

9/29/05
70 FR 5694D

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From: Richard Hill <phill@venus.net>
To: <nrcprep@nrc.gov>
Date: Fri, Dec 30, 2005 11:48 AM
Subject: Response from "Comment on NRC Documents"

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Below is the result of your feedback form. It was submitted by
Richard Hill (phill@venus.net) on Friday, December 30, 2005 at 11:48:12

Document Title: NUREG-1757, Supplement 1, draft

Comments: Thank you for the opportunity to comment on this draft guidance document. Being involved since 1999 in the decommissioning of the depleted uranium projectile testing area of the former Jefferson Proving Ground (JPG) in southeastern Indiana, we have a particular interest in guidance regarding restricted use and institutional controls.

Not having the resources to hire experts to examine the document and provide comments the nature of these comments will be relatively general from an informed, affected, concerned layperson's point of view.

It does appear that considerable thought and effort has been put into the development of this guidance; and, we appreciate that.

17.7.2 RESTRICTED USE

Circumstances existing at various "legacy sites" brought about by past uses require special considerations including "restricted use". The development of regulations and guidance such as those proposed here have become necessary to protect public health and the environment.

We believe that the creation of such sites should be avoided up-front. For example, more thought and care should be taken in granting a license when it is obvious that the future remediation of the area will be exceedingly difficult due to conditions existing at that site.

While we approve of the NRC's efforts to deal with such sites already created we would caution the NRC not to allow new and improved regs and guidance to promote creation of more sites that would eventually required restricted use. Many see these restricted use sites as sacrifice zones and should be avoided.

The concept of prevention of restricted use sites leads to our next comment.

III ONSITE DISPOSAL OF RADIOACTIVE MATERIALS

We note that a rulemaking effort is planned for FY 2006 "to address the prevention of future legacy sites". Again, this we would support.

Additional financial assurance appears to be the main focus of this prevention strategy. However, we believe that financial assurance should not be the only thing to consider to prevent future legacy sites. As we mention above, a concerted up-front assessment of the probable end-state of the site would also help. It is possible that a licensee could have the resources to ensure adequate financial assurance for many decommissioning aspects, but still end up with a restricted, unusable site.

SESP Review Complete
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ERDS = ADM-03
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