

BROAD TOP TOWNSHIP

187 MUNICIPAL ROAD - PO BOX 57

DEFIANCE, PA 16633

814-928-5253

May 22, 2003

Secretary, U.S. Nuclear Regulatory Commission
Att: Rulemaking and Adjudications Staff
Washington, DC 20555

Dear Commissioners:

At our Meeting May 6, 2003 the Broad Top Township Supervisors unanimously approved a motion to write to you objecting to proposals to allow radioactively contaminated solid materials to be disposed of in RCRA Subtitle D landfills or to be effectively released into general commerce. A municipal waste landfill is sited in our township and since we are near the Saxton Nuclear Facility it was allowed to be located here with the express understanding that no materials which had been regulated by the NRC as of January 1, 1990 would ever be disposed in it. If the NRC effectively allows disposal of radioactively contaminated materials in municipal landfills the Supervisors would be forced to work to close the local landfill which would probably raise the cost of municipal waste disposal for residents of several local counties.

If radioactive materials are given either unrestricted or conditional release by the NRC the same problems will happen as permitting the disposal of such materials directly into RCRA Subtitle D landfills since the materials will inevitably arrive at municipal landfills over time. Currently the landfill in our township is implementing a radioactive materials monitoring program for incoming waste to help keep out radioactively contaminated materials. If the NRC allows more of such materials to effectively become unregulated the landfill's task and expense will increase.

As a former coal mining area we are very familiar with the problems that come from not dealing with waste properly when it is first generated. We all have an obligation to pay for the full costs of safely disposing of the wastes we generate. Existing low level radioactive waste disposal sites can handle the relatively small amount of such waste produced in this country. There is no reason to dilute radioactive waste by mixing it with municipal waste and thereby force the rest of society to help pay the costs of radioactive waste disposal indirectly.

Sincerely,



Jack Decker, Chairman