



DOCKETED on Radionuclides and Radiopharmaceuticals, Inc.
USNRC

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BRANCH

Shirley Ann Jackson
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

DOCKET NUMBER
PROPOSED RULE PR 20, et al.
(59 FR 43200)

Subject: Decommissioning Standards

Dear Chairman Jackson:

The Council of Radionuclides and Radiopharmaceuticals¹ (CORAR) supports the U.S. Nuclear Regulatory Commission's (NRC) efforts to establish responsible decommissioning standards. CORAR supports the selection of 25 mrem/year for all exposure routes combined as an appropriate and conservative criteria for termination of a NRC or Agreement State license and release of a site for unrestricted use. We agree that this limit should be used in conjunction with the ALARA concept to optimize effective protection of the public.

CORAR is concerned that the U.S. Environmental Protection Agency (EPA) intends to promulgate a separate rule addressing the same issue, but based on different standards. This action is similar to the duplicative standards that the EPA promulgated for radionuclide emissions and proposed for low level waste disposal; rules that were subsequently rescinded after costing licensees and taxpayers hundreds of millions of dollars with no benefit to society. CORAR strongly recommends that the EPA discontinues its duplicative rulemaking activities and exempts NRC and Agreement State licensees from the Clean-up Standards.

CORAR is concerned that the EPA is developing a separate standard for groundwater protection and will prescribe to licensees impractical methods to demonstrate compliance with their standard. The EPA has promoted this approach by claiming that it is more protective than the proposed NRC standard. CORAR disagrees with EPA's claims. EPA uses obsolete calculation methods with their drinking water standard which causes estimates of dose for individual radionuclides to differ by factors of ten or more from their standard. EPA methods provide inconsistent standards for individual radionuclides that results in public dose limits that can be greater or lower than the NRC standard.

¹ CORAR members include the major manufacturers and distributors of radiopharmaceuticals, radioactive sources and research radionuclides used in the U.S. for therapeutic and diagnostic medical applications, and for industrial environmental and biomedical research and quality control.

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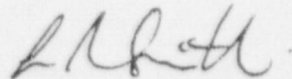
The differences between the NRC and EPA standards and methods are confusing to the public and, because of this, need to be corrected. However in practice these differences have little significance because the risks of radiation exposure at these levels are unreasonably small and, quite possibly, there is no risk. The EPA claims that the NRC standard will result in numerous cancer deaths among members of the public. CORAR strongly disagrees with this assertion. The BIER V committee, NCRP and ICRP have all warned that it is not scientifically feasible to enumerate cancer deaths in a large population exposed at doses and dose rates similar to average natural background radiation. CORAR contends that the difference in protection afforded to the public from these two standards is insignificant.

Congress mandated EPA to address all forms of radioactive material in the environment, but limited the NRC's jurisdiction to special source and byproduct material. Congress has made it clear that it does not want the EPA to duplicate NRC rulemaking activities. Instead of duplicating NRC standards, the EPA should be applying its considerable, but limited, resources to setting compatible standards for naturally occurring radionuclides not regulated by the NRC.

To summarize, CORAR contends that the proposed EPA clean-up standards are inconsistent, provide no net benefit over NRC standards, are incompatible with other agencies and are unnecessarily duplicative. CORAR recommends that the EPA should exempt NRC and Agreement State licensees from EPA standards and endorse the comprehensive decommissioning standard proposed by the NRC.

CORAR appreciates the opportunity to commend on this rulemaking initiative and would be glad to provide clarification or further information.

Sincerely yours,



Leonard R. Smith, CHP
Chairperson, CORAR Committee on
Regulatory and Legislative Issues