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Secretary,
US Nuclear Regulatory Commission,
Washington, DC 20555
Attention: Rulemaking and Adjudications staff

Subject: Comments on the NRC Issues Paper on Release of Solid Materials at Licensed Facilities

Dear Sirs,

The following issues were proposed for discussion:

Issue No. 1 – Should the NRC address inconsistency in its release standards by considering rulemaking on release of solid materials?

A proposed rule to address inconsistency in release standards would solve a lot of problems for release of material if it provides a workable methodology for field measurement. The US "No Measurable Radioactivity" release standard is inconsistent with agreement state direction and international standards and will not keep all measurable radioactivity out of US scrap markets and land fills. The *defacto* limit is the use of truck monitors at scrap dealers, enforcing a limit based on detectability.

Issue No.2 – If NRC decides to develop a proposed rule, what are the principal alternatives for rule making that should be considered, and what factors should be used in making decisions between alternatives?

Any proposed rule should be reasonably consistent with European Union and IAEA standards. The new ANSI Standard N13.12 (1999), produced in conjunction with the Health Physics Society, could provide the basis for a standard.

Issue No. 3 – If NRC decides to develop a proposed rule containing criteria for release of solid materials, could some form of restrictions on future use of solid materials be considered as an alternative?

It may be possible to create a class of material that could have a higher release limit if restrictions are placed on the disposition (such as commercial landfill or restricted reuse), but this should not be in place of unrestricted release criteria.

Issue No. 4 – If NRC decides to develop a proposed rule, what materials should be covered?

All materials should be covered. A higher limit may be placed on specific materials if justified.
Comments:

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The concern for radioactive material reaching consumers in recycled materials should be directed at the much more likely source – items entering the country from less well regulated countries or recycled materials from scrap mills that have melted a source that was lost from small licensees or general licenses. There are many documented cases of these things happening.

The dose associated with release is only to select individuals associated with handling materials prior to their dilution and would be an insignificant dose compared to variations in the background. The limit should be based on a higher dose than proposed so that reasonable survey practices can be used.

Whatever standard is accepted, it must be sufficiently easy to use in the field. The costs associated with sending very low contaminated materials to low-level waste sites are very high with no significant benefit. If a reasonable standard can't be produced, don't change the current practices.

Approximately 9 million pounds of scrap metal and other debris have been surveyed for release from the Rancho Seco Nuclear Power Plant as part of the decommissioning effort. This material was surveyed in accordance with Reg. Guide 1.86 detectability requirements and a "no detectable activity" standard. Material not meeting this standard was decontaminated or shipped for disposal as low-level radioactive waste. Released material passed through a large truck monitor as a final check prior to removal from site. If this material were declared radioactive waste, its disposal cost would have been prohibitive.

Sincerely,

Dennis E. Gardiner
Decommissioning Project Manager
Rancho Seco Nuclear Power Plant
Sacramento Municipal Utility District