

TERA TP 110-1

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DOCKET NUMBER 88-70, 88, 70, 100
PROPOSED RULE (45 FR-70874)
SMELTED ALLOYS

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Congress of the United States
House of Representatives

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Washington, D.C. 20515
December 12, 1980
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PROPOSED RULE (45 FR-70874)
SMELTED ALLOYS



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

Attention: Docketing and Service Branch

Dear Secretary:

I am writing in response to constituent concerns about a proposed regulation by the Nuclear Regulatory Commission (NRC) which was published in the Federal Register on October 27, 1980.

This regulation would exempt from licensing and regulatory requirements any person who uses, receives, possesses or transfers smelted alloys contaminated with low-enriched uranium or technetium-99. The purpose of this proposed regulation is apparently to provide an enhanced market for enrichment plant scrap estimated in the neighborhood of \$41.6 million, and to avoid radioactive waste burial costs of the metal. Under the proposed regulation, the NRC notes that the smelted contaminated scrap could be made into any number of consumer or capital products such as automobiles, appliances, furniture, utensils, personal items and coins.

A number of my constituents have expressed the following concerns about the proposed rule:

- 1) Scientific evidence about the effects of low-level radiation is inconclusive and it has not been determined what levels, if any, of low-level radiation are considered safe. Is not caution warranted to prevent unnecessary exposure to low level radiation?
- 2) The number of radiation-emitting sources in the environment is continually increasing. Has the NRC taken into account the cumulative effect from other sources of radiation in calculating the health effects of the proposed rule?
- 3) Why has no provision been made to inform consumers that products, including many personal items are manufactured from recycled radioactive metal scrap?
- 4) Should future evidence indicate that a health threat exists, why is no record keeping being proposed which would allow items manufactured with radioactive scrap to be recalled?
- 5) How did the NRC calculate that "less than one health effect would result from the radiation doses received from the recycled radioactive scrap" and what is the precise meaning of the term "health effect?"

I would appreciate a response to each of the questions and concerns raised by my constituents, including the scientific data upon which the Commission is basing its proposed rule change. I would appreciate a response before the close of the December 22 comment

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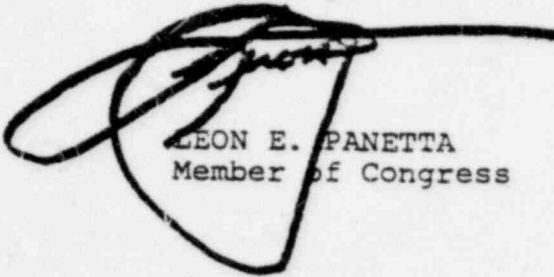
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period on the draft environmental impact statement in support of the proposed rule.

Thank you for your attention to this matter. I will look forward to your reply so that I may advise my constituents.

Sincerely,

A handwritten signature in black ink, appearing to read "Leon E. Panetta", is written over a typed name and title. The signature is stylized with a large loop and a horizontal line extending to the right.

LEON E. PANETTA
Member of Congress

LEP:toc