

7801 ROOSEVELT BLVD. #62

PHILA., PA 19152

8-12-86.

DOCKETED
USNRC

Secretary of the Commission
U.S.N.R.C.
Washington, D.C.. 20555

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Dear Secretary;

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Please accept the following letter as my comments on the Proposed Rule 10CFR60 Disposal of HLW in Geological Repositories Conforming Amendments.

First of all , I wish to point out my appreciation to the Commission for reacting so favorably to some of my suggestions: 60.122 (c)(18) has been added to take into consideration my concern with unique naturally occurring material that is not reasonably available from other sources. My example was attapulcus clay which is not particularly valuable but is the best diatomaceous earth that can be found for several chemical processes and only occurs in Attapulcus , Georgia.

Also much of the wording that describes postclosure monitoring addresses my concerns but not completely.

Unhappily I cannot really agree and must take strong exception to many of the other additions and changes. 60.21 is added to emphasize consistency with EPA standards but does the opposite. 60.21(C) uses the word assume in two places. Assuming anything at this point in our innocence of data is an invitation to disaster. Instead the word "assumption" should be removed and replaced with the phrase, "extrapolations and interpolations from known data."

60.21(9) A general description for post permanent closure monitoring is inadequate. This section should be reworded thus, " (9) A program with specifics for monitoring after closure of the geological repository." A section (10) is needed here specifying financial commitment. The staff should work out how the post closure monitoring shall be assured financially.

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Conversely, 60.51 could be made a part of the application.

Add a sentence in 60.52(c)(3) that the results from post permanent monitoring confirm the expectation that the repository will comply with 60.112 and 60.113 but also how the confirmation is derived or related to the data from monitoring.

60.101(a)(2) appears to be written in a weasel worded fashion that tells any licensee to do what they please and that the results will be acceptable. Also the statement says that the Commission can find reasonable assurance even where expert opinion finds a lack of assurance.

Throw out all the weasel words and state, " The Commission must find that the majority of accurate applicable data supports a finding of adequacy or no license shall issue."

AUG 21 1986

Acknowledged by card.
8609030148

add: David J. Hargrave, 62355
Clark Puckard, 113055

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2.

The standard of 2 liters a day seems inadequate for a workingman in a desert. Many of the sites for repositories will be in deserts.

I suggest that the Commissioners take an 8 hour hike in the locale of a proposed repository and see if they are comfortable with 2 liters per day of fluid.

Change that inadequate 2 liters per day to a gallon per hour for the 8 hour working day and more for overtime.

I cannot understand what the H you are trying to say in 60.114. Do you or do you not use institutional controls and where? Also spell out what constitutes institutional controls.

60.115 is totally backwards. Instead of limiting the total amount of releases from a repository, the 60.115 merely says that the more you put in a repository, the more that you are allowed to leak out of a repository. Eventually if the Licensee is allowed to leak more and more out of a repository, the leakage will cause exposures greater than that in 60.111(a)(1) and also the EPA requirements.

Also Table 1 ignores many nuclides. Does that omission of a nuclide from table 1 mean that the nuclide need not be considered in the calculation of exposures in 60.111(a)(1)? Apparently the licensee can ignore exposure from all nuclides not in Table 1.

This omission of many nuclides is very dangerous to the health and safety of the public as many experiments will also be in the repository. Some of these special cases will contain large quantities of the nuclides not mentioned in Table 1.

The way of calculating in Notes 2, 3 and 4 is complicated without justification for the complexity. Just use the actual values to determine the release limits and units of waste. The complex calculations in Notes 2 and 3 actually reward licensees for high burnup in their fuel and fine licensees for low burnup fuel. Rewards and fines for burnup in fuel is not the responsibility of the regulator.

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3.

60.144 makes a mockery of the entire rule as it gives a licensee an out . If the licensee does not wish to do any post closure monitoring , the 60.144 states that the licensee or operator merely need state that the post closure monitoring will degrade repository performance and the licensee or operator need not do any monitoring at all.

The loophole can be easily closed by requiring that the licensee provide specific post closure monitoring plan in the application and that the post closure monitoring plan be such that the monitoring will not degrade the repository performance or a license will not issue.

Respectfully submitted,


Marvin I. Lewis, R.P.E.

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