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USNRC

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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Attention: Rulemaking and Adjudications Staff

RE: Comments on disposition of solid materials—Choose Alternative 5!

Dear NRC,

Thank you for accepting my comments regarding the disposition of solid materials. I strongly urge you to select "Alternative 5," since all other Alternatives would allow radioactive material to enter general commerce and would therefore constitute a complete abdication of the NRC's responsibility and a direct threat to all Americans.

The scope of the U.S. Nuclear Regulatory Commission's (NRC) proposed "rulemaking on controlling the disposition of solid materials" must be strictly limited to only those regulatory options which would completely prohibit the deregulation of any solid materials with detectable radioactivity, and require that such materials be disposed of only in secure, licensed facilities that are designed to isolate such radioactive waste from humans and the environment.

I am aware that the NRC has acknowledged the validity of the linear, 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. I am extremely disturbed that, despite this, the Commission is pursing a contradictory proposal that would very definitely result in exposing the public to greater 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 outrageous and unacceptable that the NRC is pursuing, in effect, a subsidy worth billions of dollars that rewards waste generators for irresponsibly scattering their radioactive waste into the unregulated environment and evading all responsibility for any of the consequences.

Under absolutely no conditions should nuclear waste with detectable radioactivity be deregulated and allowed into general commerce. The NRC's mission to "ensure adequate protection of public health and safety" can only be upheld by 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.

Sincerely,

Anthony Nagelmann