



# Conservation Council of North Carolina

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**OFFICE OF SECRETARY**  
**RULEMAKINGS AND**  
**ADJUDICATIONS STAFF**

Secretary  
US Nuclear Regulatory Commission  
Washington, D.C. 20555  
Attention: Rulemaking and Adjudications Staff

Re: Rulemaking on "controlling the disposition of solid materials"  
(68 FR 40: 9595-9602; February 28, 2003)

Dear Sirs:

The Conservation Council of North Carolina is a statewide environmental advocacy group that has 25 member organizations and more than 600 individual members. We have taken positions on issues relating to nuclear energy and the disposal of radioactive materials for more than 30 years, including previous rules proposed by the NRC to make it easier to dispose of radioactive material.

Of the five options presented in the notice, we urge the NRC to continue with the present policy of disposing of all radioactive material solely in those radioactive disposal sites that are licensed by the NRC or an Agreement State. As a protection of public health and safety, it does not make sense to put any material that is radioactive into general commerce. The overarching goal should be to isolate materials that are contaminated with radioactivity to prevent human exposure.

A substantial part of the scoping relates to what is a safe dose of radioactivity. This begs the question, the burden of calculating dose and determining where each waste goes is greatly reduced if the waste is simply treated as nuclear waste and not released at all.

Lastly, reliance on NUREG 1640, authored by the Science Applications International Corporation (SAIC), is misguided because of SAIC's real conflict of interest in its concurrent DOE contracts to recycle radioactive metal from nuclear power and weapons fuel enrichment. Any reliance on this study draws in question the bias of the NRC in this rulemaking procedure and the legality of its outcome.

Thank you for the opportunity to comment. Please notify me of any action you take on this rulemaking procedure.

Sincerely,

John Runkle  
General Counsel



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