

ENVIRONMENTAL LAW PROJECT

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001367

10 December 1980

Secretary of the Commission
U.S. Nuclear Regulatory Commission
ATTN: Docketing and Service Branch
Washington, DC 20555

DOCKET NUMBER ER-80, 32, 70, 150
PROPOSED RULE (48 FR 70874)
SMELTED ALLOYS

Dear Mr. Secretary,

The Environmental Law Project, a student clinical law project at the University of North Carolina, would like to comment on the proposed licensing exemption for contaminated smelted alloys.

We oppose the exemption. The proposal does not state whether the Tc-99 released is composed either in part or entirely of Tc-99m; we are against allowing the use in household goods, particularly items like forks and spoons (entirely possible under the proposal), of such highly radioactive substances. We are also distressed by the high ppm of Uranium, both because of its radioactive and toxic chemical properties.

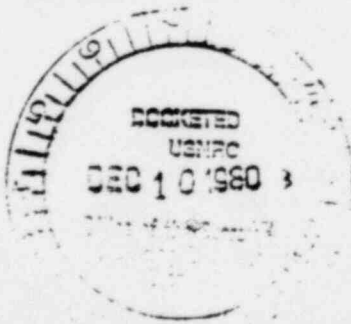
As you may know, there have been several cases in North Carolina alone in the past year of sloppy waste handling: the private dump in Wilkes County, CP&L's illegal dump near its Brunswick plant, the discovery of radioactive material in a landfill in Goldsboro, and the PCB tragedy. To grant further exemptions to waste handlers at this time seems to us to be foolhardy; we would like to see this metal used, if at all, in tightly controlled functions, with NRC supervision to ensure that none of the contaminated metals comes into close contact with the general public.

We are also disturbed by the legal aspects of low-level radiation dispersal, in that few, if any, plaintiffs ever can win justice for radiation-related ailments. We are concerned that the health effects of this exemption, like other effects estimated by the NRC in the past, will actually be greater, and that affected persons will have no legal recourse.

Sincerely,

Mallam J. Maynard

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For the ELP



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