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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Hi,

I have heard of this insanity of safe nuclear radiation.....I feel if you are so certain of its safety, you and your families should all be the guinea pigs for the general public. If you do not get sick, glow in the dark or die in 20 years then maybe the products will be safe. Are you and your families willing to be the test subjects?

Chris Helmstetter

LAST CHANCE TO TELL NRC: No Nuclear Waste in the Marketplace!

The Nuclear Regulatory Commission (NRC) is considering issuing a new rule allowing some radioactive materials to be treated as if they weren't radioactive. Such materials could then find their way into normal commerce, or municipal landfills and garbage incinerators. For example, recycled metals could be used to make girders for an apartment building, spokes for the wheels on a babyΓÇÖs carriage or your next belt buckle. This would be a return to the agencyΓÇÖs discredited Γ£Below Regulatory ConcernΓ¥ policy, which was revoked by Congress in 1992, following several years of citizen organizing and outrage.

The NRC currently is undertaking a Γ£scopingΓ¥ process to determine what issues it will consider in this rulemaking. Originally published February 28, 2003, the comment period on this scoping process ends June 30. We urge you to look over the options below and submit brief comments to the NRC by that date. Background information on this issue can be found on NIRSΓÇÖ website, <A HREF="http://www.nirs.org/">www.nirs.org</A>.

NRC offers 5 options in its Scoping for Rulemaking. None of these options is acceptable as is; very brief critiques of each option are provided below. The Sierra Club is proposing a sixth option.

Allowing currently licensed and regulated nuclear wastes to be cleared from regulatory control in either a restricted or unrestricted way would result in unnecessary exposures to people and other living things. There are better ways to manage radioactive wastes.

If NRC decides to proceed with this rulemaking, it should concentrate on identifying and requiring isolation, monitoring and management for the hazardous life of all the waste. The goal should be to keep track of and isolate radioactivity and all materials contaminated with it, generated by nuclear power and weapons fuel chain industries, from the environment, workers and the public.

Option 1 Continuing unrestricted release on a case-by-case basis and through license amendments:
NRC and Agreement States should stop granting exemptions and allowing nuclear wastes to be treated like regular trash or recycled into the marketplace. Current releases should be halted. All releases should be tracked and records kept available to the public. NRC should improve its ability and public knowledge of detection capabilities and practices so as to able to detect and prevent releases of any contamination.

Option 2 Unrestricted release based on dose based standards.
Dose-based standards are calculated doses from various amounts of contamination at the point of release. The doses are calculated by contractors who think up scenarios of how the radiation will spread and disperse once it is released from the nuclear site. They apply International Commission on Radiological Protection risk numbers to guess at how much biological damage that radiation might do. But they might not think up the scenarios that really happen--people and radionuclides are unpredictable. And ICRP has been criticized for underestimating the real risks of radiation--their models were created before the DNA was discovered. And, most importantly, dose and risk numbers are not measurable, verifiable or enforceable. So this option is an open door to unlimited amounts of nuclear waste getting out into commerce.

Option 3 Conditional use or Restricted Release
The public could get significant exposures from so-called restricted uses. If gamma-emitting nuclear waste is used to make roadbeds, we will be exposed routinely on our daily commutes by car, bus, bike or on foot. If it is used to make sewage pipes, sewage will be even more contaminated if it picks up radioactivity. Towns downstream of sewage facilities clean and reuse that water. That piping could get melted and reused for unrestricted uses. Restricted release is a foot in the door for unrestricted release.

Option 4 Disposal in EPA landfills
NRC has not excluded incineration or other treatment facilities from consideration as destinations for radioactive waste even though only landfills are identified as options.┬á Landfills leak. Radioactive landfills have had serious problems. Why spread these potential problems to municipal, industrial and hazardous waste landfills, already struggling with their own technical and political problems? Nuclear waste should not be buried in dumps never designed to manage or isolate them as long as they remain hazardous. EPA landfills have a 30 year institutional control period. Some of the radioactivity that could be released is hazardous for literally millions of years.

Option 5
Radioactive waste should be stored, managed and isolated from the environment for as long as it is hazardous at facilities specifically licensed for that purpose for radioactive waste. Existing regulations (10CFR 61) for nuclear waste disposal should be strengthened. NRC should use this rulemaking to truly devise ways to control radioactive waste, not release it from licensed control.

Option 6
Sierra Club is requesting NRC to recapture the radioactive wastes that already have been released. Since the claim is made that these release have had no effect, Sierra asks them to prove it by identifying where the nuclear wastes have gone and checking to see what effects there have been.