

East Tennessee State University
College of Public and Allied Health

Department of Environmental Health • Box 70682 • Johnson City, Tennessee 37614-0682 • (423) 439-5245 DOCKETED
USNRC

August 17, 2007

August 17, 2007 (12:13pm)

Nuclear Regulatory Commission
Rockville, MD

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

E-MAIL ATTACHMENT

Attn: Docket No. 70-143

Dear Commissioners:

The purpose of this letter is to voice my support for a public hearing on safety and health concerns at the Nuclear Fuel Services plant in Erwin, TN.

The plant has a long record of violations and near misses. This record is only partially in the public domain. It includes a hair-raising Congressional hearing from the mid-1980's and archival material dating back to the 1950's. More recently, the federal Agency for Toxic Substances and Disease Registry held public meetings on its Public Health Assessment of NFS. Sadly, ATSDR underwhelmed the citizenry with a curious jurisdictional exclusion of radionuclides from the scope of its assessment.

Endeavoring to lead a group of health professions students in a community needs assessment of environmental and occupational health concerns in Unicoi County, I began last year to reach out to key informants around the NFS plant, while simultaneously assembling and reading the plant's semi-public record. My interim opinion is that this is a bad situation. On the one hand, very credible sources tell of near-misses and systemic violations. Yet, on the other hand, there is a pervasive fear of discussing in the public issues related to plant health and safety.

Sadly, in this climate the students have decided to steer clear of probing further into the community's concerns about the NFS plant. As one of the leaders of an academic team probing community concerns in Erwin, I should have been able to learn about the uranyl nitrate accident in March 2006. However, due to a gross abuse of the "official use only" categorization scheme, I and many other stakeholders were denied this highly pertinent information. I only learned about it after the semester was over.

My previous research on facilities in the Department of Energy complex reveals how official secrecy imperils public understanding of health risks. In some cases, the public is misled into believing that processes and exposures are less dangerous than they

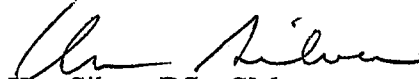
are in fact.¹ Yet in other cases, official secrecy simply serves to undermine public trust in operations that are, by modern scientific standards, not obviously threatening to public health.²

I do not favor closure of this facility. I have the utmost respect for the health and safety awareness of the union members who operate this facility. I share the solid values that union membership brings to a community like Erwin. Also, I am sensitive to the dearth of stable industrial jobs in the region. Unlike many other manufacturing plants, NFS employees don't have to worry about their work (e.g., U.S. Navy and TVA contracts) being outsourced to China. Therefore, it is doubly important for the NRC to uphold its responsibility to lift the veil of unnecessary secrecy and bring this facility into the modern era of community right to know about health and safety issues.

I believe I have standing to request a hearing. I am a local academician with an interest in nuclear facilities like NFS, publications in peer-reviewed journals, a track record of funded research, and students who seek field experiences. Moreover, I live about 17 miles from the plant (fewer as the crow flies).

I urge you to hold a public hearing in the community and vigorously assert the Commission's commitment to the community's right to know about the health and safety aspects of this nuclear facility.

Sincerely,



Ken Silver, DSc, SM

Assistant Professor of Environmental Health

¹ Silver, K., The yellowed archives of yellowcake, Public Health Reports, 111:117 (1996)

² Silver, K. and Clapp, R., Environmental surveillance at Los Alamos: an independent reassessment of historical data, Risk Analysis, 26(4): 893-906 (August 2006)

EAST TENNESSEE STATE UNIVERSITY
Department of Environmental Health
ETSU Box 70682
Johnson City, Tennessee 37614
423-439-5245 (office)
423-439-5230 (fax)

FAX COVER PAGE

TO:

NRCDocket # 70-143

FAX #:

FROM:

Ken Silver

DATE:

8/17/07

NO. OF PAGES:

3

including cover page

COMMENTS:Re: NFS Fed Reg 7/30
