

From: Alejandro Sky Montague <alejandromontague123@gmail.com>
Sent: Thursday, October 22, 2020 11:54 AM
To: VLLWTransferComments Resource
Subject: [External_Sender] Comments on Docket ID NRC-2020-006

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

RE: Comments on Docket ID NRC-2020-0065

Dear Sir/Madam:

I, Alejandro Montague submit these comments in opposition to NRC's proposal to deregulate the disposal of virtually all radioactive waste from nuclear reactors, aside from irradiated fuel, as well as the deregulation of much other atomic waste. The proposal would endanger public health and the environment.

NRC is proposing a change to its current rules regarding the regulation and process for the disposal of radioactive waste. The long-standing regulation required anyone seeking to dispose of low-level radioactive waste to apply for a license specifically for the disposal of radioactive material, and to send that material to a landfill licensed to accept such waste. In its new proposal, the NRC misrepresented the change in regulation as an "interpretive rule" instead of what it really is: a substantive new rule, which should have to go through much scrutiny. This proposed change is a complete change in its current regulations and in doing so under the label of "interpretive rule," NRC is violating the Administrative Procedure Act along with a host of other laws.

The purpose of the NRC is supposed to be to create and enforce rules regarding the disposal of radioactive waste with the community's well-being as its first priority. The NRC asserts that the materials being referred to by this proposed rule have low amounts of radiation and that this poses a very low to insignificant threat to the community. Yet on the other hand the NRC does not give any exact guidelines to how it will manage these exempted landfills and what is considered to be "low-levels" of radiation. In fact, "low-level waste" does not necessarily mean the waste has low levels of radioactivity, but merely refers to the fact that the waste is *not* spent on nuclear fuel. In reality, so-called low-level waste can emit high levels of radiation.

Companies wanting to dispose of low-level waste need to be held to specific standards to protect the workers, communities, and environment of that area. The NRC's proposed rule change would allow anyone interested in disposing of low-level radioactive waste to simply apply for an exemption by NRC. A company exempt by the NRC to dispose of radioactive waste would not be held to the same standards that are in place for the safety of the community and environment. In fact, landfill operators would essentially not be held to any standards at all by the NRC. Under the new proposal the NRC would allow an amount of radiation that could cause

cancer to 1 of every 500 individuals exposed. This would be troubling enough if NRC were enforcing this allowable amount of radiation — but NRC will not be doing this enforcement, as it has itself admitted. Furthermore, whether the landfill meets the 25 millirem a year limit will be determined based entirely on landfill operator self-reporting. All a landfill will have to do to get a pass from the NRC is assert, potentially based on no or conflicting evidence, that the landfill is meeting the limit. Any calculations or measurements taken to determine a landfill's radiation emissions will be kept private and not disclosed to the public.

For that reason, I oppose this move by the NRC and request that NRC withdraw this proposal. If this proposal goes through, the repercussions that communities living near landfills (mostly low income communities) will be felt greatly in the decades to come. Lastly, the biggest issues associated with this proposed change is the idea that these exempt facilities would not be regulated and the information required to find out the possible dangers to the community is not available to the public.

My suggestion to the NRC is to work on putting together a new proposal that will improve existing regulations to greatly reduce the exposure to the community and environment, implement stricter guidelines and regulations on existing facilities that are handling radioactive waste, and increase the requirements for new facilities applying for such a license.

Sincerely,
Alejandro Montague

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