John A Boll
121 W. Howard St.
Boone, N.C. 28607

Mr. J. Philip Stohr
U. S. Nuclear Regulatory Commission
101 Marietta St., Suite 2900
Atlanta, GA 30323

Dear Mr. Stohr,

As you are holding a public hearing on Sept. 20 in Atlanta, and I cannot be there in person, I would like to express my strong opposition to the proposed changes in rules concerning low level radioactive waste disposal. I think they exceed the regulatory discretion allowwed in the 1985 Low Level Radioactive Waste Policy Amendments, and I feel that they would have a definite deleterious effect on the environment. We do not need more radioactive pollution in our sewers, landfills, treatment plants, and incinerators.

If anything, we need to tighten controls on the users and disposers of this type of material to protect the public from their effects. I would like to see the N.R.C. change their attitude on this type of matter.

Thank you for the opportunity to comment.

Sincerely,

John A Boll

(1)

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

Dear

The Nuclear Regulatory Commission (NRC) is issuing a policy statement on Below Regulatory Concern (BRC). This policy establishes the basis for future agency regulations and licensing decisions which would exempt very low level radioactive material from regulatory controls where the Commission determines that such controls are not necessary to protect public health and safety.

This policy will provide a consistent and logical framework for review of exemptions and cleanup decisions that have in the past been made on a case-by-case basis. Copies of the policy statement, along with a press release and information booklet, are enclosed.

The intent of the policy statement is to:

- Ensure that there continues to be adequate protection of the health and safety of all members of the public;
- Establish a broadly applicable risk-based framework to ensure consistency in future rulemaking and licensing decisions and in the review of existing exemptions; and
- Allow the NRC, Agreement States, and licensees to focus their resources on reducing the most significant radiological risks.

There have been several common misconceptions about the Commission's BRC policy which we believe need to be clarified.

- The BRC policy is not self-executing. Rulemakings or licensing actions will be required to implement the BRC policy.
- Public participation will be afforded in rulemakings and licensing actions if they differ from previous generic exemptions provisions.

B/1

- Prior to granting an exemption for a given practice, the NRC will conduct a thorough technical review. If an exemption is granted, a licensed activity producing an exempt material will continue to be subject to the full range of regulatory oversight, inspection, and enforcement actions up to and including the point of transfer to exempt status.

We believe that the BRC policy will benefit the public by providing a Commission-approved framework for the development of regulations and guidance for cleanup of contaminated sites, a consistent level of safety for consumer products, and better use of resources for waste management.

The Commission considers this is an important regulatory undertaking and will hold publicly-noticed workshops in each NRC Region.

Sincerely,

Kenneth M. Carr
Chairman

Enclosures:
As stated

(2)

ESTABLISHED GENERIC EXEMPTION PROVISIONS
or
EXISTING REGULATIONS AUTHORIZING EXEMPTIONS

Existing Provisions of Title 10 Code of Federal Regulations

Citations Requiring Decision Criteria
20.302
20.305

Citations Authorizing Exemptions

20.303	30.14	31.7	Part 40,
20.306	30.15(a)	31.11(f)	App. A
	30.16		
	30.18	35.92	150.20
	30.19		
	30.20	39.47	
		39.49	
		39.77	

Existing Regulatory Guides

Regulatory Guide 1.86, "Termination of Operating Licenses for Nuclear Facilities"

Policy and Guidance Directives

Policy and Guidance Directive, FC 83-3, Standard Review Plan for Termination of Special Nuclear Material (SNM) Licenses of Fuel Cycle Facilities, March 7, 1983.

Policy and Guidance Directive FC 83-20, Revision 1, Standard License Conditions, November 20, 1985.

Condition 71 - hold waste for decay
minor modifications authorized for situations where the licensee packages his waste and transfers it to authorized recipients for disposal

Condition 72 - incineration
This condition provides the basis for approving incineration pursuant to 20.305 (which cites 20.302)

Policy and Guidance Directive, FC 83-23, Termination of Byproduct, Source and Special Nuclear Material Licenses, November 3, 1983.

Policy and Guidance Directive, FC 84-21, Incineration by Material Licensees, December 5, 1984.
This directive provides the basis for approving incineration pursuant to 20.305 (which cites 20.302).

B/2

Policy and Guidance Directive, FC 86-10, Onsite Burial by Material Licensees, October 9, 1986, and NUREG-1101, Vol. 1, Onsite Disposal by Subsurface Burial.

This directive provides the basis for approving onsite disposal pursuant to 20.302.

Other Documents

NRC Circular 81-07, "Control of Radioactively Contaminated Materials" and IE Notice 85-92, "Surveys of Wastes Before Disposal from Nuclear Reactor Facilities"

Disposal or Onsite Storage of Thorium or Uranium Wastes, 46 FR52061, October 23, 1981.

This directive provides the basis for approving onsite disposal pursuant to 20.302.

Health Physics Considerations in Decontamination and Decommissioning, CONF-860203, Proc. 19th Midyear Topical Symp., Health Phys. Soc., 2/2-6/86, pp 437 - 442

(3)

Disposal of Mild Radioactive Waste To be Less Restricted in New Policy

By MATTHEW L. WALD

Mildly radioactive waste could be disposed of in municipal dumps or ordinary incinerators or even recycled into consumer products, under a new policy that the Nuclear Regulatory Commission, plans to announce tomorrow.

Under current rules, most waste with detectable levels of radiation must be handled with special precautions and shipped to one of three licensed landfills in the country. The new policy would classify as "below regulatory concern" materials like gloves of laboratory workers, parts from decommissioned power plants and the carcasses of laboratory animals after experiments in which radioactive tracer elements were used.

Environmental groups and some scientists say that adopting a uniform policy is unwise and could result in public exposure to radiation if waste is recycled into toys, jewelry and other common objects. The Environmental Protection Agency says the new policy is too lenient and plans to issue a rule in two years that could override portions of it, adding stricter criteria on the maximum permissible dose from material recycled or disposed of without controls.

The Nuclear Regulatory Commission says that the new policy will allow Federal and state inspectors to concentrate on more highly radioactive materials, resulting in increased safety. The policy would also cover how much radiation could remain after a nuclear plant is retired, which will be a common activity in decades to come.

Kenneth M. Carr, chairman of the Nuclear Regulatory Commission, has made the policy a high priority. "If we are able to establish a list of things that we don't need to worry about as regulators, this would obviously give us more time to worry about — and deal with — real problems," he said in a speech this year to the American Nuclear Society, which includes industry and academic experts. If some activities carry a risk that is acceptably low, he said, it would be wasteful to add regulation to make it safer. "Why pay for something one doesn't need?" he said.

But he added that the new policy was sure to face opposition. "We already have one strike against us," he said. "The general public isn't comfortable with the notion of radioactivity."

But opponents say that the commission is taking the wrong approach. "They're making decisions about how to deal with radioactive waste on an economic basis, and not on grounds on what would be best for public health and safety," said Jonathan Becker of Public Citizen, an environmental group founded by Ralph Nader, the consumer advocate.

Much of the argument comes down to philosophy, in a field in which it is assumed that no exposure is so small that it is harmless. In an early draft of the new policy, the commission said that an activity that increases the risk of death by one in 100,000 would be "of little concern to most members of society." But, Public Citizen pointed out, if this were extrapolated to the entire population of the United States, it would come to 2,500 deaths.

> Nuclear regulators are accused of being too lenient.

Ambivalence in Nuclear Industry

Public Citizen and other groups have also expressed fear that once waste generators are allowed to send some material to municipal landfills without controls, it will be impossible to know what they are sending.

Experts say the policy could end the regulation of 30 percent of the waste volume, although it would contain under 1 percent of the radioactivity.

The nuclear utility industry, which is an intended beneficiary of the proposed policy, is ambivalent. It already has the right, under a 1985 law regulating low level waste, to petition the Nuclear Regulatory Commission for permission to dispose of slightly radioactive material in unregulated or less-regulated ways, but no utility has done so, in part for fear of public criticism.

"The proposal has a lot of technical merit," said Michael A. Mullen, a spokesman for the Duke Power Corporation, which operates seven nuclear reactors, "but we also realize there are a lot of political and public relations considerations."

In addition, said Mr. Mullen, the policy might not save much money, because licensed burial sites have high fixed costs. If less waste was dumped there, the cost per cubic foot would rise, he said.

Some Special Cases

Duke, however, has successfully petitioned North Carolina and South Carolina to bury two categories of waste inside the fence at its reactors. One covers filters that have accumulated small amounts of radioactivity and pieces of lightly contaminated metal. The other is sewage sludge from the plant, which has trace amounts of radioactive elements not found in municipal sewage, he said.

And in Texas, the Bureau of Radiation Control has allowed some radioactive materials that decay in a few months to go to sanitary landfills.

The Conference of radiation Control Program Directors, a national organization of state and local officials, has conditionally endorsed the new policy, but has said that "unnecessary exposures from frivolous uses of radioactive material can be prevented." Uses in consumer products, including food, drugs, cosmetics, jewelry and toys, are "without justification," the conference said.

E.P.A. More Cautious

The new policy, according to people who follow the Nuclear Regulatory Commission closely, is likely to state that disposal or reuses are permissible if they do not give any individual an annual dose above 10 millirem. A millirem is a measure of radiation absorbed by tissue, taking into account the difference in damage produced by various kinds of radiation. The average American gets a dose of about 300 millirem a year, most of it from radon, and some from man-made sources like X-rays, bomb fallout and airline flights. One coast-to-coast round-trip flight results in about 5 millirem of exposure.

The goal is that the sum of all exposures resulting from the new policy not exceed 100 millirem a year, but opponents say that if the activities are unregulated, this will be difficult to ascertain.

But the Environmental Protection Agency has proposed a standard from any given source of 4 millirem per year, rather than 10. And the National Council on Radiation Protection and Measurements, a panel of scientists that publishes radiation guides that are closely followed by radiologists, recommends that only activities producing a dose of 1 millirem be regarded as being too small to worry about. The chairman of the council, Dr. Warren Sinclair, said in an interview that adopting the new level as a blanket policy was unwise.

Small Plane Found in Maine With Two Dead in Wreckage

GREENVILLE, Me., June 25 (AP) — The bodies of an agent of the Federal Bureau of Investigation and a Massachusetts state trooper have been found in the wreckage of a small plane on a mountain ridge in western Maine.

The missing plane, a Piper Cherokee, vanished in rough weather last Monday, but the agent, Paul Cavanagh, and the trooper, Joseph Moynihan, were not declared missing until Friday, said Paul Fournier, a spokesman for the Maine Warden Service.

The wreckage was sighted on 1,400-foot-high Oak Ridge near Elliotsville, about three miles southwest of Greenville, by a helicopter pilot searching for the downed aircraft, Mr. Fournier said.

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FEDERAL PAGE

New Pesticide Policy Leaves Residue of Question

EPA Drops 'Zero Risk' Rule to Allow New, Safer Chemicals, but Unproven Ones Stay in Use

By Michael Weisskopf
Washington Post Staff Writer

Five years ago, the Environmental Protection Agency denied a chemical company's request to market a fungicide for use on hops that could raise a heavy beer drinker's odds of getting cancer by 1 in 100 million.

The denial guaranteed a monopoly for a fungicide group used for years that is thousands of times riskier.

Aliette was the lower-risk chemical caught in what a National Academy of Sciences study last year termed the "Delaney Paradox." Delaney was the New York congressman responsible for a 1958 law governing pesticide residue in food that, the EPA says, keeps new, safer chemicals like Aliette off the market if they carry any risk of cancer and increase in concentration when the commodities on which they are used get processed into soups, sauces, juices and baby food.

Ten days ago, the agency issued a new policy to replace the "zero-risk" standard of the so-called Delaney Clause. Now, all pesticides will be approved if they pose a "negligible risk," increasing the odds of cancer by no more than 1 in 1 million.

Acknowledging the legal uncertainty of such a move, EPA officials say the new policy is necessary if older, more carcinogenic pesticides are ever going to be replaced.

But the agency offered no assurances for removing those older chemicals, leaving open a key question: Will shelving a law designed to immunize the American food system from cancer-causing additives actually decrease the carcinogenic load?

According to Lawrie Mott, senior scientist at the Natural Resources Defense Council (NRDC), the decision will "put the public at greater risk." While new carcinogenic pesticides will enter the scene, albeit chemicals of lower cancer risk, the EPA has no plan for removing the older, more dangerous ones, Mott said.

Noting that EPA already licenses 66 pesticides found to cause cancer in laboratory animals, she said, "I don't want to hear that they're going to add six without taking off six. You have to look at safety of the entire food supply."

Aliette may be an attractive replacement for a chemical family known as EBDCs, the only fungicides now used on hops, whose cancer risks are as high as 1 in 10,000. But, Mott asked, if EBDCs are permitted to remain, what incentive do farmers have to choose the newer, probably more expensive chemical to treat hops used in beer and cattle feed?

EPA attorney Edward Gray said that while the introduction of new pesticides does not necessarily spell doom for their forebears, it could give regulators more justification for replacing riskier chemicals.

Staff Photo by Linton Post

"The utility of more dangerous chemicals on the market for the same purpose goes down a lot," he said. "They can be removed without creating some big problem for the farmer and food supply. It will help us make better comparative decisions about which chemicals to keep and which not to keep. It should result in lower risk."

When Rep. James Joseph Delaney (D-N.Y.) pushed through his provision, he intended no less a result for such processed foods as ketchup, peanut butter and apple sauce. The law barred any food additive found to cause cancer in man or animal.

In practice, the rule has confounded regulators for 30 years because of its conflict with the more liberal law governing pesticide residue on raw foods. For carcinogens, the EPA generally permits residues on raw foods that increase risks by 1 in 1 million, contrasting with the original zero-risk requirements for pesticides on fruits and vegetables cooked and rendered into processed foods.

But Congress realized the impossibility of separating carcinogens legally permitted in raw foods from processed foods, and it decided to permit the potentially cancer-causing residues in processed foods so long as they did not exceed the levels allowed on their raw ingredients.

Congress did require the EPA to set [illegible] of pesticides that increase in concentration during food processing. But [illegible] of quantifying concentrations is so [illegible] that the agency has chosen not to [illegible] on the residues. Instead, it simply [illegible] use of the pesticides—even on raw foods—[illegible] at least a dozen pesticides that [illegible] concentrate in processed foods have been [illegible] off the market in recent years even though they pose much lower cancer risks than [illegible] chemicals with which they could [illegible] approved, the EPA says.

Aliette, widely used in Europe to [illegible] downy mildew, was rejected by the EPA for use on hops because it increased concentration during drying of the hops.

Nearly all of the pesticides in use today, including the EBDCs that are used on hops, are based on active ingredients approved before the EPA required complete data on residue chemistry. Even though they may increase in concentration in processed foods and pose higher cancer risks, they are permitted to remain on the market simply because the agency lacks the data to ban them under the Delaney Clause.

Meanwhile, new products like Aliette, for which complete residue data is available, are rejected.

Gray said rigid interpretation of the Delaney Clause "forces you to make stupid decisions and scientifically untenable regulatory positions because it fails to allow you to distinguish between a serious risk and a piddling risk. It doesn't allow you to get rid of the bad chemicals and leave the less bad ones in their place."

"This policy change was designed to remove the barrier to sensible decision-making," he said of the move to the negligible-risk standard announced Oct. 12.

Some environmentalists who fear the cumulative effects of carcinogens in the food supply say the only sensible decision is to apply the zero-risk standard of Delaney to all pesticide residues in raw and processed foods. Others want guarantees, as a House bill offers, that for every new, carcinogenic pesticides approved, the EPA will eliminate an older, riskier chemical.

Otherwise, says NRDC attorney Janet Hathaway, "The only benefit is to the makers of new pesticides. The public health is not going to benefit."

Rhone-Poulanc Ag Co., the manufacturer of Aliette, views the new policy as an incentive to develop newer and safer compounds, said spokesman Mary Anne Ford. "We are anxious to see chemicals cleared that do provide greater margins of safety."

B1 4

NRC ROLE IN DEVELOPMENTS OF RADIATION PROTECTION STANDARDS

- o MAINTAIN COGNIZANCE OF, AND SUPPORT DEVELOPMENT OF RELEVANT SCIENTIFIC AND TECHNICAL INFORMATION

- o MAINTAIN COGNIZANCE OF, AND SUPPORT DEVELOPMENT OF INTERNATIONAL AND NATIONAL GUIDANCE AND RECOMMENDATIONS
  - RECOMMENDATIONS OF ICRP, NCRP AND IAEA
  - CIRRPC RECOMMENDATIONS
  - FEDERAL GUIDANCE FOR OCCUPATIONAL AND PUBLIC EXPOSURE

- o EVALUATION OF OPERATING EXPERIENCE

- o EVALUATION OF POTENTIAL IMPACTS OF MODIFICATIONS TO REGULATIONS

- o ADOPTION OF APPROPRIATE INTERNATIONAL AND NATIONAL GUIDANCE IN NRC REGULATIONS AND REGULATORY GUIDANCE
  - INCLUDE MARGINS TO ADDRESS UNCERTAINTIES
  - ASSURE THAT REQUIREMENTS ARE REASONABLE, INSPECTABLE, AND PRACTICAL TO IMPLEMENT

The regulation of radioactive wastes is an obligation which must be responsibly administered to protect this and future generations. Our short history of radioactive material utilization has proven that accidents, mismanagement, contamination, exposure and mistakes can and do occur. We are learning from our errors and must pay the high price to remediate thousands of contaminated sites at a cost exponential to that of responsible prevention. Far too much radioactive waste is being produced, which will be radioactive long after our relatively short lifetimes. This leaves a very hazardous legacy to those who follow us, we must take precautions and actions to safeguard those not yet born who will inherit this very same task and a larger expense.

When a radioactive particle strikes the nucleus of a cell it can damage DNA, possibly causing the cell to mutate. Cell or genetic mutations may result in cancers or other relatively small scale afflictions. However we are fools to ignore the possibilities of genetic mutations which in our or any other species could threaten the balance of nature.

When radioactive waste is the concern there is no such thing as below regulatory concern. All it takes is one stray particle to damage one gene in one speices, organism or virus that may result in circumstances beyond the scope of the imagination. The present level of mismanagement, accidents and contamination is already overwhelming, unforgivable and irreversible. The concept of drawing a bottom line on radioactivity to allow waste to be disposed of in landfills and incinerators which can inadvertanlly find a way into the recycling stream is an approach to managing radioactive waste that I find to be alarming. This approach only exists to improve bottom line profits of the nuclear community and save short term government money. At a time when radioactive waste should be reduced, a method is being considered that only reduces what is considered radioactive. What gives anyone the right to dictate what level of radioactivity is below concern to every living creature. When radioactive waste is allowed to be landfilled there will be radioactive leachate, there will be exposed workers, there will be genetic damage. When radioactive waste is incinerated there will be radioactive fly and bottom ash which exponentially increases the surface area to volume ratios and will result in a higher amount of radioactive leachate. When radioactive waste is deregulated it will find its way into the recycling stream and therefore into consumer goods that can emit radioactive particles. The concept of "below regulatory concern" will only prove to expose countless organisms and humans to the potential of genetic mutation. Deregulating radioactive wastes will only encourage the increase of radioactive waste production. The future of generations to come is already unpredictable from the radioactive waste we are now producing and storing. Methods we have previously employed to safely contain radioactive waste have proven to be ineffective.

I strongly urge that all radioactive waste be of regulatory concern, that our wastes be stored on site, above ground and well labeled. No wastes should be stored near faultlines, in flood zones or near coastal tidal areas. There should be no import / export or ocean transport of radioactive wastes. A tax should levied upon radioactive waste producers to be used as a fund to perpetually monitor and upkeep waste sites. New waste sites should not be created, rather waste should be stored onsite or at sites which are already contaminated and being remediated. A greater awareness toward conservation, energy efficiency and alternative fuels, such as; wind, solar thermal, photovoltaics and hydrogen must be instituted immediately as we move into the future. Below Regulatory Concern is a grave mistake, please don't make it.

Sincerely

Gregg B. Howells
Publisher of EARTHKEEPING Environmental Quarterly
PO Box 604 Dallas, PA 18612-0604 (717) 696-4200

3/6

(1)

ORDER OF PUBLIC PRESENTORS FOR BRC MTG

GENE GLEASON	NYS ENERGY OFFICE - STATE LIAISON OFFICER
HARRY LEE	CERBERUS PYROTRONICS
DAVID STONE	LIMERICK ECOLOGY ACTION
STU GEBOFF	LABORATORY TECHNOLOGIES INC.
MICHAEL MARRIOTT	NUCLEAR ~~SUPPORT~~ & RESOURCE SERVICE
KAREN PRATHER	CONCERNED ABOUT RADIATION IN THE ENVIRONMENT
DR. J. JOHNSRUD	ENVIRONMENTAL COALITION ON NPP
SUSAN GRIFFIN Allan Sweet	CHENANGO NORTH CITIZENS AGAINST RADIOACTIVE DUMPING (CARD)
PHYLLIS GILBERT	SIERRA CLUB OF EASTERN PA
TOM GILLETT	CITIZEN LILCo
PAUL MACK	DELAWARE VALLEY CLEAN AIR COUNCIL
LEE CAIN	MARSH LAND GREENS, CUMBERLAND COUNTY
LEONARD SOLON	NY CITY DEPT OF HEALTH
BENNETT GREENSPAN	UNIVERSITY OF ROCHESTER
RICHARD MEYERS	SIERRA CLUB OF EASTERN PA
MARY GERBER	CITIZEN
JEFF SCHMIDT	PA SIERRA CLUB LIAISON
JEFF BALCH	CITIZEN
ANDREW ALTMAN	CITIZEN Greenpeace
DANIEL KINNEY	GREENPEACE GAC Citizens Against Nuclear Trade
SARA NICHOLS	CLEAN AIR COUNCIL

B/7

PATRICIA BIRNIE	MD SAFE ENERGY COALITION
ELISE MEYER-BOTHLING	MD SAFE ENERGY COALITION
JEAN EWING	PEACH BOTTOM ALLIANCE
JAMES LUCEY	CONCERNED CITIIZENS OF ALLEGANY COUNTY, NY
DAVID YEAWORTH	PA PUBLIC INTEREST RESEARCH GROUP
DR. STEPHEN SLACK	ACURI ASSOCIATION
GAIL FISH	MARATHON AGAINST WASTE
ERNST FULLER	BEDFORD, FULTON, HUNTINGTON SOLID WASTE AUTHORITY
SUE FROCKE	CITIZEN
MARGARET DARDIS	CITIZEN
JOSEPH COHEN, ESQ	CLEAN AIR COUNCIL
LELAND COOLEY	UNIVERSITY OF MARYLAND
ALAN SWEET	CHENANGO NORTH, CARD
JIM FIOLA	SAFE EARTH ALLIANCE OF SUSSEX AND WARREN COUNTIES, NJ
LORI GOLD	SOLID WASTE ADVISORY COUNCIL, WARREN COUNTY
PATTY MICHAEL	CARD, DON'T WASTE NY & DON'T WASTE US

THE FOLLOWING PEOPLE REGISTERED TO SPEAK AFTER 9/11/90

PAT LANE	CITIZEN
CAROL SOLOMON	CITIZEN
JACK RANSOHOFF	NEUTRON PRODUCTS
DR. W. SLIZOFSKI	AMERICAN COLLEGE OF NUCLEAR PHYSICIANS
JANE GARBACY	CITIZEN

THE FOLLOWING PEOPLE ARE TO PROVIDE WRITTEN STATEMENTS:
OWEN HOFFMAN
ROBIN ELLIOTT, UNIV OF DELAWARE
DR. BETHANY BECHTEL, UNIV OF PENNSYLVANIA (rec'd 9/11/90)
CHRIS KAPINSKI, CITIZEN
CARD, CORTLAND, NY (rec'd 9/11/90)
RUTH ALLAN MINER, CITIZENS FOR ENVIRONMENTAL RIGHTS (rec'd 9/12/90)

TOTALS

ORAL STATEMENTS	37 + 5 (LATE REGISTRATION)
WRITTEN STATEMENTS	5
ATTENDANCE	139

(1)

Howard Tompkins - Candidate (Reno) Congress 1st district, ROP, 1A

Mary Anne Lewis

★ 1/3 of waste

2500 deaths estimated attributed to LLRC

Tom Beacom - ICRP and IAEA use lower dose limits

justification should continue to be applied

NYS totally rejects any compatability

DOE EIS should have been prepared

Dave Iton - no low cost ways to reduce risks at nuclear plants

vacuum of power created

the people who opposed work should really be the ones that support us - as we must have a problem.

Michael Mariotte - multiple practices - 3.5×10^{-4} due to multiple plants

1 in 285 down to 1 in 2 because of other factors big wrong

Karen Prather - found 1 positive statement in policy, but have a lot of time

does not think the months are appropriate

knowing exact detection are toxic

if there is a non radiological alternative, it should be used.

★ raise 1/10 mrem as limit under policy

cites Gardner study - for childrens leukemias

greater risks are assumed

★ wants notification of when a petition

Dr. J. Johanson - says food irradiation is a new way to dispose of waste

cited Michigan being told to reduce others when the same with a new facility

10 - 15 K per ft^3 for mixed waste in the future

★ states that there is no mechanism to assess multiple exp. potential

incorrect citing of ICRP

NRC should withdraw policy, a similar decision contrary to law

Allen Swett - Dir't wants NY shoreacres vs Cleveson and NJ government
releases on the bar, certainty getting what it wants and says many
alliances should be justified
called on attorney general to file suit to change against Commission

Phillis Gilbert - Clearwood that Goffman was fired by BRC
Background has typical view the court tests

Tom Gillet - Various - LILCO
endorses BRC but:
1: plan emphasis what it wants to be placed down not the
individual average dose should not be used
2: collective dose does not make sense
3: implementing documents must be usable
5512 missed the boat by not taking at equipment
4: BRC should supplant existing regulations such as Appendix I.

Paul Keck - wastes should be managed in the most environmentally benign manner

Lee Cain - local ecology group in Northern NJ
continuous contempt of the needs of the individual

Bennett Brumpan - supported policy
upheld one of the mis-statements of previous speakers

Richard Kasperson - policy makers a variety of citizens rights
policy - allows no choices, valid NRC's comparisons
presumption view - has BRC decided?

Mary Gerber - BRC cannot set a safe level
unpredictable genetic effects for future generations

Jeff Schmidt - all other agencies are trying to control other hazards with more
restrictive standards

Thomas McCarthy - poem by Jeff Balch - name as title

Andrea Altman - read greenpeace statement

Daniel Kinsey - Is already a fact, this is an attempt to ~~apply~~ the past legalize the situation

Patricia Birnie - opposes policy and urges that it be rescinded
NRC should take the lead of waste generation

Elise Meyer-Bothling - believes NRC policy is a mistake

Jean Ewing - Peach Bottom Alliance low-level waste is not below concern
conclusions on uranium and plutonium
shut down all facilities and throw out policy

Bruce Jeffrey - NRC is a new form of terrorism
why does NRC always use the highest #
NRC never sides with the real experts - like Goffman
Chairman Carr should listen to the real experts

David Hepworth - PA Pirg - this meeting represents a washington's vanity of statement

Dr. Storm Slack - West Virginia University RSO - supports policy

Gail Fish - Cortland County - problems about LLW - one of two final sitting counties for NY
Lets not take over you release it

Virginia Bennett - "citizen of the world" NRC does not protect us

Ernst Fiedler - NRC trying to force this waste site to accept waste
reasons for policy are inadequate

Sue Frooks - NRC policy is insane

John Hawkins - reading statement of Margaret Darden

(7)

1

Joseph Cohen - legal problems and constitutional issues
repeal or we will see you in court

Leland Colby - support of ERC

Jim Fiola - represents 26 Sussex county freeholders
resolution rejecting NRC policy
What happens to a community when counties or general
agencies don't possess to set allow radioactive material
Human Impact Statement

Lou Gold - Monroe County - opposed to NRC policy
NRC should possess studies on cumulative effects of chemicals or radiation

Patty Michael - How many people are opposed to NRC ?
Admits that 2,000 people will die per year

Robert Duncan - risks are totally unacceptable
low level radiation is more hazardous than high level

P F Lam - issues re permanent waste repository
Link between incidence in Utah and fallout

Carol Solomon - Role is going to adapt by and guard the landfills for all
living organisms, both human and animal

Jack Ranschoff - supports policy in a limited way
no evidence that Reimann hypothesis is true

Dr. W. Sligerfelt - support NRC policy
nuclear science is here to help people, not hurt them

(5)

Amy Scultia - what if a landfill catches fire and disperses radioactive particles

Bruce Howells - against - submitted written statement, then read it

Question - Differences between NRC's draft policy and the final policy that we are talking about today. In particular, the question was centered about 3 areas:
(① collective dose ② justification of practice ③

- A number of changes as a result of comment
  - recognition that a single dose limit was not appropriate
  - clarification of Commission guidelines for justification
  - treatment of multiple exposures
  - qualitative assessment of persons exposed

Question - How does the NRC justify the health risks of the policy

- Used BEIR V
- Selected dual limit
- models uncertain
- values are various exposures, not corrupt - recognition

Question - Risks

- yes there have been a number of studies of risks of living near facilities

- for example - TMI group recently released the results of a study by Columbia University on health effects. They found no statistical evidence to

- a number of landfills are conducting their own monitoring

Don Cool

1) Meeting at 2:30 PM Monday June
To Develop EDO / OGC Comments
on Commission Q's and A's
(including, date justification if needed
with Previous Q's and A's in
Memo From Taylor To Denton)

2) Comments On

a) GPA Press Release COB Mon
To S. Eagar

b) GPA Letter To Congress COB Mon
To T Combs

c) Pamphlet - By Tues 11 Am
└ Just Check Numbers

3) I'm Working on Slides For
Day Run / Brief Regions Reps
on Thurs at ~1 PM

- Q & A for Health Effects to back up use of fatal cancer and disease risks to children and embryo/fetus.

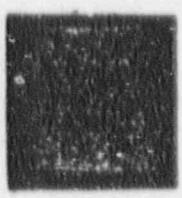
11/26/70

(9)

Don C

This was a green-ticket to help someone in Denton's shop answer a letter.

Mark

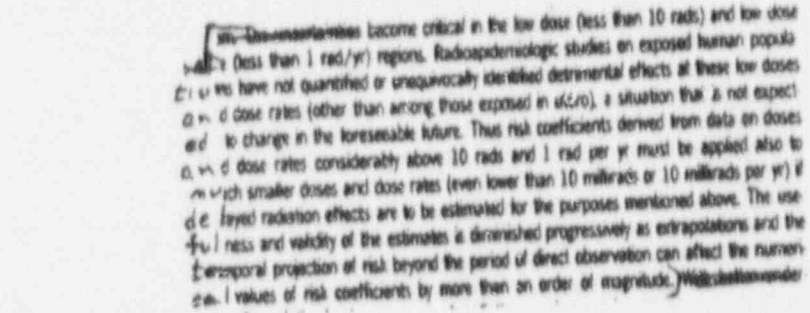


B/9

(9)

RES Input to O'Grady Letter.

1- The NRC agrees that the federal/scientific community have not yet been able to determine the effect of long term, cumulative, "low level" ionizing radiation. Uncertainties in estimates of low dose health effects


become critical in the low dose (less than 10 rads) and low dose rate (less than 1 rad/yr) regions. Radioepidemiologic studies on exposed human populations have not quantified or unequivocally identified detrimental effects at these low doses and dose rates (other than among those exposed in utero), a situation that is not expected to change in the foreseeable future. Thus risk coefficients derived from data on doses and dose rates considerably above 10 rads and 1 rad per yr must be applied also to much smaller doses and dose rates (even lower than 10 millirads or 10 millirads per yr) if delayed radiation effects are to be estimated for the purposes mentioned above. The usefulness and validity of the estimates is diminished progressively as extrapolations and the temporal projection of risk beyond the period of direct observation can affect the numerical values of risk coefficients by more than an order of magnitude.

2. While a high level radioactive waste disposal system has not yet been developed, the U.S. Nuclear Regulatory Commission in its Review and Final Revision of the Waste Confidence Decision has found (Finding 2) that " The Commission finds reasonable assurance that at least one mined geologic repository will be available within the first quarter of the twenty-first century, and that sufficient repository capacity will be available within 30 years beyond the licensed life for operation of any reactor to dispose of the commercial high-level radioactive waste and spent fuel originating in such reactor and generated up to that time." These findings were published for public comment in the Federal Register on September 28, 1989 and were published in final form in the Federal Register on September 18, 1990.

3. A system of free scientific inquiry precludes the censoring of those who's ideas and views fall outside the mainstream of thought in any particular scientific discipline. The advance of science and technology depends on the unconventional as well as the conventional approaches to the resolution of problems. As the state of any science or technology progresses through the system of free scientific inquiry, inappropriate or incorrect approaches will be displaced by those with more validity.

2. The Federal government/scientific/technological establishment has not been able to design and develop a "high level" radioactive waste disposal system that satisfies the criterion that such waste will be isolated from the biosphere for 10,000 years.

3. The willingness of some scientists to publicly advocate technological systems which lack adequate scientific basis undermines public confidence in the feasibility of any radioactive waste disposal system which requires long term integrity.

July, 1990

John J. O'Grady
Oak Park, IL

(1-708-)848-1837

WEDNESDAY
May 18, 1988

COMMERCE

A daily list of U.S. Government procurement invitations, contract awards, subcontracting leads, sales of surplus property and foreign busin

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U.S. GOVERNMENT PROCUREMENTS

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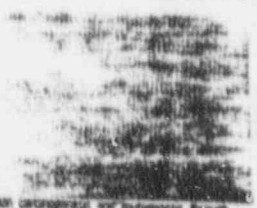
Services

Experimental, Developmental, Test and Research Work

(research includes both basic and applied research)

US Nuclear Regulatory Commission, Div of Contracts, Washington, DC 20555

- BROAD AGENCY ANNOUNCEMENT: RESEARCH AND DEVELOPMENT ISSUES RELATED TO REDUCTION OF UNCERTAINTIES IN' RADIATION ALTH EFFECT RISK COEFFICIENTS - PLANNING AND MANAGEMENT BAA 88-094. POC Sandra Joiner, 301/492-4297, Donna Umlauf, 301/492-4281. The U.S. is soliciting proposals for research and development on issues related to reduction of ntainties in radiation health effects risk coefficients - planning & mgmt. The NRC is using radiation health effects models and risk coefficients in the development of ation protection standards, in severe reactor accident analyses, probabilistic risk assments for nuclear power plants, emergency response planning, siting review, the implementation of Commission's safety goals, and cost/benefit analyses. Many uncertainties remain in radiation risk assessment, and the scientific validity of the health effects models is often not commensurate with the importance of the decisions based on



of the basic processes of radiation carcinogenesis and mutagenesis through in radiation effects at the molecular and cellular levels, it is possible that a significant in the uncertainties associated with risk coefficients can be achieved. The Nuclear Regulatory Commission is soliciting research proposals to investigate ects to the problem. The first phase of this program, which is presently a two- is expected to require about one senior staff year, over a period of approx 12 and will be the development of a long-term, comprehensive research agenda directed to reduce uncertainty in health risk estimators and coordinated with the research personnel in this field on a worldwide basis. This work will involve the on and analysis of ongoing research projects that are relevant to the objective, pertinent scientific literature, establishing contacts with key research personnel, in of the most promising avenues of research, and development of a detailed research plan. This Scope of Work applies to the first phase only. Should the search agenda indicate, through peer review, an acceptably high probability of ts, the second phase would involve the long-term coordination and mgmt of an ch agency research program, again on a worldwide basis. Sources for the re- be selected by a formal technical/scientific/business decision process. Indivi- evaluations may be based on acceptability or non-acceptability without re- proposals submitted under the announcement. Evaluation of proposals will d using the following criteria: 1) Quality. The understanding of the problem mpleteness of the proposed technical approach, 2) Relevance. Potential contrib- proposed effort to the agency's specific mission, 3) Capability. The offeror's ousness experience, techniques, or unique combinations of these that are inte- for achieving the proposal's objectives, and 4) Personnel. The qualifications, and experience of the proposed principal investigator, team leader, and key cluding subcontractors and consultants, if any) and how each person will contribute to the program objectives. Proposal submitted should consist of 2 volumes. Volume I is the technical and project mgmt portion of the proposal, Volume II is the cost portion of the proposal. Submit an original and 5 copies of each volume. Proposals should contain: a. A cover page including title, technical points of contact, and administrative points of contact. b. A one-page summary of the proposed research. c. A one-page summary of the deliverables associated with the proposed research. d. A one-page summary of the schedule and milestones for the research. e. A statement of work (SOW) detailing the objective and scope of the effort and specific contractor reports). The contractor shall identify ongoing research projects that are relevant to the objective and planned coordination of research in this field. f. A discussion giving previous accomplishments and work in this or closely related research areas and the qualifications of the investigators. g. A bibliography of relevant papers and research notes which document the technical ideas upon which the proposal is based. h. The overall approach to the mgmt of this effort. Personnel to be assigned to the contract should be identified including the percentage of each person's time. Any proposed subcontracting/consulting should also be discussed. In addition, a one-page cost summary and an SF 1411 (Contract Pricing Proposal Cover Sheet), available from the Govt Printing Office) for the effort shall be included. Costs shall be supported by detailed breakdowns of labor hours by labor category and task/subtasks, matls, travel, computer and other direct and indirect costs. An explanation of any estimating factors including their derivation and application shall be provided. Details of any cost sharing to be undertaken by the offeror should be included in the cost proposal. This BAA will remain in effect for a period of 60 days from the date of this publication. Thus, proposals may be submitted at any time within that time period. Any proposal rec'd after 60 days will most likely not be considered. Submit an original and 5 copies of the proposal. Include any restrictions on disclosure and use of data IAW FAR 52.215-12. Proposals shall be evaluated as they are received. However, no award will be made before the expiration of the 60-day period. The NRC reserves the right to select for award any, or none of the proposals received in response to this notice and to negotiate any type of contractual instrument. The NRC's Contractor Organizational Conflicts of Interests rule, cited in 48 CFR 20.1.54 applies to any awards hereunder. All offerors will be notified whether or not their proposal is accepted. Include 2 self-addressed labels with your proposal to facilitate NRC's correspondence with your organization. Awards are anticipated to be made in Sep 88. No add'l written or telephonic info is available about this program, nor will a formal sol be issued. Requests for same will not be honored. Responses should be addressed to above, attn: Donna Umlauf, BAA RES-88-094. Hand-delivered proposals, including express del services, should come to 4550 Montgomery Ave, Bethesda, MD 20814, Second Floor, Rm 2223. For any proposals submitted in Jun 88, offerors should first verify the delivery/mail address with the Div of Contracts as this office may relocate at that time. Tel Sandra Joiner, 301/492-4297. (137)

Def Nuclear Agency, 6801 Telegraph Rd, Alexandria VA 22310-3398

A - NON-IDEAL AIRBLAST EFFECTS FOR ICBM BASING. Carol Dickerson, negotiator, 202/325-1193, Thomas McCabe, asst ofcr, 202/325-1200. Carol effort will include, but not be ltd to pertinency thermal testing to define the thermal layer produced over var soil/vegetation combinations by thermal radiation from nuclear weapon detonations. Contractor personnel will need a DOD security level of top secret restricted data. Contemplated period of performance is 8 mos. DNA plans to issue a sole source award to cont DNA001-87-C-0080, to Science Applications Intl Corp (SAIC), POB 1303, McLean VA 22102-1303. DNA believes that SAIC is the only source able to fill this mgmt because they own a facility to perform thermal simulation tests of large samples and they have extensive experience using the DNA Hookhamp thermal simulators at Dayton, OH. Any other firm consideration must fully identify its capability to perform the mgmt. See Note 22. A sol will be issued to SAIC o/a 1 Jun 88. For info contact Mrs Dickerson 202/325-1193. Ref syn 88-744.

A - STANDARDS AND SPECIFICATIONS TECHNOLOGY ASSISTANCE (YESSTA/ DNA001-88-R-0041. Due 060388. Sharon Lasskobf, negotiator, 202/325-9211, Patricia DeDanial, asst ofcr, 202/325-5028. Stds and specs technology assistance (YESSTA) asst effort in high altitude EMP (HEMP) effects and monitoring, identification of HEMP technology shortfalls, and their impact on stds implementation, (optional) efforts to redress shortfalls if deemed necessary. HEMP system data base/survey and determination of max admissible HEMP signal characteristics, a real time assistance to DOD elements engaged in fixed ground based C3I protection stds development/protection implementation. If opt is exercised prototype mgmt will be developed to address shortfalls. Contractor personnel will need a DOD security level of SECRET. Contemplated period of performance is 24 mos w/an opt for three, 12 mo mds. All responsible sources may submit a proposal which shall be considered. All reqs for copies must be submitted in writing. For further info contact Mrs Lasskobf 202/325-9211. Ref syn 88-0077. (134)

Dept of Commerce, Mountain Procurement Div, MC3, 325 Br

A - DEVELOPMENT OF HIGH TEMP APPARATUS AND THERMAL CONDUC GEN GAS AT SUPERCRITICAL TEMPE 17-88. POC Frank Starck, 303/497-5326. Th of Standards Center for Chemical Engineering research on the thermophysical properties of part of this research involves both developm of such apparatus to obtain data of standa values two important ste ps in our experiment tion of the development of the transient hot w measurements at high tem peratures and the asc thermal conductivity thermal diffusivity, and task involves the co truction, assembly, and users hot wire appar tus for thermal conduc pressures to 70 MP The major objective of of standard referen quality for the thermo formed salt, however , concerns that research s capabilities and / any requests to receive a sta cation may expire and the only official notice t least sources, it is the intent of the Govt to aw by of 41 U.S.C. / 252(b)(1) to Hans Roder of B 45 days is other wi se to read 30 days. (137)

NAF , George Marshall Space F AP25-L, Walt Melton, A 8512

PRESSURE-FED BOOSTER TEST F TEM TECHNOLOGY PROGRAM RFP $ Walt Melton, A 35, 205/544-2949/Contract cor. Correction: The purpose of this announ for "Pressure-Fed Booster Test Bed Hot Gas F

Con

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