

COMPUTER MODELS NOT ACCURATE, RELIABLE, VERIFIABLE

It is not credible to believe computer models can calculate and accurately predict any or ALL of the doses to the public and the environment from all of the potential radioactivity that could be released over time. Projections of "acceptable" or "reasonable" risks from some amount of contamination being released are meaningless and provide no assurance. Monitoring for the specific types and forms of radioactivity that could get out can be very expensive and tricky to perform. Hot spots can sneak through. We can't trust the nuclear generators to monitor their own releases.

EXPENSIVE TO MONITOR; IMPOSSIBLE TO VERIFY OR ENFORCE RELEASES

No matter what level the NRC sets for allowable radiation risk, dose or concentration, it will be difficult to impossible to measure, verify and enforce. Who is liable if the "legal" standards NRC intends to set are violated? For decades the public has clearly opposed releasing radioactive materials into commerce. We continue to do so.

EXISTING RADIATION DOESN'T JUSTIFY DELIBERATE ADDITIONS

Naturally occurring background radiation cannot be avoided (except in some instances for example, reducing radon in homes) but its presence in no way justifies additional, unnecessary, involuntary radiation exposures, even if those exposures might be equal to or less than background. Nor does it justify shifting the economic liability from the generators of radioactive wastes and materials to the economic and health liability of the recycling industries, the public and the environment.

SUPPORT METAL INDUSTRIES' "ZERO TOLERANCE" OF CONTAMINATION

We fully support the complete opposition and "zero tolerance" policies of the metal and recycling industries, the management and the unions. We appreciate their efforts, not only in opposition to legalization of radioactive releases, but in their investment in detection equipment and literally holding the line against the radioactive threat to the

public. They should not have to be our de-facto protectors. The NRC, DOE and EPA must act to prevent the dissemination of radioactive wastes into recycled materials and general commerce. The problems that have been experienced by the steel recycling industry with "generally-licensed sealed sources" getting into their facilities and costing tens of millions of dollars to clean up should serve as a warning not to let any other radioactive wastes and materials out of regulatory control.

US AGENCIES MUST PREVENT FUTURE AND RECAPTURE PAST RELEASES, PUSH INTERNATIONAL PROHIBITION

The fact that radioactive waste is already getting out should not be used to justify legal levels allowing more out. The NRC, EPA and DOE should prevent future and correct past releases. The fact that other countries are releasing radioactive materials into the marketplace is no excuse for us to legalize it. The United States should take the lead in preventing contamination of the international marketplace. We protect ourselves best by not facilitating international radioactive commerce.

The fact that it is difficult and expensive to monitor and detect radiation does not justify its release. It is all the more reason to prevent any wastes getting out, so we don't have to check routinely for contamination. The nuclear industry and regulators should be aware of what materials at reactor and weapons sites are wastes and which have been contaminated. Those materials must be isolated, not released, at any level.

NRC HAS CLEARLY DECIDED TO RELEASE-THIS MUST BE REVERSED

The mindset of the NRC appears convinced that it should legalize radioactive wastes being "recycled" into the marketplace. The NRC has stated in its Staff Requirements Memo that the standard must allow "releases" to take place and that all radioactive materials will be eligible for "clearance." This means that the NRC is not seriously examining all of the options available, such as non-release, even though the National Environmental Policy Act (NEPA) requires all options to be considered.

NRC CONTRACTOR (SAIC) HAS CLEAR CONFLICT OF INTEREST

Furthermore, the NRC is relying on a private contractor called Science Applications International Corporation (SAIC) to prepare the technical basis for the proposed regulation. This is a blatant conflict of interest. The NRC has not publicly disclosed the relevant economic interests of SAIC. The NRC has not notified the public that SAIC has simultaneously been working with or for other corporations with substantial economic interests in the Commission's determinations in this rulemaking. In particular, since mid-1996, SAIC has been the teaming partner of British Nuclear Fuels, Ltd. (BNFL) under a quarter billion DOE contract for recycling unprecedented amounts of contaminated radioactive metallic waste from the Oak Ridge TN uranium enrichment buildings. This situation calls into question the legality of the entire NRC process.

EXTEND COMMENT PERIOD

Since NRC is attempting to cover its requirements under NEPA to establish this radioactive "release" rule, the public comment period should be extended to allow the public the opportunity to hear about and comment on the proposal.

In conclusion, we call on the NRC to serve the interests of the public instead of the nuclear industry and #1 prohibit the release of radioactive materials into commerce, landfills and incinerators #2 identify, track and recapture the radioactive waste that has already been released from nuclear power and weapons facilities by federal and state regulators #3 give the public at least 8 more months to comment.

Sincerely,

Helen F. Chang

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