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**From:** Jim and Virginia Wagner <JimWagner@safe-mail.net>  
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November 22, 2005 (10:01am)

OFFICE OF SECRETARY  
 RULEMAKINGS AND  
 ADJUDICATIONS STAFF

Dear Ms. Vietti-Cook,

We are writing to OPPOSE your recent proposal to implement EPA's revised radiation protection standard for Yucca Mountain.

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We write because EPA's proposed standard is still a draft, and is presently being commented on by the public.

By proposing to implement this draft standard, NRC appears to believe that the standard will become the final rule -- meaning that public comment will have no effect.

This assumption conflicts with the very intention of the public comment process.

NRC should wait until EPA has taken public comment into account and issued a final standard, before going forward.

We also are compelled to bring to your attention, that the radiation standard being proposed by EPA is inadequate for protecting public health, and furthermore it does not comply with federal law.

Although the standard now extends through a more appropriate timeframe, the two part standard burdens future generation with 23 times the radiation we ourselves are willing to bear.

There is no scientific justification for this.

A standard such as this proposed standard would be the least protective radiation standard in the world.

Furthermore, EPA's proposed standard is not even consistent with its own previous recommendations, which specifically state that exposures above 25 mrem per year are unacceptable.

It is transparently clear that EPA's proposed standard ignores the scientific consensus on the health impacts of radiation, and ignores the many unresolved problems surrounding radioactive waste.

Such a standard would set a terrible precedent, a lowering of the bar for radiation protection around the country.

NRC should immediately withdraw its premature proposal to implement EPA's draft standard, and instead allow EPA's standard to run its course through public comment.

Only when this comment process is done, and EPA has responded and proposed a final standard, should NRC consider and evaluate this standard for implementation into its own regulations.

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