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PROPOSED RULE **PR 20**
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SERC

From: <LELYTLE@aol.com>
To: OWFN_DO.owf5_po(AVC)
Date: Mon, Dec 13, 1999 2:12 PM
Subject: Radioactive Household Items

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OP
ADJ

>Dear Chairman Meserve:

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>I am writing to call on the Nuclear Regulatory Commission to isolate
>radioactive wastes and materials and anything they contaminate, no
>matter what level. The radioactive legacy of atomic energy and weapons
>production should be isolated from the public and the environment.

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>The NRC should also extend the comment period on releasing radioactive
>waste into commerce to at least September 2000. This issue is too
>important to act hastily upon and it should be fully debated by the
>public. The public has spoken repeatedly before on this issue and needs
>time to be informed that subject is open again or still.

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>**NO MORE RADIOACTIVE RELEASES**

>We still do not want nuclear power and weapons wastes "released,"
>"cleared," deregulated, exempted, generally licensed, designated "de
>minimis," "unimportant," "trivial" or BRC-below: regulatory concern, or
>by any other creative, direct or deceptive means, allowed out of nuclear
>facilities and into the marketplace or the environment, at any level.

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>**TRACK AND RECAPTURE ALREADY-RELEASED RADIOACTIVE WASTES**

>The current methods of releasing radioactive wastes from commercial
>licensees and weapons facilities must immediately cease. No future
>radioactive releases should be permitted and a full accounting and
>recapture of that which has already been released should commence.

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>**PREVENT AVOIDABLE RADIATION EXPOSURES and RISKS**

>Using radioactive wastes in consumer products poses unnecessary,
>avoidable, involuntary, uninformed risks. The consumers, the producers,
>the raw materials industries don't want these radioactive wastes or
>risks.

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>**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.

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PDR PR 20 64FR35090

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>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.

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>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.

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>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.

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>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.

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>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.

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>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.

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>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.

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>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.

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>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.

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>Sincerely,

>Leigh Lytle, Susan Alzner

Directors, Earth Challenge