



Nuclear Energy Information Service

Illinois' Nuclear Power Watchdog since 1981

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August 1, 2013

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
Former Assistant Administrator for Air and Radiation

The Honorable Bob Perciasepe
Deputy Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

US EPA Air and Radiation Docket and Information Center
Mail Code: 6102T, 1200 Pennsylvania Ave NW, Washington, DC 20460
a-and-r-docket@epa.gov; Docket ID No. EPA-HQ-OAR-2007-0268;
www.regulations.gov; Fax (202) 566-1741

Re: Protective Action Guides for Radionuclides
(Docket ID No. EPA-HQ-OAR-2007-0268)

Dear Administrator McCarthy and Deputy Administrator Perciasepe:

Thank you for the opportunity to comment on EPA's proposed alleged Protective Action Guidelines (PAG) for Radionuclides.

We apologize for submitting these comments late; however when we attempted to forward them electronically via the EPA website, we received this notice:

Server not found
Firefox can't find the server at erule-outage.erulemaking.net.

We ask that you take this tech-glitch into account, and accept these comments.

In short we are adamantly opposed to the PAGs as they have been presented. Previously, we signed on to comments which will be presented with other co-signers by the Nuclear Information and Resource Service (NIRS) of Takoma Park, Maryland, and for which as a convenience we present in summary below. We wish to make comments in addition to those provided in the NIRS sign-on letter.

NIRS LETTER SUMMARY POINTS:

Our primary concerns are:

(1) the proposal to allow, for one to several years after a release, radioactive contamination of drinking water at levels orders of magnitude above EPA's longstanding Safe Drinking Water Act (SDWA) limits,

- (2) language contemplating long-term cleanup standards vastly less protective than EPA's historically acceptable risk range,
- (3) the elimination of relocation PAGs for high thyroid and skin doses and for high projected cumulative whole body doses,
- (4) the recommendation to permit radioactive waste to be disposed of in unlicensed disposal sites, including regular municipal garbage dumps,
- (5) the inappropriate expansion of the PAGs to cover essentially all radioactive releases, from the most extraordinary (e.g. nuclear weapons explosions) to those far less consequential (e.g. transportation accidents involving relatively small amounts of radioactivity),
- (6) relying on PAG dose limits as high or higher than those in effect decades ago despite the fact that official estimates of cancer risks from radiation have increased significantly over that period, and
- (7) apparently un-reviewed retention of archaic and extremely high FDA food contamination guidelines.

ADDITIONAL NEIS COMMENTS:

1.) Radiation standards and the BEIR VII Report: To our knowledge no official refutation of the findings of the 2005 National Academy of Sciences BEIR VII Report, *Health Risks From Exposure to Low Levels of Ionizing Radiation: BEIR VII – Phase 2*, have been adopted as the basis for the understanding of the effects of ionizing radiation. That Report validates the linear no-threshold standard for radiation exposure. For the EPA to promulgate PAGs which in essence allow for greater radiation exposure under disaster scenarios would mean that the federal government sanctions some kind of “permissible” level of additional deaths in contradiction to established scientific principles and norms. This is neither respectable science or policy, nor morally and ethically tolerable behavior for civilized nations.

2.) The “new normal” for radiation exposures: The historical record is constantly demonstrating that the amount of human contributed and artificially reconcentrated radiation is increasing in the environment. The development, testing and use of nuclear and uranium weapons, including depleted uranium (DU); the massive introduction of medical treatments and diagnostics; the consequent increase in the stockpiles of radioactive wastes; the attempts to expand the use of nuclear power worldwide; the inevitable probabilistic increase in intentional (a.k.a, “permissible”) and accidental releases of radionuclides and disasters, such as Windscale, Chelyabinsk, Santa Suzanna, the Rio Puerco River, Three Mile Island, Chernobyl, Tokaimura, and Fukushima; and more recently the introduction of additional radium and radon contamination from the nascent fracking industry – all lead to the conclusion that, not only is the radiation inventory and hence public exposure to radiation increasing, but that somehow this is supposed to be an “accepted” consequence, a “new fact of Life.”

We write to inform you – **this is NOT acceptable.** Weakening radiation standards and guidelines at a time when exposures from radiation from all sources are demonstrably on the increase is unacceptable, bad public policy, and morally and ethically reprehensible. It seems to have become the unfortunate norm and habit of governmental regulatory bodies to adopt the bad habit that private industry has long institutionalized – avoid taking responsibility for harm done at all cost, unless the public bears that cost.

These PAGs lead to the conclusion that the U.S. government's position for radiation disasters is simply to move the goalposts, not hold accountable the environmental criminals responsible for the disasters. We remind you that the “P” in EPA is supposed to stand for “protection.” The only thing offered “protection” by these PAGs is corporate financial interests, not public or environmental health.

We will not accept as valid standards – or even guidelines -- which condone or do additional harm to the public and the environment. These PAGs do both.

3.) Behavior of EPA representatives: In the course of disseminating its positions on the PAGs, an article that appeared in the Global Security Newswire [1] reports the following presentation by an EPA official:

Speaking at a March 12 symposium hosted by the Defense Strategies Institute, **Paul Kuderauskas**, of the EPA Consequence Management Advisory Team, said events like Fukushima would cause a “fundamental shift” to cleanup.

U.S. residents are used to having “cleanup to perfection,” but will have to abandon their “not in my backyard” mentality in such cases, Kuderauskas said. **“People are going to have to put their big boy pants on and suck it up.”** (*emphasis ours*)

While it’s possible we misunderstand the thrust of Mr. Kunderauskas’ comments, the notion that people are just going to have to get used to increased radiation contamination caused by irresponsible industries and wimp-assed regulatory accomplices is simply not one that we’re going to be “sucking up” and getting used to any time soon. Please take that advisory to the bank.

That a public official – from ANY agency, let alone one supposedly dedicated to “protection” of the public - would make such a patronizing, condescending and insulting statement in defense of “guidelines” dedicated to increasing public harm demonstrates

- that the Agency has abandoned its primary mission; and
- that the official making such remarks does not how to deal with the public, nor act in public

As a result, we request:

- 1.) that the EPA abandon these Guidelines
- 2.) that Mr. Kunderauskas be public censured, so co-workers understand what kinds of behavior are unacceptable; and
- 3.) that Mr. Kunderauskas be dismissed.

Thank you for the opportunity to present our additional views.

Gratefully,



David A. Kraft, Director

[1] “White House Supports Rollback of Cleanup Standards for Nuclear Incidents,” Global Security Newswire, March 25, 2013.

<http://www.nti.org/gsn/article/white-house-backs-rollback-cleanup-standards-nuclear-incidents/>