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Date: Fri, Dec 10, 1999 1:35 PM
Subject: Comments on NRC Proposal 64FR35090

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NRC Chairman Richard Meserve
Attn; Rulemakings and Adjudications Staff
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Washington DC 20555

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PROPOSED RULE **PR 20**
(64FR35090)

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COMMENTS ON 64 FR 35090 (6/30/99) SCOPING PROPOSAL

This is a plan to spread radioactive contamination. It is contrary to the NRC's responsibility to protect public health and safety, contrary to any sensible or reasonable recycling practice, and amazingly ill-advised. This plan is particularly troubling because, once released into commerce, there won't be any labeling or monitoring of these radioactive materials, which after one year can officially become part of the "background" radiation in our environment.

Instead of spreading radioactive contamination in a manner beyond control or recovery, NRC should heed the wise policies and advice of the Steel Manufacturers Association 1999 Public Policy Statement, including ZERO TOLERANCE for acceptance of radioactive material (including material contaminated with radioactive materials) for recycling, ZERO RELEASE of contaminated scrap of any kind, full registration and tracking of all radioactive materials from clean-up, demolition, decommissioning or other sources, and limiting the use of contaminated materials to use for fully effective containment of radioactive wastes, so that the radioactivity will continue to be isolated from the environment and the gene pool.

NCCRG understands that NRC itself estimated 92,755 additional cancer deaths would result from a lifetime exposure to 10 mrem, one of NRC's proposed standards. Proposing to kill almost 100,000 people is outrageous public policy to begin with. Worse, since NRC lacks any way to limit people's exposure from multiple sources of radioactive contamination including jewelry, eyeglass frames, metal products of all kinds, children's toys, zippers, construction materials, and even polyester, there can be zero assurance that the 10 mrem level will be the upper limit if this proposal were implemented.

The US government has rightly been criticized for permitting radioactive exposures to persons who never consented to them in secret or semi-secret research programs in the past, which have been most fully exposed by former DoE Secretary Hazel O'Leary. These programs were rightly criticized on many grounds, including violation of the Nuremberg

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Convention which bars crimes against humanity. What NRC proposes here is uncontrolled exposure with no benefit whatsoever to those exposed. There is no shortage of the materials NRC proposes to dump into commerce; indeed there are surplus supplies of many. To contaminate potentially all materials recycled or recyclable is absurd. To call this madness is a great understatement.

Moreover, NRC's plan is immoral because it removes responsibility for (and control of) the radioactive materials from the government and other users who created the contamination, and even worse, places the contamination beyond any effective recovery or cleanup once the materials are spread into the marketplace. If there is any bedrock principle in the handling of dangerous materials, it is to keep control of them. The Steel Manufacturers' idea has merit: keep the contaminated materials for the sole use of containing radioactive wastes.

NRC's comment period is inadequate, of course, and publicity about this scheme has been minimal. Therefore the comment period needs to be extended for a minimum of eight months. The National Environmental Policy Act is being perverted by NRC even considering such a harmful plan. At the barest minimum, the public needs time to deal with the implications and fully comment on them.

It would be far more constructive if NRC withdrew this pernicious proposal. Failing that, NRC must prohibit the release of any radioactive or radioactively contaminated material into commerce, and identify, track and fully recapture, isolate and control radioactive waste and radioactively contaminated material that has already been released by anyone, including agreement States.

While it is not possible in brief comments to cover all the flaws in NRC's process, the blatant conflicts of interest of NRC contractor SAIC ("Science Applications," evidently a misnomer akin to calling Auschwitz a "labor camp") including its partnership with British Nuclear Fuels, deserve particular attention as illustrative of NRC's degree of care (near zero) and attitude toward the law and the public's health and safety (extreme contempt).

NCCRG has commented strongly because of NCCRG's belief that pretending that extreme and dangerous proposals are "normal," is itself a contamination of both truth and the democratic process.

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10 December 1999

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We must stop the accumulation of poisons in our environment.