

DOCKET NUMBER
PROPOSED RULE PR 20
68FR09595

1729

From: Leslie Seff <lseff@gracelinks.org>
To: <secy@nrc.gov>
Date: Thu, Jun 26, 2003 10:15 AM
Subject: Prevent nuclear waste from entering the marketplace

June 26, 2003

To: US Nuclear Regulatory Commission, Washington, DC 20555

DOCKETED
USNRC

June 26, 2003 (11:12AM)

To whom it may concern:

None of the 5 options in NRC's "Scoping for Rule-making" is acceptable as currently formulated. Allowing currently licensed and regulated nuclear wastes to be cleared from regulatory control in either a restricted or unrestricted way would result in unnecessary and potentially lethal (long-term, if not short-term) exposures to people and other living things. There are better ways to manage radioactive wastes, which solutions, based on the precautionary principle, are set forth below in options 5 and 6..

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

If NRC decides to proceed with this rule-making, it should concentrate on identifying and requiring isolation, monitoring and management for the hazardous life of all the waste. The goal should be to keep track of and isolate radioactivity and all materials contaminated with it, generated by nuclear power and weapons fuel chain industries, from the environment, workers and the public. We advocate ELIMINATING options 1 through 4, below, and urge the adoption of Options 5 or 6, below:

ELIMINATE Option 1 Continuing unrestricted release on a case-by-case basis and through license amendments:

NRC and Agreement States should stop granting exemptions and allowing nuclear wastes to be treated like regular trash or recycled into the marketplace. Current releases should be halted. All releases should be tracked and records kept available to the public. NRC should improve its ability and public knowledge of detection capabilities and practices so as to be able to detect and prevent releases of any contamination.

ELIMINATE Option 2, The unrestricted release based on dose based standards.

Dose-based standards are calculated doses from various amounts of contamination at the point of release. The doses are calculated by contractors who think up scenarios of how the radiation will spread and disperse once it is released from the nuclear site. They apply International Commission on Radiological Protection risk numbers to guess at how much biological damage that radiation might do. But they might not think up the scenarios that really happen--people and radionuclides are unpredictable. And ICRP has been criticized for underestimating the real risks of radiation--their models were created before the DNA was discovered. And, most importantly, dose and risk numbers are not measurable, verifiable or enforceable. So this option is an open door to unlimited amounts of nuclear waste getting out into commerce, and should NOT be considered.

ELIMINATE Option 3, the Conditional use or Restricted Release

The public could get significant exposures from so-called restricted uses. If gamma-emitting nuclear waste is used to make roadbeds, we will be exposed routinely on our daily commutes by car, bus, bike or on foot. If it is used to make sewage pipes, sewage will be even more contaminated if it

picks up radioactivity. Towns downstream of sewage facilities clean and reuse that water. That piping could get melted and reused for unrestricted uses. Restricted release is a foot in the door for unrestricted release.

ELIMINATE Option 4, Disposal in EPA landfills

NRC has not excluded incineration or other treatment facilities from consideration as destinations for radioactive waste even though only landfills are identified as options. Landfills leak. Radioactive landfills have had serious problems. Why spread these potential problems to municipal, industrial and hazardous waste landfills, already struggling with their own technical and political problems? Nuclear waste should not be buried in dumps never designed to manage or isolate them as long as they remain hazardous. EPA landfills have a 30 year institutional control period. Some of the radioactivity that could be released is hazardous for literally millions of years.

ADOPT either Option 5, and/or..

Radioactive waste should be stored, managed and isolated from the environment for as long as it is hazardous at facilities specifically licensed for that purpose for radioactive waste. Existing regulations (10CFR 61) for nuclear waste disposal should be strengthened. NRC should use this rulemaking to truly devise ways to control radioactive waste, not release it from licensed control.

ADOPT Option 6

Recapture the radioactive wastes that already have been released. Since the claim is made that these release have had no effect, Sierra asks them to prove it by identifying where the nuclear wastes have gone and checking to see what effects there have been.

Sincerely,

Leslie Seff

Director, Sustainable Energy Project
GRACE Public Fund
215 Lexington Avenue, Suite 1001
New York, NY 10016

Tel: 212-726-9161
Fax: 212-726-9160
www.gracelinks.org