

Buncombe County



Board of Commissioners

BOARD OF COMMISSIONERS
60 COURT PLAZA
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(704) 255-5533
Gene Rainey, *Chairman*

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September 18, 1990

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

Dear Mr. Stohr:

Enclosed is a copy of a Resolution passed by our Board of Commissioners on October 17, 1989 against deregulation of radioactive waste.

On behalf of the citizens of Buncombe County we urge that all activities that will result in deregulation of nuclear waste be halted. We also urge that the Congress take action to rescind Section 10 of the 1985 Low-Level Radioactive Waste Policy Amendments Act which requires the NRC to set Below Regulatory Concern standards.

As representatives of the citizens of Buncombe County we urge that action be taken as soon as possible to halt deregulation activities.

*Written
statements*

Sincerely,

Gene Rainey
Gene Rainey
Chairman

RESOLUTION AGAINST DEREGULATION OF RADIOACTIVE WASTE

- WHEREAS, the United States Congress and the United States Nuclear Regulatory Commission (NRC) and the Environmental Protection Agency (EPA) have approved the concept of deregulating heretofore radioactive waste to the status of nonradioactive waste as "Below Regulatory Concern" (BRC); and
- WHEREAS, such deregulated radioactive waste will go to landfills, sewers, incinerators and any other facilities for solid, liquid or hazardous waste, which are neither designed nor intended to take radioactive wastes; and
- WHEREAS, such disposition of deregulated wastes in such facilities would pose an additional and unplanned burden of monitoring on the local agency; and
- WHEREAS, it has been estimated that more than thirty percent of the volume of what is currently considered "low-level" radioactive waste could be deregulated by the US NRC; and
- WHEREAS, evidence is growing that exposure to low levels of ionizing radiation have greater negative health effects than previously assumed by national and international agencies; and
- WHEREAS, radiation and chemicals have synergistic effects on the environment and human health and such exposures to both may result from deregulation of nuclear waste.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That this Board request the Nuclear Regulatory Commission and the Environmental Protection Agency to halt all activities that will result in deregulating nuclear waste.
2. The U.S. Congress be urged to rescind Section 10 of the 1985 Low-Level Radioactive Waste Policy Amendments Act which requires the Nuclear Regulatory Commission to set BRC standards.
3. That this resolution be effective upon its adoption.

ADOPTED this the 17th day of October, 1989.

ATTEST

BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE

Joe H. Hoyer
CLERK

BY: Gene Rainey
GENE RAINEY, CHAIRMAN

APPROVED AS TO FORM
Joe A. Connolly
COUNTY ATTORNEY

County of Buncombe
BOARD OF COMMISSIONERS
BUNCOMBE COUNTY COURTHOUSE
60 COURT PLAZA
ASHEVILLE, NC 28801-3565



SEP 18 1990 10:17



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



Statement to the Nuclear Regulatory Commission on the proposed "Below Regulatory Concern" policy. Atlanta, Georgia, Sept. 20th. 1990, by Pamela Blockey-O'Brien, on behalf of:
The International Fellowship of Reconciliation
National Clergy and Laity Concerned, Atlanta Clergy and Laity Concerned
League of Concerned Citizens of Douglas County, Georgia.

I am Pamela Blockey-O'Brien, member of the International Fellowship of Reconciliation, the world's oldest religious-pacifist organization, working worldwide on issues of nuclear, chemical and biological weapons disarmament, world hunger, human rights, environmental issues and similar. The International Fellowship of Reconciliation holds Non-Governmental Organization Status at the United Nations, and has had seven Nobel Peace prize winners. Besides representing IFOR, I am representing National Clergy and Laity Concerned and Atlanta Clergy and Laity Concerned, which is comprised of people of faith working for peace and justice and the betterment of the human condition. I am also representing the League of Concerned Citizens of Douglas County, a west Georgia citizens group from all political and economic walks of life who work on a range of issues, including environmental issues. In all, I'm representing about a quarter of a million people. *"AND" RURAL SOUTHERN VOICE FOR PEACE, A LARGE NETWORK OF PEACE + JUSTICE ORGANIZATIONS ACROSS THE SOUTHEAST*

Since almost the dawn of the nuclear age, governments, politicians, the nuclear industry and various commissions have implied, or told the public that a solution to nuclear waste and safety problems were just around the corner. Instead of admitting there was no solution in sight, and putting a moratorium on all things nuclear until problems were solved, they lied. They lied so often they began to believe their own lies. Nowhere on the planet can nuclear waste be rendered harmless. Nowhere is there a truly safe waste repository. The consequences of continuing to operate military and civilian nuclear facilities without having solved the waste problem first, are horrendous. Industry's greed, and the NRC's policies have resulted in the nation being trashed from end to end, and people's health destroyed. One, of countless examples will suffice. It is pertinent to the South. At the Savannah River Nuclear Facility, covering 300 square miles on the Georgia/South Carolina border, there are almost 34,000,000 gallons of high level liquid waste and almost 18 1/2 million cubic feet of low level waste, 37 unlined holes in the ground, called "seepage basins" filled with radioactive contaminants including low-level Strontium 90 and Cesium 137 getting into groundwater. The site contains five Superfund cleanup sites. Miles of streams, rivers and creeks off site are contaminated, as is wildlife. Tritium is found in high concentrations in drinking water in Savannah. In the NRC's silly little booklet on Below Regulatory Concern, one gets the impression one could eat low-level waste by the spoonful and live to be 100. In fact, low-

level waste is only a classification, some radioactive low-level wastes remain radioactive for thousands of years, low-level Iodine 129 is radioactive for 16 million years. Low-level waste includes irradiated reactor hardware, control rods, sludges, filters. Industry and government persist in describing low-level waste in terms of volume, though there can be huge concentrations of radioactivity in small packages and small concentrations in big ones. This concentration is measured in curie's. Each nuclear plant generates hundreds and thousands of curie's of low-level waste yearly. In 9 years, that waste will total about 42 billion curie's, enough to kill everyone on the face of the earth.

The Department of Defense faces over 100 Billion in cleanup costs, nuclear industry over 620 million ^{in cleanup} over 20 years, and when nuclear plants reach the end of their 40 year "life-span" as some are about to, they too are meant to become waste, to be decommissioned and cleaned up.

So what does the NRC intend ? 1) Under a little plan NRC's trying to sneak through, called Nuclear Power Plant License renewal, you're trying to allow these decrepit, unsafe plants, many of which don't meet current poor safety standards, to continue to pile up waste and operate another 20 years. 2) NRC's going to play fairy godmother to the Department of Defense and the commercial nuclear industry, wave its wand, and declare nuclear waste safe - so the NRC gets off the hook, and they save money and radioactive crud can be dumped all over the place where it will create the biggest, long-term human health disaster in the history of the nation and wreck the environment and pollute water supplies. According to your own documents, health assessments are based on assumptions, hypothesis and theory. What makes me really upset, is that all your documents make it appear that great thought went into arriving at the millirem exposure level you propose, when in fact it was pulled out of the air as follows: In March 1988, the NRC discussed setting a level of radiation below regulatory concern. Herewith, a bit of the discussion as reported in Radiation Events Monitor.

NRC Commissioner Carr said : " The line here we got now drawn at 5 MR ?

Mr. Lahe says : " It's supposed to be 5, something in that area.

Commissioner Carr: What's wrong with that ? That's a good line, I'll buy that."

Some discussion follows on various numbers by Mr. Lahe and Mr. Alexander, and Commissioner Carr says he doesn't understand what Mr. Alexander said. Mr. Alexander responds : "what I'm saying, is that a level higher than 5 mrem per year might be a more reasonable number.

Commissioner Carr responds " Okay, pick it out. I mean what -what are we- how long is it going to take us to decide that number ?"

This is followed by more discussion on a similar idiotic vein, until Mr. Alexander says " Well, my experience, which is rather long, is that in the area of health physics, once anyone with any authority at all adopts a number of any kind, from

then on, that's the stone tablet number that is used throughout the world." To which Eon.Bernthal says he doesn't think one should shrink from chiseling something in stone until everyone agrees on what should be done or they'd be waiting around another 28 years, and then, Commissioner Carr says:

"I think what he is saying is we ought to go ahead and be Moses and chisel it in stone and get it over with."

This was followed by laughter.

Let me tell you, it's no laughing matter. The NRC ought to be ashamed. Furthermore, you have used fictitious models based on fictitious human beings and outdated data. Effects on children in the womb, small children, women and the elderly have not even been questioned. Although, for example, German studies show the fetus to be 20 times more sensitive to radiation. And although German studies show that radiation amounts from the transfer from soil to plants, plants to animal products and then from the gastro-intestinal tract into blood are substantially underestimated, in part because the chemical form of the radionuclides in the food chain are often neglected - such as Cobalt 60 bound in Vitamin B -12-, the environmental impacts of land application of contaminated sludge, or uptake in fish in contaminated water, are ignored. Nowhere have you seriously considered genetic defects unto following generations. If you deregulate nuclear waste, you can't monitor it anyway. You can't taste, smell or see radiation. The public will have no way of knowing what is contaminated. And if radwaste in burnt in incinerators, as they wish to do at a huge incinerator being built at the Savannah River Facility, the ash will be radioactive, as will the gunk coming out the stack. You intend to apply ALARA to BRC - ALARA meaning "as low as reasonably achievable," whereby for example, builders only have to keep radioactive emissions from power plants "as low as reasonably achievable" given the amount of money they budget for safety - so every plant in the nations gives off radioactive emissions. ALARA should have been junked years ago. In your proposed rule, NRC states that 3 principles of radiation protection have guided the formulation of a system of dose limitation to protect workers and the public from harmful effects of radiation, one is ALARA, another is dose limits, which you make up to suit yourselves and the nuclear industry, and the third is justification of the practise, and the NRC says it seeks comment on the extent to which exposure resulting from any practise should be justified. There is no justification for any exposure to the public, period. The public is no longer going to pay for the Nuclear Regulatory Commission, nuclear industry, and nuclear utility company's blethering stupidity and greed, with their very lives. The people say "NO" to "Below Regulatory Concern" -Not now -not ever. NRC helped create the disaster, now clean it up, and tell every Congressman who voted for the Low Level Radioactive Waste Policy Amendments act of 1985, another almost unprecedented act of congressional ignorance and stupidity which helped set BRC in motion, that ^{CONGRESS} can help with

cleanup. You intend to recycle or reuse contaminated equipment or materials and even distribute consumer products containing nuclear materials. Have you gone beserk ? Just like the DOE, in your figures on background radiation you have inflated it by 200 mrem a year ,blaming much on radon, which is rubbish, and used comparisons of Denver, Colorado, ^{which is} covered in contamination from Rocky Flats nuclear facility, with Washington DC to boost your case on natural background exposure. There is no safe radiation level, background or man made. You also intend to release for unrestricted public use, lands and structures containing residual radioactivity. In Georgia, would that perhaps include the Dawson Forest Wildlife Management Area, once the so-called Georgia Nuclear Aircraft Lab run by Lockheed, the city once thought of putting an airport on ^{it} I believe, which Lockheed left contaminated with junk and old reactors and it's still glowing, not far from Atlanta ? Again, No to BRC.

Finally, Chairman Carr, the fellow who'll "buy a good line" remember ? says in your policy statement he continues to believe quote: "that reserving to the Nuclear Regulatory Commission the authority to establish basic radiation protection standards, including designating which waste streams are below regulatory concern, is fully justified to ensure an adequate , uniform and consistent level of protection of the public health, safety and environment". -Wrong.- The public has decided that based on the NRC's lousy track record, ~~NRC~~ ^{NRC} has lost their authority, since they have never protected public health and the environment, and NRC will not designate any waste stream Below Regulatory Concern, because if it does implement BRC, the public will ensure the entire Nuclear Regulatory Commission is removed from office, because to implement BRC violates the Genocide Convention, Article 2, Sections b) and c) in particular which states, that if you commit an act with intent to destroy, in whole or in part, a national group, by causing serious bodily harm, or deliberately inflicting upon the group conditions of life calculated to bring about its physical destruction, in whole or in part, which BRC would do, (after all, you have calculated death rates for a part of the populace, and will cause bodily harm in the way of cancers and genetic defects to countless others,) you will be guilty of genocide and the American nation does not sanction genocide.

The opening words of the Bible state: "In the beginning God created the heaven and the earth". -The Almighty does NOT add and in a few millennia the Nuclear Regulatory Commission is allowed to destroy it.