



# SIERRA CLUB

Northeast Ohio Group • Cleveland, Ohio

20-22  
(58 FR 54071)

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December 27, 1993

Mr. Samuel Chilk, Secretary  
US Nuclear Regulatory Commission  
Washington, DC 20555  
Attn: Docketing and Service

Re: 10 CFR 2.802 Petition for Rulemaking/  
Northeast Ohio Regional Sewer District (NEORSD 8-2-93)

Dear Secretary Chilk,

I am writing to you concerning the Petition for Rulemaking submitted to the U.S. Nuclear Regulatory Commission (NRC) regarding 10 CFR 20.305 (and 10 CFR 20.2004) which prohibit incineration of radioactive waste without NRC approval and requests revision from the NEORSD to "explicitly exempt materials that enter the sanitary waste stream under 10 CFR 20.303 (and 10 CFR 20.2003)."

In our opinion, this Petition for Rulemaking does not accomplish the NEORSD's stated goal, and can be interpreted as an attempt to further deregulate "Low-Level" Radioactive Waste (LLRW) and declare the radioactive wastes entering sanitary sewer systems as "Below Regulatory Concern." If radioactive waste is, in fact, entering the sanitary sewer system and contaminating our public sewers at current permissible levels, new regulations must be drafted to properly treat, store and dispose of this radioactive waste, and not merely provide an exemption.

We have urged the NEORSD to withdraw this Petition and, instead, work with federal, state and local regulators to create regulations that would prohibit using public sewers as radioactive waste disposal facilities for licensees. Sanitary sewer system disposal of radioactive waste (at any concentration) has demonstrated a failure to protect public health and safety per the Southerly Cobalt-60 contamination and contamination of other plants around the country.

Please keep us informed of any further action on this important issue.

Sincerely,

*Kim Hill*

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