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27 November, 1996

Dr. Shirley Ann Jackson, Chairman
U. S. Nuclear Regulatory Commission
Washington DC 20555



Dear Chairman Jackson:

I write for myself as an informed member of the public and as one who has 40 years' experience in myriad aspects the nuclear industry. My concern today is with radiation protection. There is a significant bias in how the Nuclear Regulatory Commission (NRC) regulates radiation protection. That bias results in public fear of radiation and in resulting anti-nuclear actions that are extremely detrimental to the nuclear industry and to the public's receiving the benefits of that industry.

The NRC's regulations for radiation protection are based largely on the recommendations of the National Commission on Radiation Protection and Measurements (NCRP), the Radiation Protection Guidance to Federal Agencies for Occupational Exposure (52FR2822) and to a lesser extent on the recommendations of the International Committee on Radiation Protection (ICRP). All of the recommendations and guidance on risk of harm from low doses of ionizing radiation use the linear, no-threshold hypothesis (LNTH) to predict risks at low doses from data at high doses (and high dose rates).

There is considerable evidence today that the LNTH is no longer the most appropriate basis for predicting risks of low doses. Nor is it the appropriate basis for setting radiation protection standards.

I am aware that the NRC has contracted with the NCRP to examine whether the LNTH remains the appropriate basis for setting radiation protection standards and for predicting risks of low doses. However, I fear that, because of the vested interest by the NCRP in the LNTH, the NCRP will not be unbiased in its evaluation of the appropriateness of the LNTH as the basis for such standards and risks.

The NRC's Strategic Assessment: Framework Document, Appendix I: Principles of Good Regulation, makes the statement: "The NRC adheres to the following Principles of Good Regulation: INDEPENDENT. Nothing ... Final decisions must be based on objective, *unbiased* assessments of *all* information, and must be documented with *reasons explicitly stated*. (emphasis added)" The NCRP cannot be an unbiased evaluator of the LNTH, that the NCRP proposed and that the NCRP has supported and continues to support in spite of data that demonstrates the LNTH is wrong! The NCRP explicitly ignores all data that demonstrate adaptive responses or beneficial effects of low doses (hormesis). The NCRP does not assess all the data and does not give cogent reasons for doing

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so. Therefore, if the NRC continues to base its radiation protection regulations on the NCRP recommendations, and those recommendations continue to use the LNTH as the basis for recommendations even after the current NCRP examination of the LNTH, the NRC will be guilty of nonconformance with one of its own Principles.

Additionally, Appendix II of the NRC Document states: "... ACCOUNTABILITY TO THE PUBLIC dictates...For members of the public to perform that role, they need sound, complete, and up-to-date information from NRC." If the information about risk from low level radiation exposure the NRC gives the public is based on the LNTH, that information will not be sound, complete nor up-to-date. Accordingly, the NRC will be guilty of nonconformance with another of its own Principles.

I respectfully request that you take a personal interest in this matter and that you do everything in your power to ensure that ALL the evidence and data and the proper current philosophy of how radiation should be regulated are considered, at least by the NCRP, with whom you have a contract, and by the National Academy of Science in its BEIR VI and BEIR VII committee reports on which the NRC will have the opportunity to comment. In addition, please request the NCRP to explain and give the reasons why it chooses to ignore data that demonstrate the LNTH is wrong, if, in fact, it will do that (as I believe it will) in the current examination.

If the NRC takes a strong hand in this matter, I predict that the American public will not be denied the benefits of the nuclear industry based on an irrational fear of radiation that both the NRC staff and NCRP, among others, up to now have created, fostered, and perpetuated. You have a unique opportunity to be a significant benefactor to the United States population, and to the world's population, if you are willing to act forcefully in assisting the appropriate revision in the NRC radiation protection regulations.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. N. Tschaeché", with a long horizontal flourish extending to the right.

A. N. Tschaeché, CHP

cc: Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan, Jr.