

ENVIRONMENTAL PROTECTION AGENCY
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Dear Dr. Biles:

Thank you for your May 2 letter and the opportunity to comment on the April 19 draft of the "Report by the AEC Task Group on Recommendations for Cleanup and Rehabilitation of Enewetak Atoll."

This draft contains many improvements over the February 1, 1974, draft and we appreciate the consideration given to our earlier comments. In general we can accept (1) the radiation protection criteria as listed on page 5, and (2) the recommendations as listed on pages 24-30 for the specific activity related to the cleanup and rehabilitation of Enewetak Atoll on an interim use basis. EPA is developing a program to address cleanup guides for land restoration and such guides may impact on the above conclusions.

It is our understanding that the DoD in cooperation with AEC and DOI will implement the final recommendations in the cleanup operations. We would like to emphasize the point that the cleanup criteria are considered as upper limits or guidance to DoD and the resultant radiation doses to the Enewetak people should be kept to the minimum practicable level. As we mentioned in our February 28 letter to Mr. Tommy McCraw:

It should be understood and stated that any proposed guidelines or numerical values for the dose limits are only preliminary guidance and that a cost-benefit analysis must be undertaken to determine whether the projected doses are really as low as readily achievable and practical before proceeding with the relocation project. On the basis of such analysis it may be prudent to lower dose guidelines for this operation.

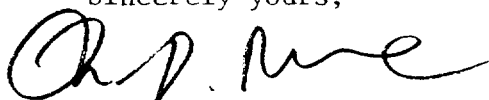
It is also our understanding that DoD will thoroughly discuss this matter in its draft EIS on this activity.

On page 16 of the draft, reference is made to the possible disposal of plutonium contaminated soil and radioactive scrap in the deep lagoon or deep ocean. Title I, Sec. 101(c) of PL 92-532 states, "No office, employee, agent, department, agency, or instrumentality of the United States shall transport from any location outside the United States any radiological, chemical, or biological warfare agent or any high-level radioactive waste for the purpose of dumping it into ocean waters." Section 227.21 of EPA's Final Regulations and Criteria also prohibits the dumping of these materials. Although the plutonium and other radioactive materials that may be dumped in the Enewetak lagoon or near-by deep ocean, may not strictly be covered by the definitions of "radiological warfare agents" or "high-level radioactive wastes," it was surely the intent of PL 92-532 and the EPA regulations to rigidly control or even prohibit such dumpings. We believe this is a matter that requires further discussion between EPA, AEC, DoD, and DOI.

Another important consideration for the proposed alternative of ocean dumping of Enewetak contaminants is the international implications. The few countries disposing of radioactive materials in the oceans do so under the international supervision of the Nuclear Energy Agency. The draft recommendations for ocean dumping of radioactive wastes being developed by the International Atomic Energy Agency also recommend international supervision of such dumping operations. The current Enewetak recommendations provide for unilateral action with no international supervision. The U.S. has had a national policy of no ocean dumping of radioactive wastes since 1970. Any proposal to reverse such a policy now would have to involve the U.S. Department of State in view of the United States having already ratified the International Ocean Dumping Treaty.

We will be glad to meet with you or your staff to discuss these matters if you so desire.

Sincerely yours,



W. D. Rowe, Ph.D.
Deputy Assistant Administrator
for Radiation Programs (HM-558)

cc:
Mr. R. W. Musser, EPA
Mr. R. Leachman, DNA