



DSI-G1

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1901 Stratford Lane
Rockford, IL 61107

Dec. 3, 1996

THE LEAGUE OF WOMEN VOTERS
OF ROCKFORD

John C. Hoyle
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Attn: Chief of Docketing Service Branch
Washington, D.C. 20555-0001



Dear John C. Hoyle,

Enclosed are additional comments for
Direction setting the NRC's Strategic
Assessments and Rebaselining Initiative.

After attending the Nov. 8, 1996 Stakeholder
Meeting in Chicago at the Ramada Ol' News Inn,
I sent in my first Comments in haste to Anna May
Haycraft to meet a Nov. 15th deadline.

I understand that this deadline has been
extended, but have not been notified of a
final day for sending Comments. My hopes
that you will receive the Comments I am
sending today in time to be useful in your decision-
making process.

After careful reading of all the DSI Issues
that I received information on at the Nov. 8th Meeting,
I have addressed my Comments in General, with
special focus on DSI #2 "Should the NRC seek to expand
its Regulatory Authority and Responsibilities to
include DOE Facilities?" Enclosed is a copy of my Nov. 15th
Comment on this issue.

I hope that all of my Nov. 15th Comments will
be considered with the information I am mailing today.
Because I have been traveling on vacation with no
access to a typewriter or computer, my comments had to be
handwritten.

Sincerely,

Betty Johnson, Nat. Resources
Committee
League of Women Voters of Rockford, IL.

Acknowledged by card 12/13/96

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Director's Letter Comments on the NRC Assessment and Rebaselining Initiative

In general the Advisory Committee has done a good job of covering past and present information about the failures of the NRC (and DOE) to achieve the NRC's primary goal of "protection of the health and safety of the public and the environment". Yet there are problems with the proposed preferred Recommendations which suggest that the Commission is not serious about its responsibility to achieve its primary goal.

I. A basic difficulty is that Goals and Action are written for "practicability". Practicability is very important for planning and action, but primary priority needs to be based on the long term protection of the Health and safety of the Public and the Environment in which it lives.

II Potential Problems with present Regulations.

① The Committee suggests that "three subjects should be excluded from the Facility Safety Regulation Survey:"

- Ⓐ Safety and Security
- Ⓑ Decontamination
- Ⓒ Nuclear Explosive Safety

a) Safety and Security

"Presently there is a special regulation by DOE through an integrated system of security for special nuclear material, classified information and property."

b) Decontamination also is excluded from the Safety Regulators purview e.g. clean up at DOE's 12 contaminated sites.

c) A regulatory presence is recommended at DOE sites, including those with Explosive Safety. (p. 2)

there are different lines of responsibility at predominantly chemical sites.

d) Currently Federal and State O.K. of Agreement is needed.

Agreement states can assume responsibility as long as it doesn't hinder D.O.E. in its Mission.

III Other potential problems with some of the Advisory Committee Proposals.

① OSHA the Atomic Energy Act exempts facilities from regulations under OSHA, and most D.O.E. regulations are under that Authority. The Committee recommends worker protection unless it interferes with DOE "Mission".

OSHA regulates working facilities, such as the Waste Isolation Plant. OSHA should regulate all NRC facilities, as well as IVRC facilities for worker protection.

② EPA the Environmental Protection Agency and its authorized States have gained in creating regulatory authority over radioactive and non-radioactive substances. Its provisions require Fed. agencies, including DOE to comply with their laws. D.O.E. self-regulates implementation of these laws. Since this is not adequate, EPA is considering putting DOE under its jurisdiction to comply with its laws.

Under these statutes authorized States may impose environmental standards more stringent than EPA standards.

A problem is that Byproduct materials are excluded from coverage of some environmental statutes, such as RCRA and the Clean Water Act.

Examples of major long term health and environmental safety problems are ground-water contamination with radioactive materials. e.g. the Barnwell, S.C. site where serious groundwater contamination is being tracked on its way to Northern Florida. p. 3

IV there are insufficient provisions made for citizen input into NRC/DOE activities.

Provisions should be made for citizen suit(s) against legislative entities, or a system of regulation by A.E.A., which doesn't provide this against the NRC or the licensee at present.

The Advisory Committee recommends this to some extent.

Unfortunately the U.S. NRC did a very poor job of notification of Public Stakeholders about their October, November Public Meetings on the NRC Assessment and Relicensing Initiative! Much earlier notice and better publicity are necessary for citizen stakeholder involvement.

Betty Johnson, LUV
of Rockford, Ill.



NRC STRATEGIC ASSESSMENT AND REBASELINING INITIATIVE

DIRECTION SETTING ISSUE COMMENT FORM

NAME Betty Johnson PHONE NO. 815 1399-0089

AFFILIATION League of Women Voters of Rockford, IL

PLEASE CHECK ONLY ONE:

- ☒ DSI 2 - Oversight of the Department of Energy
- ☐ DSI 4 - NRC's Relationship with Agreement States
- ☐ DSI 5 - Low-Level Waste
- ☐ DSI 6 - High-Level Waste
- ☐ DSI 7 - Materials/Medical Oversight
- ☐ DSI 9 - Decommissioning - Non Reactor Facilities
- ☐ DSI 10 - Reactor Licensing for Future Applicants
- ☐ DSI 11 - Operating Reactor Program Oversight
- ☐ DSI 12 - Risk-Informed, Performance-Based Regulation

- ☐ DSI 13 - Role of Industry
- ☐ DSI 14 - Public Communication Initiatives
- ☐ DSI 20 - International Activities
- ☐ DSI 21 - Fees
- ☐ DSI 22 - Research
- ☐ DSI 23 - Enhancing Regulatory Excellence
- ☐ DSI 24 - Power Reactor Decommissioning
- ☐ General

COMMENT: I am very concerned about the D.O. E's proposed to have Operating Civilian Nuclear Power Plants produce tritium to be used as triggers for nuclear bombs, and to use weapons grade plutonium in MOX fuel. This could contribute significantly to the proliferation of materials for nuclear weapons. In addition both of these programs would increase the danger of radiation levels at these power plants, as well as increase costs for reactor modifications to produce/use these materials, and waste disposal problems.