environment.

The NRC accepts the no-threshold (LNT) model of human exposure to radioactivity, which holds that "any increase in dose, no matter how small, results in an increase in risk" to human health.

Nevertheless, the Commission is obstinately pursuing a contradictory proposal that would, in fact, result in exposing the public to increased doses of radioactivity! This sentiment is revealed in the statement of NRC Chairman Richard Meserve, contained in the NRC Commission Voting Record of October 25, 2002, in which he advised that "it would not be appropriate to mask the Commission's continuing support for the release of solid material."

It is a travesty of proper government regulation that the NRC is pursuing, in effect, a subsidy worth billions of dollars that rewards waste generators for irresponsibly scattering and inserting their waste into the unregulated environment and then ducking accountability for any of the consequences.

Under absolutely no conditions should nuclear waste be deregulated! and dumped into unlicensed facilities that are not prepared to monitor or contain radioactive waste. Nor should radioactive waste be allowed into general commerce and "recycled" as parts of building materials or other products.

An agency that considers its "primary mission" to be protecting public health and safety from the dangers of radiation should under no circumstances consider any rollback in regulatory protections. Inasmuch as the current scoping process involves the NRC's alleged serious consideration of various alternatives—ranging from no release of materials to unrestricted release—while the Commission openly acknowledges a prejudice favoring release, the results of this ill-intentioned tampering with rulemaking will likely endanger not only human health and ecological

integrity, but the integrity of the NRC as a credible regulatory agency, as well.

The NRC's primary mission to "to protect public health and safety, and the environment from the effects of radiation from nuclear reactors, materials, and waste facilities" can only be upheld by, at a minimum, establishing permanent policy wherein all radioactive material waste is restricted from general commerce and required to be disposed of in an NRC- or Agreement State-licensed low-level waste disposal site, best articulated as "Alternative 5" in the notice published in the Federal Register on February 28, 2003.

Further regulations and protections should be implemented as needed to fulfill said mission in a serious and responsible manner.

Sincerely,

marlene colgate