



PROPOSED RULE FR 20
45 FR 67018

325

Texas Department of Health

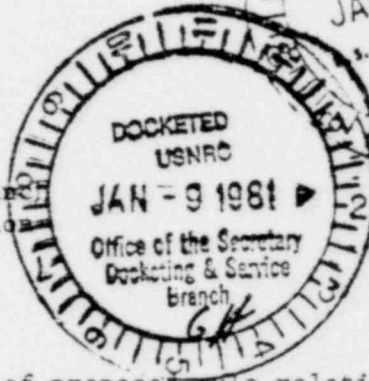
Robert Bernstein, M.D., F.A.C.P.
Commissioner

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A. M. Donnell, Jr., M.D., M.P.H., F.A.C.P.
Deputy Commissioner

January 5, 1981

Secretary of the Commission
Attn: Docketing and Service Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



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Dear Sir:

Reference is made to the notice of proposed rule relating to the disposal of liquid scintillation media and animal carcasses containing tracer levels of hydrogen-3 or carbon-14 which was published October 8, 1980, in the Federal Register (45 FR 67018).

We are opposed to the adoption of the proposed rules because:

1. It does not solve the problem of disposing of these materials; it merely shifts the authority and responsibility for approving (and permitting) their disposal from the USNRC to the USEPA or similar State agencies which regulate emissions to air and water and solid waste disposal by burial in soil.
2. Local incineration (with or without appropriate review and approval) at user facilities would result in higher radiation exposures to the general population living and working around such incinerators.
3. Disposal in local municipal waste burial sites would lead to increased inadvertent disposal of perhaps more hazardous, radionuclides in these sites.
4. Disposal in local municipal waste burial sites would inevitably lead to increased public apprehension about radioactive waste disposal practices and policies due to the almost certain increase in the number of containers labeled "radioactive" that would be found in uncontrolled areas such as garbage cans, trash containers, along the sides of roads, etc.

If you have any questions regarding our comments, please let me know.

Sincerely,

Robert Bernstein
Robert Bernstein, M.D., F.A.C.P.
Commissioner of Health

cc: Mr. G. Wayne Kerr, USNRC
Agreement States

L-41, A.20