

Scientists for Accurate
Radiation Information
(SARI)

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Subject: Advice on Updating EPA Standards for Nuclear Power Operations in 40 CFR 190

In November Of 2013, the EPA solicited comments on whether or not to “update the Environmental Radiation Protection Standards for Nuclear Power Operations in 40 CFR part 190”.

***Title:** Revised Regulation for Environmental Radiation Protection Standard for Nuclear Power Operations--40 CFR Part 190*

***Abstract:** EPA issued the "Environmental Radiation Protection Standards for Nuclear Power Operations" in 1977. Since issuance of these standards, the understanding of radiation risk and dose to humans has advanced and new methodologies have been developed to calculate radiation doses. In view of the developments over the past decades, EPA is evaluating whether to update the Environmental Radiation Protection Standards for Nuclear Power Operations in 40 CFR part 190. If EPA were to issue an updated rule, it would draw on updated science and clarify how safety should be demonstrated. EPA is issuing an advanced notice of proposed rulemaking (ANPRM) to solicit public input on general questions and approaches to start a public discussion about whether to update the existing rule.*

Given the questionable “value added” of any modification to the existing standard at this time, and the inevitable outpouring of exaggerated concern from many antinuclear activists, the efforts committed by your agency in this endeavor would not be well spent. A primary consideration is that the NRC’s genesis occurred in the time frame that the nuclear power operations standards of 1977 were being developed. The NRC has taken the historical leadership role over the succeeding decades since the said standards were issued, and its guidance documentation in the areas of determinations of dose risk, dose

calculation methodologies, and how safety should be demonstrated now have direct and extensive operational influence on all facilities that fall under its regulation. With that thought in mind, it would seem prudent that EPA not muddy the waters in these areas without an NRC/EPA interagency concurrence that such standards merit a PRM at this time.

The National Academy of Sciences (NAS) is about to undertake a [Phase II Pilot Study](#) regarding cancer risk from those living near nuclear power plants. This, combined with the recent [Canadian](#) and [U.K.](#) studies, and the [previous National Cancer Institute study](#) should better inform the NRC and EPA regarding the need for any rulemaking changes. Further, it has become more obvious to many in the international scientific community that the current bases for calculating risk from radiation exposure, as determined through use of the linear no threshold (LNT) hypothesis, are not founded upon sound science. Therefore, since this issue has yet to reach resolution within the scientific community, and since the NRC would appear to have standing for a primary role in updating a 36-year-old set of standards related to radiation protection for nuclear power operations, a PRM would clearly put the EPA into the crossfire of this issue. Clearly, setting out to update the rule at this time would be premature. Hence, the undersigned would assert that no revision to the rule should be pursued at this time.

Beyond that, the undersigned members of the ad hoc group of [Scientists for Accurate Radiation Information \(SARI\)](#) offer their services to the EPA in addressing further questions on this issue. The opinions expressed in this letter are those of the signers, and do not reflect the views or opinions of their employers or of any organization with which they are associated.

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