

# New England Coalition

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<sup>on</sup> *Nuclear Pollution*

February 5, 2007

DOCKETED  
USNRC

Annette L. Vietti-Cook  
*Secretary of the Commission*  
U.S. Nuclear Regulatory  
Commission, Washington, DC 20555-0001  
ATTN: Rulemakings and Adjudications Staff.  
*SECY@nrc.gov.*

February 6, 2007 (3:03pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

## **Comments on [Docket No. PRM-51-11] Sally Shaw; Petition for Rulemaking**

Dear Mrs. Vietti- Cook,  
Dear Rulemakings and Adjudications Staff,

The Nuclear Regulatory Commission (NRC) has published for public comment a notice of receipt of a petition for rulemaking, dated June 23, 2006, which was filed with the Commission by Sally Shaw.

The petition was docketed by the NRC on November 1, 2006, and has been assigned Docket No. PRM-51-11. The petitioner requests that the NRC prepare a rulemaking that will require that the NRC reconcile its generic environmental impact statement (GEIS) for nuclear power plant operating license renewal applications with the National Academy of Sciences Health Risks From Exposure to Low Levels of Ionizing Radiation: Biological Effects of Ionizing Radiation (BEIR) VII Phase 2 Report.

Comments are to be submitted by by February 5, 2007.

The partial comments of New England Coalition, a non-profit membership organization incorporated in the State of Vermont follow.

Additional comments by New England Coalition may also follow and if they are received after this date we request that they also be considered if it is practical to do so.

Template = SECY-067

SECY-02

## Summary

The petitioner asserts that the GEIS relies upon an earlier NAS report, the BEIR V, which was released in 1990. According to the NAS Web site, the BEIR VII updates the information contained in the BEIR V and draws upon new data in both epidemiological and experimental research.

The petitioner requests that NRC consider the NAS BEIR VII report as new and significant information and recalculate certain conclusions set forth in the GEIS, including early fatalities, latent fatalities and any injury projections based on this information.

New England Coalition respectfully submits that NRC's primary duty under its Congressional mandate and the Atomic Energy Act (as amended) is to protect the public health and safety. Thus it is incumbent upon NRC to examine any new information that may impeach current agency assumptions underlying radiation protection policies, guidance, and regulation. Further, in order to sustain public confidence, the NRC should undertake consideration for rulemaking in the most transparent, open, and collegial manner possible seeking both the advice of knowledgeable sister agencies, such as the Environmental Protection Agency and, in emulation of the National Academies of Science, the public.

The NAS BEIR VII Report touches upon much newly developed information in radiological impacts at the cellular level, such as the so-called "by-stander effect" and the intergenerational propagation of cytoplasmic damage, that suggests more damage at the low end of the linear scale than previously assumed. If risk levels may therefore be higher at low dose exposures than presented in the GEIS, it is NRC's duty to examine the question and relay the agency's considerations and conclusions to the public.

We urge that the agency complete this rulemaking prior to the issuance of any additional license renewals.

Respectfully submitted on Behalf of New England Coalition,

Raymond Shadis  
Consultant to the Coalition  
[Shadis@prexar.com](mailto:Shadis@prexar.com)

**From:** Carol Gallagher  
**To:** SECY  
**Date:** Tue, Feb 6, 2007 2:20 PM  
**Subject:** Comment letter on PRM-51-11

Attached for docketing is a comment letter on the above noted PRM that I received via the rulemaking website on 2/05/07.

Carol

**Mail Envelope Properties** (45C8D4E0.451 : 5 : 35764)

**Subject:** Comment letter on PRM-51-11  
**Creation Date** Tue, Feb 6, 2007 2:20 PM  
**From:** Carol Gallagher  
**Created By:** CAG@nrc.gov

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1810-0039.doc	30720	Tuesday, February 6, 2007 2:16 PM

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