



DOCKET NUMBER
PROPOSED RULE **PR 20**
(64FR35090)

P. 01
525

Women's International League for Peace and Freedom

United States Section

1213 Race Street, Philadelphia, PA 19107-1691

(215) 563-7110 • Fax (215) 563-5527 • E-mail: wilpfnatl@igc.apc.org

DOCKETED
USFED

DEC 22 1999

December 22, 1999

OFFICE
FILE
ADJUDICATIONS

Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: NO!!! to Proposed new NRC Regulation for Radioactive Waste Release and Recycling

Dear Staff:

We find your proposed new rules to release radioactive waste into consumer products and allow disposal by way of incinerators or landfill **TOTALLY UNACCEPTABLE.**

Not only will this facilitate multiple exposures from many sources, providing cumulative doses that could be very hazardous to coming generations, but it will also lead to incomplete cleanup of retired nuclear power plants, nuclear weapons facilities and other areas contaminated by our 55 year affair with the atom.

We ask you to reverse your plan for releasing these radioactive wastes, and instead, call for "zero tolerance" level of contamination of materials released for commercial purposes, and that you require total cleanup of all property at nuclear power plants, nuclear weapons facilities and all other sites contaminated by radioactive materials. Known radioactive waste must be disposed of by already-agreed-upon standards, if not more stringent.

The Nuclear Regulatory Commission was established to protect the public from dangerous practices of the nuclear industry. This proposed ruling appears to have been written by the nuclear industry itself, for its financial benefit, and completely disregarding the added adverse health effects such rulings would impose on the public. We strongly object!

While the potential for daily exposure from using contaminated household items is unacceptable, the environmental exposures from incinerated waste (causing air pollution) or landfill disposal (causing groundwater contamination) are equally unacceptable. We have already expressed our strong objections previously when the NRC was considering "below regulatory concern" rule changes. This ruling would exceed the limits of the proposed BRC rules, making it even more unacceptable.

Our objections are based on our firm belief that there is **NO SAFE LEVEL OF**

FIRST INTERNATIONAL PRESIDENT
Jane Addams
Nobel Peace Prize 1931

FIRST INTERNATIONAL SECRETARY
Emily Greene Balch
Nobel Peace Prize 1946

NATIONAL PRESIDENT
Betty Burien

EXECUTIVE DIRECTOR/
U.S. SECTION COORDINATOR
Marilyn Clement

International Office
Carite International
3 rue de Varambi
1211 Geneva 20
Switzerland
41-22-733-81-75
41-22-740-10-43 (FAX)

UNITED NATIONS
REPRESENTATIVE
Paula Tasse

SPONSORS
Dr. Maya Angelou
Dennis Banks
Elise Boulding
Anne Braden
Helen Caldwell
Bansley Clark
Rep. John Conyers, Jr.
Rep. Ron V. Dellums
Olympia Dukakis
Rep. Don Edwards
Frederic Frenkel
Rev. William H. Gray, III
Coretta Scott King
Yolanda King
Barbara Kingsolver
Elizabeth McAleer
Kate Millet
Holly Near
Grace Paley
John Randolph
Betty Reedon
Sonia Sanchez
Starhawk
Gloria Steinem
Ethel Taylor
Alice Walker
Joanne Woodward

PR PR 20 64FR 35090

D510

Page 2. NRC Staff

December 22, 1999

IONIZING RADIATION, and that the public must be shielded from all sources.

There are several particular areas of concern we would like to address:

1. **Cleanup of decommissioned reactors and nuclear weapons facilities.** With the proposed rule, it is likely that the cleanup of decommissioned reactors and other nuclear facilities will leave the property and remaining buildings still contaminated. The property must be decontaminated to the cleanest level possible. All wastes removed from these sites must be treated as radioactive wastes, and the materials not used for commercial purposes. You will recall the experience of construction in Taiwan where radioactively contaminated rebar was used in the construction of apartment buildings some years ago. Residents eventually identified this contamination as the source of their persistent ailments. Prevention of contaminated construction materials is much cheaper for the builders (who would otherwise have to condemn the property and re-build with clean materials), and prevent the trauma and health problems for the residents.
2. **MOX fuel from dismantled nuclear weapons.** Another issue is that of the planned use of plutonium from dismantled nuclear weapons as new fuel for commercial reactors (MOX fuel or Mixed OXide fuel). We strongly object to this use of the waste plutonium. The government proposed two options for its disposal, but seems to be pursuing only the MOX option. MOX use would make proliferation more likely, cause far more radioactive waste to be generated, be far more risky to operate reactors, require far more transportation of radioactive materials and be more expensive than the other option (immobilized in glass or ceramic). Plutonium is a waste and should be treated as such. The MOX option that is being pursued is merely a taxpayer subsidy to the nuclear industry to keep reactors operating. The public suffers by this additional generation of radioactive waste, and the additional health risks attendant.
3. **Military and civilian uses of depleted uranium (DU).** The government's use of depleted uranium (DU) (a radioactive waste) for weapons and tank armor, plus other commercial uses is another area of grave concern. We are aware of the human tragedy that is a result of U.S. and Britain's use of DU weapons in the Gulf War. Not only have our own service personnel contracted debilitating ailments, and many of their babies have been born with serious birth defects, but there are thousands of children in southern Iraq who are suffering the effects of DU (exacerbated by the inhumane and illegal sanctions that have been imposed on the civilian population). The Pentagon refuses to acknowledge that DU has caused so many terrible adverse health problems. We strongly recommend that **ALL DU BE DISPOSED OF AS THE RADIOACTIVE WASTE IT IS**. It is a war crime to impose the radiological weapons against people and the environment. DU has a half life of 4.5 BILLION years. It is unconscionable to release aerosolized DU anywhere. Your proposed ruling would give the government encouragement to find new commercial uses for this deadly material. Already DU is being used as ballast in some commercial and military aircraft. Plane crashes have released DU particles and caused ailments similar to "Gulf War Syndrome" near the sites of the plane crashes. The NRC should insist that all depleted uranium be treated as radioactive waste.

Page 3. NRC Staff

December 22, 1999

We have learned that the NRC has contracted with a private business called Science Applications International Corporation (SAIC) to prepare the technical basis for the proposed regulation. The history of SAIC shows that there is a serious conflict of interest with this corporation. SAIC has significant economic interests in this particular rulemaking since it has already been a business partner in previously recycled radioactive waste from Oak Ridge. Please rectify this gross injustice.

We only recently learned of your proposed rulemaking, and find the comment period expires tonight. We urge you to extend the comment period for several more months to enable other citizen groups to learn about it and to be able to submit their comments.

In summary, we strongly urge you to strengthen, not weaken your regulations for release of radioactive waste into commerce or landfill or incinerators. We urge you to recall the radioactive waste already released for such uses. It is important for the future health of our nation and the world to insist on the most stringent regulations and enforcement, to prevent radiation from adversely affecting people and the environment.

Sincerely,



Pat Birnie, Chair
Environment Committee

5349 W. Bar X Street
Tucson, AZ 85713
Ph/Fx 520-908-9269