

**Resolution #2020-02
Resolution of Lynn Township
St. Clair County**

**Resolution Opposing the Proposed Transfer of VLLW
to Exempt Persons for Disposal
Docket ID NRC-2020-0065**

Whereas, while American communities struggle with daunting, grave and unprecedented health and economic challenges during Covid-19, the U.S. Nuclear Regulatory Commission (N.R.C.) is taking advantage of this crisis to fast track an “interpretive rule” to call some nuclear waste “Very Low Level Waste” (VLLW), so that it can be released without further tracking or monitoring into unlicensed municipal and hazardous waste landfills, or other destinations, if they are declared “exempt” facilities - with an “intent” (but no guarantee) to bury these dangerous wastes and;

Whereas, there is no clear or legal definition of VLLW only 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” and;

Whereas, millirem is a subjective calculation and not a physical measurement and can be manipulated and furthermore, allowing “25 millirems” would actually permit potentially larger amounts of radioactive waste in unlicensed landfills than are allowed in landfills currently licensed to take radioactive wastes and for which the U.S. Environmental Protection Agency estimates 1 in 500 exposed for their lifetimes will get cancer from the exposure and;

Whereas, 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, and;

Whereas, at the time a facility could become eligible for VLLW, there is no provision for public notice or opportunity to provide input nor for monitoring, enforcement or verification and;

Whereas, the Scoping Study for VLLW, done by the NRC in 2018, directly tied the need for labeling some nuclear waste VLLW so as *“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” - and which essentially is a scheme to allow the nuclear industry to transfer to the American people the enormous technical challenges, expense and liability of isolating these dangerous radioactive wastes from our communities and the environment – some of which remain dangerous to human health and the environment for millennia, some for even far longer -and all of which 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**) - and which can also damage DNA and so, impact the health of future generations and can also impact the health of our Great Lakes and environment and;

Whereas, all landfills leak over time, and municipal landfills have little or no provision for tracking or containing radioactive wastes and are not normally equipped with expensive scanners or other protective equipment or clothing to safeguard their workers, the public or the environment, either for the short or long term (such as monitoring for the hundreds of radioactive byproducts produced by nuclear power, so as to ensure there are no leaks to groundwater, local waterways or the air) and;

Whereas, some hazardous waste landfills in Michigan already receive dangerous radioactive wastes from fracking operations in other states, and hazardous waste landfills normally employ gamma scanners, which scan the outside of containers or trucks, and fail to measure the load inside, which can hide the most damaging alpha radiation and also beta radiation, that cannot be measured through a container’s walls and;

Whereas, the public, state and local governments and the U.S. Congress have rejected the concept of releasing licensed nuclear waste from regulatory control repeatedly over the decades of radioactive waste production,

Therefore,

Be it resolved that the undersigned entities hereby support a continuation of radioactive control over radioactive waste, materials, emissions and practices and a prohibition on deregulation or other release from radioactive controls.

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.

Such practices pose an indefensible, unverifiable and unethical hazard to public health and the environment for current and future generations.

Since there is no safe level of ionizing radiation, nuclear power, weapons, industrial (including fracking) and mining wastes should not be forced on an unknowing, unconsenting public.

Radioactive waste must not be treated as an asset, commodity or "beneficially reused." It 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 elected officials – Federal, State and County – to do all in their power to stop this reckless proposal by the U.S. Nuclear Regulatory Commission, that would allow the widespread radioactive contamination of U.S. communities.

The following resolution was offered by Trustee Miller and supported by Trustee Kendzierski.

Vote on this Resolution, all 5 members being present as follows:

AYES: Kalbfleisch, Ferrett, Drain, Miller, Kendzierski

NAYS:

Duly adopted this 10 day of June 2020

RESOLUTION DECLARED AND ADOPTED.

CERTIFICATION

I Annette Ferrett , Clerk of Lynn Township, County of St Clair, Michigan do hereby certify that the foregoing is a true and a complete copy of this Resolution adopted by the Township Board of Trustees at a meeting on the 10th of June, 2020 and that said meeting was conducted with a quorum present by a roll call vote of said members, public notice of said meeting as given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting are kept and will be or have been made available as required by said Act; that said resolution was ordered to take immediate effect.

Annette, Ferrett. Clerk