

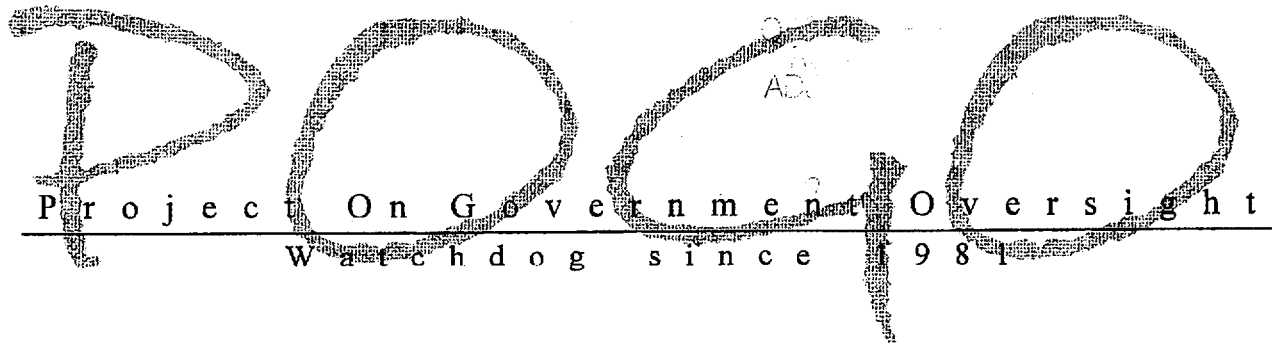
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December 18, 1999

VIA FAX: 301-415-1101

The Honorable Richard Meserve
Nuclear Regulatory Commission
One White Flint North Building
11555 Rockville Pike
Rockville, MD 20852

Dear Chairman Meserve:

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.

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.

NO MORE RADIOACTIVE RELEASES

We still do not want nuclear power and weapons wastes "released," "cleared," deregulated, exempted, generally licensed, designated "deminimis," "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.

TRACK AND RECAPTURE ALREADY-RELEASED RADIOACTIVE WASTE

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.

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.

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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PDR PR 20 64FR35090

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 mind set 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.

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,



Danielle Brian
Executive Director