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To: Martin O Sabo <martin.sabo@mail.house.gov>, Paul W...
Date: Sat, May 15, 1999 7:24 PM
Subject: Radioactivity in Consumer Goods

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OFFICE OF STAFF COUNSEL
RULEMAKING AND
ADJUDICATIONS STAFF

We wish to call your attention to the following "ALERT" concerning the release into commerce of metal which is volumetrically contaminated with radioactive impurities. We do not believe any level of such contamination is acceptable in consumer goods. The setting of tolerances for radioactivity in recycled metal can only lead to constantly increasing levels of environmental radioactivity as more of this stuff enters the market.

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We should recall the difficulty of dealing with lead and asbestos before we take a step which can produce such pervasive contamination of our environment. We can prevent it now but once it is out it will be difficult and expensive to clean it up later.

Please do whatever you can to stop this before it causes real damage to unsuspecting consumers.

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DANGER: RADIOACTIVE RECYCLING ALERT**ARE CONSUMER PRODUCTS RADIOACTIVE NOW? WHAT IS GOING ON?**

Some radioactive metal and other materials from the maintenance and decommissioning of nuclear power and weapons factories are being "cleared" for "free release" into the marketplace. Rather than isolating radioactive waste, the generators hope to save or make money selling it into commerce. Radioactivity will end up in consumer products and building materials. Some is already being recycled but MUCH MORE IS COMING --The floodgates are about to open! Unless this practice is stopped immediately, there will be massive amounts of radioactively contaminated metal and other materials released for manufacturing daily household items such as silverware, cars, toys, furniture, medical supplies, etc. The amount being "cleared" for recycling could increase tremendously as nuclear power reactors and weapons sites close and dismantle.

WHO IS LETTING THIS HAPPEN?

The US DEPARTMENT OF ENERGY (DOE) is quietly releasing radioactive material on a case-by-case basis from many of its nuclear weapons complexes across the country. DOE has entered a precedent-setting contract, at Oak Ridge, TN that could release over 100,000 tons of radioactively contaminated nickel, steel scrap and copper. The metal

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would go to metal processing facilities, then to product manufacturers with no warning, labeling, notification or consent from potentially exposed workers or future owners of the products. Any items made from these metals could be contaminated. This action violates the National Environmental Policy Act and common sense. The contract is being challenged in court.

The US NUCLEAR REGULATORY COMMISSION (NRC):

- 1) is getting ready to set standards that will legalize "clearance" of radioactively contaminated materials into the marketplace and radioactive sites for unrestricted use. A rulemaking process is underway to "allow[s] quantities of materials to be released" from nuclear power reactors and facilities for recycling in general commerce,
- 2) has a technical analysis out for public comment (deadline 7/5/99) on assumptions and estimates of radiation doses from recycling radioactive copper, aluminum, steel and concrete.
- 3) is approving the importation of radioactive metal from foreign nuclear reactors for "clearance" into and recycling in the US marketplace.

The TENNESSEE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (TDEC),
an

"agreement state agency" that licenses and regulates (instead of the NRC), has licensed several radioactive metal companies to process and release radioactive metal into the marketplace. TDEC, in late March 1999, approved a precedent-setting license amendment that will allow volumetrically contaminated (radioactive inside and throughout) metal to be released to commerce. It is unclear when that actual recycling will begin, but if it does, it will be the first known deliberate release of large quantities of volumetrically contaminated metal in US history. And it is tip of the iceberg.

-END OF ALERT-