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ADJUDICATION

December 22, 1999

NRC Chairman Richard Meserve
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Attention: Rulemaking and Adjudications

Dear Chairman Meserve,

I am writing to call on the Nuclear Regulatory Commission to isolate radioactive wastes and materials and anything they contaminate, no matter at what level. The radioactive legacy of atomic energy and weapons production should be isolated from the public and the environment.

The NRC should also extend the comment period on releasing radioactive waste into commerce to at least September 2000. The NRC, under NEPA regulations, should allow a full environmental review of this proposal to release radioactive materials into commercial products. The public has consistently shown deep interest in this subject, and deserves to be given the necessary time to examine the NRC proposals.

NO MORE RADIOACTIVE RELEASES

We are against nuclear power and weapons wastes being "released", "cleared", deregulated, exempted, generally licensed, or designated "de minimis", "unimportant", "trivial" or BRC-below regulatory concern, or by any other creative, direct or deceptive means, allowed out of nuclear facilities and into the marketplace or the environment, at any level.

PREVENT AVOIDABLE RADIATION EXPOSURES and RISKS

Using radioactive wastes in consumer products poses unnecessary, avoidable, involuntary, uninformed risks. The consumers, the producers, the raw materials industries don't want these radioactive wastes or risks.

COMPUTER MODELS NOT ACCURATE, RELIABLE, VERIFIABLE

It is not credible to believe computer models can calculate and accurately predict any or ALL of the doses to the public and the environment from all of the potential radioactivity that could be released over time. Projections of "acceptable" or "reasonable" risks from some amount of contamination being released are prone to subjective, self-serving interpretations, and provide no real assurance regarding safety.

EXPENSIVE TO MONITOR; IMPOSSIBLE TO VERIFY OR ENFORCE RELEASES

No matter what level the NRC sets for allowable radiation risk, dose or concentration, it will be difficult to impossible to measure, verify and enforce. Who is liable if the "legal" standards NRC intends to set are violated? For decades the public has clearly opposed releasing radioactive materials into commerce. We continue to do so.

PUSH INTERNATIONAL PROHIBITION

The fact that radioactive waste is already getting out is no justification for allowing more. The NRC, EPA and DOE should prevent future and correct past releases. The fact that

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other countries are releasing radioactive materials into the marketplace is no excuse for us to legalize it. The United States should take the lead in preventing contamination of the international marketplace. We protect ourselves best by not facilitating international radioactive commerce.

NRC HAS CLEARLY DECIDED TO RELEASE-THIS MUST BE REVERSED

It appears that the mindset of the NRC is to legalize radioactive wastes being "recycled" into the marketplace. The NRC has stated in its Staff Requirements Memo that the standard must allow "releases" to take place and that all radioactive materials will be eligible for "clearance." This means that the NRC is not seriously examining all of the options available, such as non-release, even though the National Environmental Policy Act (NEPA) requires all options to be considered.

EXTEND COMMENT PERIOD

Since NRC is attempting to cover its requirements under NEPA to establish this radioactive "release" rule, the comment period should be extended to allow the public the full opportunity to study and comment on the proposal.


In conclusion, we call on the NRC to serve the interests of the public instead of the nuclear industry and

- #1 prohibit the release of radioactive materials into commerce, landfills and incinerators;
- #2 push international prohibition;
- #3 give the public at least 8 more months to comment.

Sincerely,

Marian H. Rose, Ph.D.
Conservation Chair
Sierra Club Atlantic Chapter

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