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From: <Artysandler@aol.com>
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**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

6947 Columbia Ave.
St. Louis, MO 63130
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Comments about the proposed rulemaking on "the disposition of solid materials"
appearing in the Federal Register Feb. 28, 2003 (68 FR 40: 9595-9602):

In proposing to deregulate radioactive materials from licensed facilities, the NRC will be contradicting its mission to protect the health and safety of the public and disregarding the widely held belief that any exposure to radiation means an increased risk to human health.

The solid materials in this proposal are contaminated with radionuclides, many of which remain toxic far into the future. They belong in secure, licensed repositories where they can be monitored and isolated from people and from the environment; they do not belong in landfills or consumer goods.

Recycling radioactively contaminated wastes into scrap metal creates new and potentially dangerous pathways to any product containing metal -zippers, dental braces, belt buckles, pipes, tables, safety pins, pots and pans, for example-pathways that subject the scrap metal dealer, the factory worker, the truck driver, the plumber, or the consumer to radiation exposures without their knowledge. While these exposures may contain materials that are "below regulatory concern," they cannot be declared safe. Human error, defects in monitors or, simply, their inability to measure all levels of radioactive emissions, "hot spots" above permissible levels resulting from mixtures of processed metals with uneven distribution of contaminants, and the fact that increased exposure to radiation increases the risk of harm to human health virtually guarantee that this proposed recycling will not be safe. Will it be possible to track products containing radioactive contaminants all the way from the smelter to the marketplace? Will construction workers, scrap metal dealers, sewer line workers, factory owners, or anyone who purchases or comes in contact with contaminated metals or by-products know what they are handling?

I believe that the only responsible option for the NRC is not to legalize the dispersal of radiotoxic materials, but to continue to regulate and contain them.

Arlene Sandler