



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

December 28, 1989

The Honorable Pete Wilson
United States Senate
Washington, DC 20510

Dear Senator Wilson:

I am responding to your letter of November 27, 1989, which requested our consideration of issues raised by your constituent, Mr. Michael Manetas (reference your case 9264060020). Mr. Manetas' concerns involve the disposal of very low-level radioactive wastes; specifically, those wastes which could potentially fall into a category characterized as "below regulatory concern" or "BRC." You may recall that my previous letter to you on August 11, 1989, addressed this same subject. Mr. Manetas' concerns were directed at and have been considered in our efforts to develop the broadly applicable exemption policy described in my August letter.

Section 10 of the Low-Level Radioactive Waste Policy Amendments Act of 1985 (Pub. L. 99-240) directed the Commission to "...establish standards and procedures... and develop the technical capability for considering and acting upon petitions to exempt specific radioactive waste streams from regulation by the Commission due to the presence of radionuclides in sufficiently low concentrations or quantities as to be below regulatory concern." The Act was based upon the premise that, if risks from BRC waste disposals are sufficiently small, the governments resources, and those of its licensees, would be better directed to more important public health and safety concerns. In response to this Act, the NRC published a final policy statement on August 29, 1986, (51 FR 30839, enclosed). More recently, the Commission has been preparing a policy statement on exemptions from regulatory control that will identify the principles and criteria that would govern a wide range of Commission exemption decisions, including the BRC proposals addressed by Mr. Manetas. Thus, contrary to Mr. Manetas' view, we believe we are being faithful to our public health and safety responsibilities by promulgating rational and defensible policies for the control of radioactive materials.

In further responding to Mr. Manetas' concerns, I would point out that any low-level waste considered to be "below regulatory concern" would only involve materials with the lowest levels of radioactivity content. In fact, the level of radioactivity for some BRC wastes may be such a small fraction of natural background radiation that it may not be readily detectable. As a result, any exposure an individual might receive from such disposals or, for that matter, from any practice exempted by the Commission from some or all regulatory control, would be expected to be a very small fraction of the natural background radiation.

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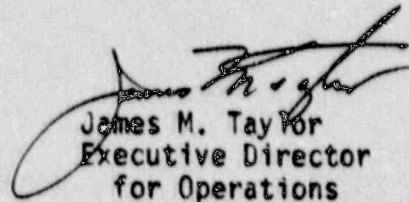
The Honorable Pete Wilson

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By way of further comparison, the exposures would typically be less than that additional increment an individual receives from cosmic radiation during a cross-country plane flight or from living in a brick instead of a frame house.

In closing, I want to again assure you that we take our mandate to protect the health and safety of the public very seriously. Therefore, we will continue to carefully consider the views of Mr. Manetas and other concerned citizens.

Sincerely,



James M. Taylor
Executive Director
for Operations

Enclosure:
Policy Statement, Part 2

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ZRosztoczy, RES
DCool, RES
WLahts, RES
EDO R/F
MBridgers, (EDO 4977)
PDorm, (RES 890496)

RPHEB:RES WLahts:jmm 12/18/89	RPHEB:RES DCool 12/2/89	ZRE DRA/DD:RES ZRosztoczy 12/22/89	ZRE for URA:RES BMMorris 12/22/89	DD:GI/RES TPSpeis 12/ /89 (unavailable)	RES ESBeckjord 12/26/89	EDD JTaylor 12/27/89	OCA DR 12-28 12/28/89
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