

DOCKET NUMBER
PROPOSED RULE

PR 51

(54 FR 39765)

DOCKETED
USNRC

90 JAN -3 P1:18

Marvin I. Lewis
7801 Roosevelt Boulevard
Suite 62
Phila., PA 19152
(215)624-1574

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Ms Julia Corado
Project Manager
United States Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Ms Corado:

Please consider this letter as my comments on both the "Consideration of Environmental Impacts of Temporary Storage of Spent Nuclear Fuel After Cessation of Reactor Operations" and "Waste Confidence Decision Review." (Federal Register, Volume 54 No. 187, dated September 26, 1989) Statements in both notices specifically tie these notices together and, therefore, I shall send comments on both notices in this one letter.

Both these notices require that at-reactor storage be available and safe for at least 100 years. One hundred years is an excessive amount of time to depend upon institutional memory or anybody's memory. To look into the future and have confidence that our institutions will survive in a form which will provide safe on-site storage suggests clairvoyance and not reasoned approaches justified with hard evidence and dedicated funding. This finding of storage being available and safe 100 years into the future lacks any merit. The opposite finding should replace this finding. I respectfully request that the Commission find thus:

"Due to the Department of Energy's lack of quality control of data and analysis, inability to qualify acceptable sites, accusation against subcontractors when data contradicts DOE's preconceived assumptions, and general adherence to the political solution instead of scientific veracity, The NRC cannot find that temporary storage at reactors will ensure that geological storage for spent fuel will be available and safe when needed." I also wish to bring the Commission attention to the recent findings in the Biological Effects of Ionizing Radiation, Report number 5. BEIR 5 states that the danger from radioactivity is 4 or more times higher than previously known. The Findings of the BEIR% report will require that the NRC change many of its radiation protection guidelines and rules. These changes stemming from the greater danger from radiation reported in the BEIR 5 report will affect Both these FR notices. Please stop all action on these notices until the Commission can determine the effect of the new BEIR 5 report on these notices.

Very truly yours,

Marvin I. Lewis, R.P.E.
12-29-89.

9001090187 891229
PDR PR
51 54FR39765 PDR

DS 10