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To: <secy@nrc.gov>  
Date: Fri, Jun 27, 2003 10:33 AM  
Subject: BRC, de minimus, etc., etc. etc.

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Dear U.S. NRC Secretary and Staff,

WHAT PART OF NO DON'T YOU UNDERSTAND? How many times have you tried to deregulate nuclear waste under how many different names? We still don't want it!

Let's try again: In the Federal Register, Tuesday March 7, 1989, Part IV, 40 CFR Part 61, the Environmental Protection Agency said, "It is assumed that there is no completely risk-free level of exposure of radiation for cancer." "On December 27, 1979, EPA listed radionuclides as a hazardous air pollutant under section 112 of the CAA [44 FR 76738 (December 27, 1979)]. EPA determined that radionuclides are a known cause of cancer and genetic damage and that radionuclides cause or contribute to air pollution that may reasonable be anticipated to result in an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, constituting a hazardous air pollutant."

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USNRC

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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

This same Federal Register goes on to say "This rule making deals with sources of radionuclide emissions, including radon, from industrial sources. Although the amount of radiation dose that most people receive as a result of these emissions is lower than their natural background dose, the resulting risk can still be significant. A SOURCE DOES NOT PRESENT AN ACCEPTABLE RISK SIMPLY BY BEING LESS THAN NATURAL BACKGROUND.

It is important to note that total background radiation from all sources, including naturally occurring radon, results in a calculated maximum lifetime risk of fatal cancer of approximately  $1 \times 10^{-2}$ ." (minus 2 should be read smaller) "In most cases, little can be done to reduce most of this radiation exposure which people receive from natural background." Since, at least, 20,000 people die a year from naturally occurring background radiation, by storing, managing and isolating all amounts of radioactive waste from the environment for as long as it is hazardous at facilities specifically licensed for that purpose for radioactive waste, the NRC could eliminate adding at least another 20,000 cancer deaths a year and, we believe, existing regulations (10CFR 61) for nuclear waste disposal should be strengthened. We also believe that the NRC should use this rule making to truly devise ways to control radioactive waste, not release it from licensed control. IN OTHER WORDS, DO YOUR JOB TO PROTECT THE HEALTH OF THE PEOPLE AND NOT THE POCKETBOOKS OF THE NUCLEAR INDUSTRY THAT YOU FEEL SO SORRY FOR. We can only think of one reason you would protect the nuclear industry.

You may not care about your children, but we care about ours and yours. The Federal Register goes on to say, "The effect of radiation and risk are not independent of age. Children appear to be more susceptible to the effects of radiation than adults. In addition, due to their youth, they generally have a greater chance of developing the cancer the radiation would cause (and they are less likely to die of something else before they die of cancer)." In other words, "younger people are at a greater risk from the same dose than older people."

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.

We believe the NRC 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. And we concur with the Sierra Club that is requesting the NRC to recapture the radioactive wastes that already have been released. Since the claim is made that these releases 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.

**THE VERY BEST WAY TO MANAGE NUCLEAR WASTE, LIKE ANY DISEASE, IS TO PREVENT IT! STOP PRODUCING IT!**

Most sincerely,

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