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# PUBLIC SUBMISSION

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**Docket:** NRC-2020-0065

Transfer of Very Low-Level Waste to Exempt Persons for Disposal

**Comment On:** NRC-2020-0065-0001

Transfer of Very Low-Level Waste to Exempt Persons for Disposal

**Document:** NRC-2020-0065-DRAFT-0137

Comment on FR Doc # 2020-04506

## Submitter Information

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## General Comment

Motion Opposing the Proposed Transfer of VLLW to Exempt Persons for Disposal

Docket ID NRC-2020-0065

At the July 7, 2020 meeting of the Broad Top Township Supervisors a motion was passed unanimously to send the following comments to the U.S. Nuclear Regulatory Commission:

Because of the short notice period for this proposal during the ongoing Covid-19 crisis the Township was not able to respond to the specific questions posed by the NRC and therefore we request at least a six month extension of the public comment period.

The U.S. Nuclear Regulatory Commission (NRC) is taking advantage of the Covid-19 crisis to fast track an "interpretive rule" to call some nuclear waste "Very Low Level Waste" (VLLW), so that it can potentially be released without further tracking or monitoring into municipal waste landfills unlicensed by the NRC such as the Sandy Run Landfill located in our Township, or other destinations, if these destinations are declared "exempt" facilities - with an "intent" (but no guarantee) to bury these dangerous wastes.

There is no clear or legal definition of VLLW, only a statement that "The NRC would consider approval of an exemption [of a landfill or facility] if the cumulative dose from all disposals were to be maintained below 25 millirem per year". Allowing "25 millirems" would actually permit potentially larger amounts of radioactive

waste in such landfills than are allowed in landfills currently licensed to take radioactive wastes. This is "an interpretive rule", that the NRC states "is not legally binding" and that NRC "Agreement States" will be allowed to interpret differently than the NRC. In addition, at the time a facility could become eligible for VLLW, there is no provision for public notice or opportunity to provide input nor for specific monitoring, enforcement or verification of the process.

The Scoping Study for VLLW, done by the NRC in 2018, stated that the need for labeling some nuclear waste VLLW was "to identify possible options to improve and strengthen the NRC's regulatory framework for the disposal of the anticipated large volumes of VLLW associated with the decommissioning of nuclear power plants and material sites, as well as waste that might be generated by alternative waste streams that may be created by operating reprocessing facilities or a radiological event". This would allow the nuclear industry to transfer to the public at large the expense and liability of isolating these dangerous radioactive wastes from our communities and the environment. Some of these wastes remain dangerous to human health and the environment for millennia, and all pose risks to health, (especially to women and children, as noted in the BEIR VII study: the U.S. National Academies of Science Biological Effects of Ionizing Radiation-VII).

Broad Top Township, other local governments, States, the U.S. Congress and the public have repeatedly rejected the concept of releasing licensed nuclear waste from regulatory control. This includes release from radioactive controls via "clearance," "release," "recycling," "exemption" and renaming as "below regulatory concern (BRC)," or "very low-level (VLLW)" and any other mechanism that could result in the dispersal of nuclear wastes and materials into public commerce or disposal without radioactive control.

Therefore, Broad Top Township supports a continuation of radioactive control over radioactive waste, materials, emissions and practices and a prohibition on deregulation or other release from radioactive controls. Since there is no safe level of ionizing radiation, wastes from nuclear power, weapons, industry and mining should not be forced on an unconsenting public. Radioactive waste must be contained and isolated from the public and the environment for its entire hazardous life, at the expense of the waste generators.

We also call on our Federal, State and County elected officials to do all in their power to stop this potentially dangerous proposal by the U.S. Nuclear Regulatory Commission.

Sincerely,

Donald Hedge, Jr.  
Chairman  
Broad Top Township Supervisors