

**From:** Nakia Fukuda <nakia2202@gmail.com>  
**Sent:** Wednesday, October 21, 2020 2:43 PM  
**To:** VLLWTransferComments Resource  
**Subject:** [External\_Sender] RE: Comments on Docket ID NRC–2020-0065

October 20, 2020

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555–0001

ATTN: Rulemakings and Adjudications Staff

Submitted via email to [VLLWTransferComments.Resource@nrc.gov](mailto:VLLWTransferComments.Resource@nrc.gov)

RE: Comments on Docket ID NRC–2020-0065

Dear Sir or Madam,

On Friday, March 6, 2020, the Nuclear Regulatory Commission (NRC) proposed a new rule on how the type of nuclear waste known as “low-level waste” (LLW) will be disposed of going forward. These rules governing nuclear waste disposal need to be strict and straight forward to ensure public safety and environmental health, and to hold businesses and corporations dealing with nuclear waste accountable. However, NRC’s proposed rule does not contain clear plans or decisions concerning critical questions of how the new approach to low-level waste (LLW) will continue to maintain public safety and environmental health. Moreover, this proposed rule is unnecessary to address LLW disposal, because existing regulations, particularly under 10 CFR part 61, already provide guidance on this issue. Instead of ignoring these existing regulations and proposing new regulations to cut a sweet deal for the nuclear industry, NRC should focus on strengthening existing regulations to provide a higher standard of public and environmental health.

The proposed rule mentions sending “very low-level waste” (VLLW) to “exempt persons” many times, but does not identify the specific qualifications required of the exempt persons to receive the waste, nor the exact definition of VLLW, which is a term made up by NRC that lacks any legal definition or enforceability. That appears to be because no qualifications are in fact required--the recipient of the waste is in fact to be exempted from regulations requiring such qualifications.

Nuclear waste on any level is dangerous, especially if it leaks into ecosystems. The locations chosen for the land burial must have perfect conditions to ensure such leakage doesn’t happen, or the effects on the surrounding community and environment could be catastrophic. To ensure public safety, the waste must be buried away from populations of people, and it must be in a dry environment, although that in itself is not sufficient; however such requirements are not mentioned anywhere in the proposal. Despite how carefully the land burial must be handled, the NRC does little to show that it is being dealt with properly.

The one time the NRC acknowledges the specific levels of radioactivity that would be allowed for VLLW disposal is when it is stated that landfill must be under 25 millirem per year

effective dose equivalent (EDE) for there to be an exception to land burial rules. Current limits for radioactivity in licensed landfills is the equivalent of 10 millirem EDE a year, so NRC is effectively expanding the amount of radioactive waste that can be crammed in a dump by 2.5 times. Not only that, but the 25 millirem limit will not be enforced by NRC, but rather the limit will be considered satisfied if the landfill operator merely asserts it is being met, without any need for real verification. There is no other mention in the proposed rule of the allowable contents of the VLLW, and allowing unknown persons to be exempt of the stated rules undermines the entire proposal. There should not be an allocation of exemptions to excuse the necessary steps that responsibly deal with nuclear waste.

The current proposed rules do little to demonstrate how paramount dealing with the waste is, and reflects onto the NRC as not having the will to develop an adequate plan. This proposal sends the message that businesses and corporations will not be held accountable because of the lack of permanence and authority it exudes. The plans to dispose of the waste are not specific enough to be held fully accountable.

As a concerned citizen, I ask for NRC to withdraw this proposal, which is unnecessary and breaks numerous laws. Instead, NRC should focus on amending its existing rules to strengthen safeguards that protect public and environmental health in the disposal of such highly toxic waste..

Sincerely,  
Nakia Sukal-Fukuda

**Federal Register Notice:** 85FR13076  
**Comment Number:** 13583

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**Sent Date:** 10/21/2020 2:42:35 PM  
**Received Date:** 10/21/2020 2:42:51 PM  
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