

# PUBLIC SUBMISSION

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 Revision of the Guidance Document for Alternative Disposal Requests

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## General Comment

Nuclear Information and Resource Service and its allied organizations express their opposition to the release and exemption of radioactive materials and wastes from radioactive regulatory control. We oppose use and the expansion of use of 10 CFR 20.2002 (case by case exemptions), and 10 CFR 40.13a which is being interpreted as a generic clearance level. We are on record and repeat our rejection, and that of the American public, to the generic deregulation, clearance, release of radioactive waste be it through existing regulations or through the upcoming proposed Very Low Level Waste category which is essentially another attempt at Below Regulatory Control, rejected in 1992 and in every attempt by the NRC, EPA, DOE and other state and federal agencies.

10 CFR 20.2002 allows for exemptions, on a case by case basis, with some analysis and review. Now that the amount (volume and radioactivity) are increasing with multiple facilities decommissioning and terminating their licenses, NRC is pushing to expand the use of the provision for unlimited numbers and types of exemptions, not only to industrial and solid waste landfills but into commercial recycling and reuse in the open marketplace. We oppose this abuse of the use of 10.CFR 20.2002. It is a clear mechanism to save money for the licensees, the nuclear generators, and relieve them of liability for potentially long lasting and deadly radioactive materials. There is no justification for the NRC's encouragement of reuse and recycle of licensed radioactive substances. What appeared to be a special provision for a few situations is now being deliberately expanded into a routine procedure to disperse radioactive materials into consumer goods and the intimate personal lives of the public in this country and around the world.

The guidance document essentially ignores the public perspective giving very minimal mention of federal register notice late in the process with minimal public notification and opportunity to request a hearing well after all of the analysis by staff and licensee. The impacts will be borne by the public but there is no meaningful opportunity for the public to interact in the process.

The guidance directs staff and licensees to use various random references usually prepared by generators or nuclear promoters to estimate doses and justify releases. The public had little if any opportunity to impact those documents which usually understate the doses and health effects. There needs to be a clear public notification of the 20.2002 and 40.13a applications to enable those potentially impacted to have the time and gather the resources to engage in the process.

The mechanization of the 20.2002 process appears to be an effort to make it a routine, essentially generically releasing categories of waste for one or two reactors and allowing all following reactors to use those analyses to essentially clear waste as if a generic procedure.

The full spectrum of health effects from low continuous doses of radiation are not addressed in the 10 CFR 20 radiation regulations of the NRC--they only attempt to "protect" for cancer although radiation causes so many more diseases, health effects and disproportionally impacts women, youth, babies and the gene pool. This letting go of nuclear fuel chain radioactive materials deserves much great public cultural review than the narrow, biased and inadequate processes in the guidance document.

The document ignores the totality of radiation releases and exposures from the nuclear fuel chain. No limit on the number of clearances that will be permitted and the number to which members of the public will be exposed. This larger analysis is essential, morally, economically and technically.

We will provide more comments in the future but express these serious concerns during this guidance development stage.