

DOCKET NUMBER

PROPOSED RULE

(50FR5600)

PR-34450 etal
(93)

M. I. LEWIS
6504 BRADFORD TERR.
PHILA, PA. 19149

Secretary of the Commission
NRC

Washington, D.C. 20555

Dear Mr. Secretary:

Please Accept this letter as my comments on the Proposed Rule on Decommissioning for Nuclear Facilities.

DOCKETED
NRC

50FR5600 2-11-85

There are many deficiencies on these proposed Criteria.

85 MAY 17 10:40

1. The definitions of "DECON", "SAFETY", AND "ENTOMB" are so short and non-specific as to be meaningless. Depending on future Regulatory Guides all the decisions on the NRC staff with little chance for the public to even

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

know what decisions are being made. The Reg Guides are not published in the Federal Register putting the knowledge of these decisions out of the reach of the average citizen and even his lawyer despite any direct effect that the Reg Guide would have on them.

2. There are no real decommissioning standards for total worker exposure, total public exposure, total amount(not concentration) of releases and really no standards for non-radiological wastes. Inside a reactor decommissioning, EPA standards may not control -or even be invited- allowing PCP, PBB, chlorinated solvents to be disposed of haphazardly.

3. Funding assurances are not guaranteed. In fact, the proposed rule depends heavily upon the utility not maneuvering to take early profits and allow bankruptcy to avoid future risk and decommissioning costs. This maneuver of bankruptcy is promoted by assuming a very small decommissioning cost.

4. The most devastatingly deficient part of the rule is not mentioned in the proposed rule. Enforcement in the NRC is against those that do not commit the violation. Fines, which are the enforcement tool, are not levied against the actor or the manager. The fine is ultimately paid by the ratepayer, taxpayer or the stock holder. The actual person who committed the violation is not forced to pay the fine, and often he or she continued to work for the same company in the same position. This deficiency in enforcement is compounded because the perpetrator is removed from his act by as much as 30 or 40 years. In other words a decision that affects the decommissioning made during construction in violation of the regulatory guidance may not be discovered for forty years and fining or calling the violator to justice at that late date would often be impossible.

Respectfully submitted,

M. I. Lewis

M. I. LEWIS
6504 BRADFORD TERR.
PHILA, PA. 19149

8505210384 850517
PDR PR
30 50FR5600 PDR

289596 MAY 20 1985 pd

Acknowledged by card