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GARY R. GREER
LAWRENCE R. FISSE
Attorneys At Law

205 MAIN STREET BATAVIA, OHIO 45103 PHONE 732-8660

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PROPOSED RULE

PR-20

30

(45 FR 18023)

June 13, 1980

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: Docketing and Service Branch

Re: Public Comment on Proposed
Revisions to 10 CFR Part 20

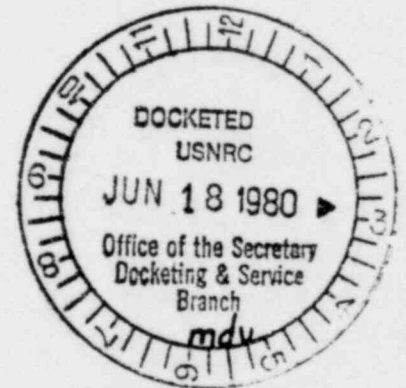
Dear Secretary of the Commission,

Enclosed herein you will find comments and suggestions concerning the proposed revision of 10 CFR Part 20 which are submitted to you on behalf of an Ohio based interest group known as Zimmer Area Citizens (ZAC).

Sincerely Yours,

Lawrence R. Fisse

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On behalf of ZAC



Acknowledged by card... 6/18/80... mdv

L-4-1, Pt. 20

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PRELIMINARY REMARKS

This comment is submitted on behalf of Zimmer Area Citizens, a group of concerned citizens composed of interested individuals residing in and around the William H. Zimmer Nuclear Power Plant Project. Said project is located in the Ohio River Valley within the Corporate boundaries of Moscow, Ohio, approximately thirty miles East of Cincinnati. The comment is in response to a request for public comment and/or review as published by the Nuclear Regulatory Commission in the Federal Register, Volume 45, No. 56, for Thursday, March 20, 1980, at page 18023.

BASIC PREMISE

It is suggested initially by Zimmer Area Citizens that the beginning premise concerning the promulgation of rules, safety standards, protection standards, waste disposal standards, exposure standards, etc., should be as follows:

1. Any amount of radiation exposure from whatever source, except that occurring naturally in the environment, and in whatever amount, beyond that occurring naturally in the environment, is potentially harmful to all persons located within the possible exposure area, whether residing there or working within that area, and to the environment and ecosystems located within the possible exposure area. The highest efforts should be made and the highest standards maintained to prevent any type of exposure from whatever source, other than that occurring naturally in the environment, within the possible exposure area.

2. Any standards promulgated should have as their fundamental interest the protection of life and property at whatever cost, and capable of interpretation in such a manner.

3. Economic matters should no longer be traded off against public safety generally; but should be considered in terms of feasible operational, construction and safety costs to the entity seeking to construct or operate any radiation producing facility, in relation to the maximum protection providable to persons and environment by utilization of best current available universal market technology, in construction

techniques and design, operational procedure, and safety facilities, controls and devices, regardless of its cost. An interest in utmost public health and safety should be controlling.

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COMMENT - GENERALLY

A. ESSENTIAL ELEMENTS OF NRC RADIATION PROTECTION REGULATIONS

1. Basic Radiation Protection Principles
(as stated in item a (1), (2), (3), (4),
page 18024, column 3)

(1) It is submitted by Zimmer Area Citizens that the standard promulgated herein (positive net benefit) is not sufficient or consistent within the basic premise concerning radiation producing entities, or undertakings. The protection of persons, property and environment mandates that this standard should be followed by, i.e., "which greatly exceeds any negative aspects of said practice or operation". Satisfaction of this standard should be determined by reference to time, quantity (number), effect and area considerations of both positive and negative aspects.

(For instance, it may be that short term "positive net benefits" exceed short term "negative net detriments" of an operation or practice, but long term "negative net detriments" exceed long term "positive net benefits". In this case, short term "positive net benefits" would not justify adoption of said practice or operation)

(2) Again, Zimmer Area Citizens submits that the realities of radiation exposure risk, and both known and potential effects, dictates a much stricter standard. It is suggested that the ALARA standard be disposed of and the standard of "minimum exposure level achievable (MELA)", be adopted.

Compliance with this standard would be mandatory for all facilities. The standard would eliminate economics as a mitigating factor in determining compliance and would require the use of the best current available universal market technology.

(3) Adequate

(4) This should be supplemented by requiring not only a basic awareness or information, but in addition a minimum amount of educational instruction as to the typical occupational potential risks and their effects.

Such a course would benefit not only the worker, but the public as a whole by increasing worker awareness of the dangers of the occupation they are engaged in, be it construction, operational, or safety related. Such an awareness should transpose itself either consciously or unconsciously into the individuals' work product and performance. This in turn would increase both on site and off site security and decrease both on site and off site risks. As a consequence both repair costs and maintenance costs would be reduced, as well as decreasing the risk run by insurance companies in insuring such facility, resulting in available insurance coverage and/or reduced rates, both on site and off site. Expenditures for health care, services and treatment, disability payments and disease payments should also decrease, affecting contributions to Workmen's Compensation Funds, as

well as a host of other costs incurred in providing voluntary and mandatory benefits.

The risk run by the enterprise in constructing or operating such facility would also thereby be reduced. This in turn would be directly beneficial to all corporate stockholders.

2. Standards for Exposure of the General Public
(as stated in item (c), 1 through 8, column
1, page 18025)

(1) Zimmer Area Citizens takes the position that no doses should be permitted off site the facility whether by discharge - air, water or waste, or as a direct result of operation, normal or otherwise.

Consideration should always be given to special population groups, including, but not limited to embryo/fetus, women in general, fertile women, minors, the aged, individuals limited to restrictive movement due to handicaps, disease, illness, or natural condition, incarceration, hospitalization, isolation, geographic or topographic persons with certain types of diseases or illnesses whose conditions could be worsened by possible dose level exposure.

Consideration should also be given to environmental factors and ecosystems within the "dose shed" area, including all plant and animal life and its ultimate use (whether consumer goods or individually consumed). Also to negative economic impact.

Provision should be made for periodic application

for protective assistance by groups who consider themselves special populating groups, as discovery of a particularly susceptible group may not occur for some time.

(2) Zimmer Area Citizens reiterates in pertinent part its response to item #(1).

(3) ibid #(2)

(4) ibid #(2)

(5) It is submitted by Zimmer Area Citizens that maximum dose levels should be determined initially by reference to maximum possible dose levels resulting from normal as well as aberrant operation. If said possible levels are found to exceed maximum safe levels then construction and/or operation should be prohibited. No provision for emergency dose limits should be included as maximum dose limits should be strictly adhered to.

(6) Zimmer Area Citizens suggest that any materials exceeding "contamination" levels found naturally in the environment as a whole for that material in its natural and/or finished state not be released for any purpose whatsoever but be disposed of or securely stored in an on site facility.

(7) It is submitted by Zimmer Area Citizens that no wastes be buried or stored at any facility other than a licensed and regularly inspected facility currently operating in compliance with all state and Federal laws and regulations governing its operation.

(8) Zimmer Area Citizens posits that any material which exceeds the level of radiation found normally in that material

in its natural environment, in the material's natural and/or finished state, should be considered as radioactive waste and so designated and disposed of. Amount factors to be considered are the degree of radioactivity, the type of radiation, its life, and retention qualities of the material as a whole.

B. AREAS IN PART 20 IN NEED OF IMPROVEMENT

3. Radiological Protection Principles
(as set out in column 2, page 18025)

(1) Laudable goal; commendable idea.

(2) As Zimmer Area Citizens stated in its suggestion to (a) (2) (as stated on page 18024), it believes the ALARA standard should be replaced by the MELA (minimum exposure level achievable) standard and that all reference to economic factors as a negative mitigating factor should be precluded. This standard should be so applied to prohibit off site exposure in any amount greater than that occurring in the environment naturally and should be strictly enforced on site.

4. Standards for Exposure of the General Public

(1) Said exposure pathways should include food chain and other consummable products and by products, both animal and human.

(2) As previously expressed, any exposure or concentration levels should be prohibited where in excess of those levels found naturally in the environment.

In any case, annual limits should be supported and/or supplanted by lifetime limits, giving consideration to age, physical stature, health, life expectancy and special

susceptability groups.

(4) Said standards should be mandatory and required to be submitted and approved prior to the grant of any permit.

It should be required of said standards that they provide for notification of all individuals within any possible exposure area; transportation should be provided for all those without means of transportation and all evacuation routes should be clearly marked with identifying signs or markers and be well maintained and repaired; as population within the area increases or decreases all evacuation plans and routes should be reviewed and changed, if necessary, so as to meet or exceed the increased demands on said emergency plans and routes.

The renewal of any and all permits or grant of any new or additional permits should be contingent on the maintenance and review of a viable plan, be it an emergency or over-exposure situation.

Any and all equipment, regardless of kind or nature, should be required to be provided by the entity responsible for the facility but for which said equipment would not be necessary.

(5) It is submitted by Zimmer Area Citizens that the best current available universal market instruments, machinery and equipment be required to be employed in monitoring radiation levels, both on site and off site and in communicating said levels to a central independent monitoring station. Said communications should be automatic and at timed fluctuating sequential intervals. All information so gathered should be available upon request to public inspection and dissemination.

Acceptable levels should coincide with off site levels not exceeding those levels found to exist naturally in the environment itself.

Any deviation from said standards, whether an increase or decrease, should merit immediate investigation of the facility monitored and should trigger a plenary investigatory power which would be possessed by the Commission.

Submitted on behalf of Zimmer Area Citizens.

Laurence R. Lisse