

FSME
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**OFFICE OF FEDERAL & STATE
MATERIALS & ENVIRONMENTAL
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**International
Conference**

On December 1-5, 2014, the International Atomic Energy Agency (IAEA) will host an occupational radiation protection conference with the International Labor Organization in cooperation with several other international organizations. This international conference, entitled "Enhancing the Protection of Workers—Gaps, Challenges and Developments," will be held at IAEA headquarters in Vienna, Austria. This conference will include a series of topical sessions and roundtable discussions covering a wide range of areas relevant to occupational radiation protection and will also include poster sessions and vendor exhibits.

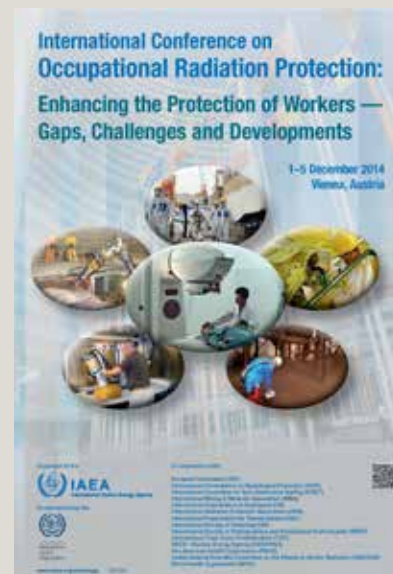
In 2002, IAEA held the first occupational radiation protection conference, entitled "Protecting Workers against Exposure to Ionizing Radiation." The recommendations and conclusions from the first conference resulted in an international action plan on occupational radiation protection that has been accelerating and guiding international efforts in improving occupational radiation protection worldwide. While the 2002 conference provided very broad international input on the status of occupational radiation protection at the time, much work remains to be done, and specific challenges exist in the areas of medicine, naturally occurring radioactive material, and the nuclear industry in general. In addition, new developments in recent years have brought with them additional challenges that need to be addressed by the international community.

The objectives of the 2014 conference are to exchange information and experience in the field of occupational radiation protection; review advances, challenges, and opportunities since the first conference on this topic in 2002; identify areas for future improvement; and formulate conclusions and recommendations.

There is no conference registration fee, but participants must register online in advance. Registration will be accepted up until 2 weeks before the conference.

Visit the IAEA Web site for detailed information regarding this conference: <http://www-pub.iaea.org/iaea meetings/46139/orpconf2014>.

(Contact: Cindy Flannery, FSME, 301-415-0223 or Cindy.Flannery@nrc.gov)





ADVANCE NOTICE OF PROPOSED RULEMAKING

The U.S. Nuclear Regulatory Commission (NRC) will publish in the *Federal Register* an advance notice of proposed rulemaking (ANPR) to obtain input from stakeholders on the development of a draft regulatory basis for potential revisions to the NRC's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20, "Standards for Protection Against Radiation." These regulations establish the standards of protection for both members of the public and occupational workers from ionizing radiation resulting from activities conducted under licenses issued by the NRC. The 10 CFR Part 20 draft regulatory basis will support potential changes to achieve greater alignment between the NRC's regulations and the International Commission on Radiological Protection (ICRP) Publication 103 (2007) recommendations.

The ANPR is in response to the Commission's direction in Staff Requirements Memorandum (SRM)-SECY-12-0064, entitled "Recommendations for Policy and Technical Direction to Revise Radiation Protection Regulations and Guidance," dated December 17, 2012. This SRM addresses the following issues:

1. Updating the NRC regulatory framework to align with the new terminology and dose calculation methodologies in ICRP Publication 103 (2007).
2. Exploring the potential impacts of a reduction in the dose limit for the lens of the eye, including how the prevention of cataracts should be viewed in comparison with the potential induction of cancer and other adverse impacts.
3. Changing the dose limit for the embryo or fetus to 1 millisievert (mSv) (100 millirem (mrem)).
4. Researching alternative approaches to deal with individual protection at or near the current dose limit, including updating the regulatory guidance to provide additional examples of mechanisms acceptable in the development and implementation of as low as reasonably achievable radiation protection programs.
5. Aligning the NRC regulations in 10 CFR Part 20 with the NRC's metrication policy.
6. Requiring additional NRC license categories and Agreement State licensees to report occupational exposures to the NRC's Radiation Exposure Information and Reporting System (REIRS) database.

The staff has developed issue papers on the six preceding topics that the NRC identified in SRM-SECY-12-0064, and these papers will be available on the NRC's Web site.

The ANPR will have a 120-day comment period. Stakeholders are encouraged to provide comments. The NRC staff plans to hold a series of informational webinars on the issues. The dates will be announced as soon as they are scheduled. Stakeholders' comments, along with responses to the specific questions identified in the ANPR, will be considered by the NRC staff when it develops the draft regulatory basis for potential revisions to 10 CFR Part 20.

(Contact: Cardelia Maupin, FSME, 301-415-2312 or Cardelia.Maupin@nrc.gov)



FROM THE DESK OF THE DIRECTOR

It was a pleasure to participate and hear about the high level of interactions between you and NRC staff and management at the Conference of Radiation Control Program Directors (CRCPD) annual meeting in Atlanta, GA, in May, as well as at the Health Physics Society annual meeting in Baltimore, MD, in July. These conferences continue to provide excellent forums for discussing materials' technical and policy issues and networking with fellow radiation professionals.

For several months, the big topic in FSME has been the potential office merger between FSME and the Office of Nuclear Material Safety and Safeguards (NMSS). Following staff's proposal presented in a Commission paper that included the reason for the proposed merger and a short discussion on the alternatives considered, the Commission approved the staff's recommendation. A recurring theme from the vote comments was the recognition of the significant organizational undertaking this will present. Efforts are underway to plan and transition to a single merged office. We will continue to communicate with both internal and external stakeholders as we move forward with implementing the Commission's direction.

I have written about the importance of Agreement State compatibility in past articles. I want to share a recent briefing conducted by FSME staff for Senator Carper's staff to highlight again the importance of this subject. During the briefing, the Senator's staff asked questions about Agreement State compatibility and how we ensured that State licensing and inspection programs were compatible and acceptable to us. We explained the Integrated Materials Performance Evaluation Program (IMPEP) process and noted that we have the authority to revoke an agreement if, after an evaluation and continued monitoring, a program does not meet the NRC's standards. Also, we stated that we have confidence in the Agreement States conducting their regulatory job, including performing security inspections and enforcement. Compatibility regulations require that some regulations are identical between the NRC and States, but it also allows the Agreement States flexibility with other regulations. FSME continues to evaluate compatibility issues and

improvements, as appropriate. We look to continue to partner with you throughout this process.

Another topic I would like to highlight is the NRC staff's revision of the 1995 Concentration Averaging and Encapsulation Branch Technical Position (CA BTP), which will improve management of "hot spots" in low-level radioactive waste disposal. The revised CA BTP averaging constraints are better tied to risk to an inadvertent intruder; one of the four performance objectives in the NRC's low-level waste (LLW) disposal regulation in 10 CFR Part 61, "Licensing Requirements for Land Disposal of Radioactive Waste."

The revised CA BTP has the potential to accomplish the following:

1. Reduce worker exposures by removing averaging constraints that are not closely tied to intruder risk, but that require additional waste characterization.
2. Expand disposal options for cesium-137 (Cs-137) sealed sources, which are severely constrained by the current version of the CA BTP by an overly conservative intruder scenario. In the 1995 guidance, the staff postulated that an intruder would be in contact with the encapsulated waste for 2360 hours per year and limited the acceptable dose to 1/10th the limit used in Part 61. The new guidance is based on a more reasonable exposure scenario.
3. Allow site and waste-specific averaging approaches, currently significantly constrained by the 1995 CA BTP.
4. Implement the Commission's decision on LLW blending by developing a standard for homogeneity of the blended waste. LLW blending could enable more efficient disposal of certain wastes such as ion exchange resins from nuclear power plants. The revised guidance will clarify the considerations for blending which are lacking in the current CA BTP.

The revised CA BTP is expected to be published later this year. The staff has received extensive stakeholder input on the revision. Three drafts were published for public comment, two public workshops were held, and it is our belief that stakeholders generally seem to feel that they have been "heard."

I hope you are having a great summer! In August, I look forward to seeing you at the Organization of Agreement States Annual Meeting in Chicago, IL.

Brian Holian, Acting Director



(from top to bottom and from left to right:
 Dr. Christopher Palestro, Mr. Francis Costello,
 Dr. Philip Alderson, Mr. Steven Mattmuller,
 Dr. Vasken Dilsizian, Dr. Milton Guiberteau,
 Dr. James Welsh, Commissioner William C.
 Ostendorff, Commissioner George Apostolakis,
 Commissioner William D. Magwood,
 Chairman Allison M. Macfarlane,
 Commissioner Kristine L. Svinicki, Dr. John Suh,
 Dr. Pat Zanzonico, Ms. Laura Weil,
 Dr. Bruce Thomadsen, Dr. Susan Langhorst,
 Dr. Orhan Suleiman)

MEETING WITH THE COMMISSION

On May 9, 2014, the Advisory Committee on the Medical Uses of Isotopes (ACMUI) held its annual meeting with the NRC Commission. The topics discussed included an Overview of ACMUI Activities, the ACMUI's Position on Patient Release, the Reliability of Radiation Safety Instructions for Patients Released Following Iodine-131 Therapy, the ACMUI's Views on Revisions to the NRC Medical Policy Statement, FDA's Radiation Regulatory Responsibilities, and General Views on the Regulation of Medical Uses of Byproduct Material-Part 35. The Commission meeting agendas, slides, transcripts and webcast archives can be accessed at: <http://www.nrc.gov/reading-rm/doc-collections/commission/tr/2014/>.

In addition to the meeting with the Commission, ACMUI held its semiannual spring meeting at NRC Headquarters on May 8-9, 2014. Topics discussed include the following: Commission direction on Part 35 rulemaking activities, the NRC medical policy statement, research on the release of patients following iodine-131 administration, and the National Nuclear Security Administration's (NNSA's) efforts to reduce highly enriched uranium in molybdenum-99 production. ACMUI meeting agenda, handouts, transcripts, and meeting summary can be accessed on the ACMUI meetings Web site at <http://www.nrc.gov/reading-rm/doc-collections/acmui/meetings/>.

ACMUI advises the NRC on policy and technical issues that arise in the regulations of the medical uses of radioactive material in diagnosis and therapy. ACMUI membership includes health care professionals from various disciplines who comment on changes to NRC regulations and guidance, evaluate certain nonroutine uses of radioactive material, and bring key issues to the attention of the NRC staff for appropriate action.

Additional information about ACMUI can be found at <http://www.nrc.gov/about-nrc/regulatory/advisory/acmui.html>.

(Contact: Sophie Holiday, FSME, 301-415-7865 or Sophie.Holiday@nrc.gov)

ANNUAL MEETING

On August 25-28, 2014, the Organization of Agreement States (OAS) will hold its annual meeting at the Omni Chicago Hotel in downtown Chicago, IL. This meeting will be hosted by the NRC's Region III office. OAS is a non-profit, voluntary, scientific and professional society whose membership consists of state radiation control directors and staff from the 37 Agreement States who are responsible for implementation of their respective Agreement State programs. The purpose of the OAS is to provide a mechanism for Agreement States to work with each other and with the NRC on regulatory issues associated with their respective agreements. The Agreement States regulate approximate 87 percent of all materials licensees in the United States and work closely with the NRC on a wide range of issues affecting radioactive materials licensees. The Agreement States, through the OAS, actively participate in over 30 NRC working groups to develop guidance and policy documents that directly impact the regulation of radioactive material.

This OAS annual meeting will feature addresses from Chairman Allison M. Macfarlane and Commissioner William D. Magwood, as well as presentations from NRC senior management and various Agreement States representatives. The meeting will feature a number of topical sessions, including those on security, medical uses, emerging technical and policy issues, and materials events. Additional information on the meeting and a copy of the draft agenda can be found on the OAS website at <http://www.agreementstates.org>.

(Contact: David Spackman, FSME, 630-829-9571 or David.Spackman@nrc.gov).





“NEGATIVE ION” TECHNOLOGY— WHAT YOU SHOULD KNOW

You may have heard about colorful silicone wristbands and athletic tape infused with minerals that are supposed to release “negative ions.” You might even be wearing one. They are touted as improving balance and strength, enhancing flexibility and motion, and improving mental focus and alertness. They are sold on the Internet or in retail stores across the United States (U.S.).

The minerals these products contain can vary from volcanic ash and titanium to less familiar ones such as tourmaline, zeolite, germanium and monazite sand. They may also contain naturally occurring radioactive minerals, including uranium and thorium. In trace amounts, these minerals do not warrant much attention. But the radioactive emissions—that is to say gamma rays—from several of these products were detected on entry to the country by U.S. Customs and Border Protection officials using radiation monitoring equipment. The long-term health impact from exposure to these products is negligible, even though the radiation detected was greater than what people are exposed to from radon, granite, the sun and other natural sources.

NRC staff experts on radiation are working with other regulators to determine just how much and what type of radioactive material is in these products. The NRC has commissioned an independent analysis by the Oak Ridge National Laboratory to measure this. The analysis will guide State and Federal decisions concerning future marketing and sales of these products. We expect to know more around mid-July.

We cannot say whether these products work as advertised. If you have them or know someone who does, our best advice for getting specific health information is to speak to a physician. In the meantime, we will continue to do all we can to make sure they are being regulated properly.

(Contact: Vincent Holahan, FSME, 301-415-7510 or Vincent.Holahan@nrc.gov)



SIGNIFICANT ENFORCEMENT ACTIONS

The NRC issued significant actions for failure to comply with a regulation.

Tetra Tech, Inc., Newark, Delaware (EA-13-227)

On February 24, 2014, the NRC issued a Notice of Violation to Tetra Tech, Inc. (Tetra Tech) for a Severity Level III violation. The violation involved a failure to confine possession and use of the byproduct material to the locations and purposes authorized in the license, as required by 10 CFR 30.34(c), “Terms and Conditions of Licenses.” Specifically, between June 7, 2006, and October 22, 2013, on multiple occasions, Tetra Tech personnel conducted maintenance of portable nuclear gauges that required detaching the source rod from the gauge and was not specifically licensed by the NRC or an Agreement State to perform such services.



Valley Quarries, Inc. (EA-13-215)

On February 6, 2014, the NRC issued a Notice of Violation and proposed imposition of civil penalty in the amount of \$3,500 to Valley Quarries, Inc. (VQI), for three Severity Level III violations. The three violations involved VQI's willful failure to: (1) secure the gauge containing radioactive materials to prevent it from shifting during transport as required by 10 CFR 71.5, “Transportation of Licensed Material”; (2) control and maintain constant surveillance of the gauge that is in an unrestricted area as required by 10 CFR 20.1802, “Control of Material Not in Storage”; and (3) use two independent physical controls that form tangible barriers to secure the gauge from unauthorized removal in accordance with 10 CFR 30.34(i). Specifically, on May 3, 2013, VQI, a

licensee of the Commonwealth of Pennsylvania, was working under reciprocity in a non-Agreement State and did not secure a portable gauge containing licensed materials to prevent shifting while transporting it in the back of a pickup truck over a public highway, an unrestricted area, in West Virginia. Consequently, the gauge fell out of the truck bed on a highway and was left unsecured in an area not controlled by the licensee. The gauge was found by a member of the public who subsequently returned it to the licensee through the Agreement State regulator.

MEDICAL

IUPUI/Indiana University Medical Center, Indianapolis, Indiana (EA-14-028)

On April 3, 2014, the NRC issued a Notice of Violation to IUPUI/Indiana University Medical Center for a Severity Level III violation. The violation involved the failure to secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas as required by 10 CFR 20.1801, "Security of Stored Material." Specifically, on January 16, 2014, the licensee stored radioactive material in laboratories with doors that were not secured.

INDIVIDUAL

Joseph S. Shepherd (IA-13-038)

On December 20, 2013 (with erratum issued April 8, 2014), the NRC issued Mr. Joseph S. Shepherd, owner of Foss Therapy Services, an Order conditioning involvement in NRC-licensed activities and Notice of Violation (Notice) associated with a willful failure to adhere to some of the conditions set forth in NRC Order IA-08-014. The Order prohibited Mr. Shepherd's involvement in Type B shipment activities and conditioned his involvement in other NRC licensed activities. On April 13, 2012, Mr. Shepherd, with careless disregard, failed to notify his customer of NRC Order IA-08-014 and did not make the Order available to them. This current Order, NRC Order IA-13-038, conditions Mr. Shepherd's involvement in NRC-licensed activities for a period of 3 years, and also requires certain documentation for an additional year. Under this Order, before beginning work in NRC jurisdiction, Mr. Shepherd must notify customers of NRC Order IA-08-014 and make it available for their review, provide future employers with a copy of the Order and notify the NRC no less than 5 business days before conducting licensed activities within NRC jurisdiction. The provisions above will remain in effect for 3 years from the effective date of the Order. Mr. Shepherd must also determine whether the customer is under NRC jurisdiction, document his determination and state the basis for his determination. The provision will remain in effect for 3 years from the effective date of the Order. The documentation of this requirement must be maintained for a period of 4 years from the effective date of the Order. The NRC also issued a Severity Level III violation for Mr. Shepherd's failure to follow certain conditions set forth in NRC Order IA-08-014.

Information about the NRC's enforcement program can be accessed at <http://www.nrc.gov/about-nrc/regulatory/enforcement/current.html>. Documents related to cases can be accessed through Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>. Help in using ADAMS is available by contacting the NRC Public Document Room staff at 301-415-4737 or 1-800-397-4209 or by sending an e-mail to PDR.Resource@nrc.gov.

(Contact: Michele Burgess, FSME, 301-415-5868 or Michele.Burgess@nrc.gov)





GENERIC COMMUNICATIONS ISSUED

The following summarize NRC generic communications issued by FSME. If any of these documents appear relevant to your needs and you have not received a copy, please call one of the technical contacts listed below. The Web address for the NRC library of generic communications is <http://www.nrc.gov/reading-rm/doc-collections/gen-comm>.

Information Notice

The NRC issues Information Notice (IN) to addressees to provide significant recently identified information about safety, safeguards, or environmental issues. Addressees are expected to review the information for applicability to their facilities and consider actions, as appropriate, to avoid similar problems.

On May 12, 2014, the NRC issued **IN-2014-05**, "Verifying Appropriate Dosimetry Evaluation." The IN was issued to alert licensees to a potential error in evaluating doses following the processing of personnel dosimetry.

(Contact: Sami Sherbini, RES, 301-415-7833 or Sami.Sherbini@nrc.gov or Angela McIntosh, FSME, 301-415-5030 or Angela.McIntosh@nrc.gov)

On April 28, 2014, the NRC issued **IN-2014-06**, "Damage of Industrial Radiographic Equipment due to Falling Equipment and Improper Mounting." The IN was issued to inform licensees about the results of a recent NRC staff analysis involving radiographic equipment.

(Contact: Maria Arribas-Colon, FSME, 301-415-6026 or Maria.Arribas-Colon@nrc.gov)

Regulatory Issue Summary

The NRC provides a regulatory issue summary (RIS) as an informational document used to communicate with the nuclear industry on a broad spectrum of matters.

On April 16, 2014, the NRC issued **RIS 2014-02**, "Withdrawal of NRC Generic Letter 95-08, '10 CFR 50.54(p) Process for Changes to Security Plans without Prior NRC Approval.'" This RIS was issued to inform addressees that the original issue of NRC Generic Letter 95-08, "10 CFR 50.54(p) Process for Changes to Security Plans without Prior NRC Approval" has been withdrawn through the issuance of Generic Letter 95-08, Revision 1.

(Contact: John Frost, NSIR, 301-827-3695 or John.Frost@nrc.gov.)

On May 12, 2014, the NRC issued **RIS 2014-04**, "National Source Tracking System (NSTS) Long-Term Storage Indicator." The RIS was issued to encourage licensees on a voluntary basis to submit additional information related to sources identified in long-term storage in the NSTS to include the "use status" of their sealed sources (i.e., whether or not their sources are in use or have become disused).

(Contact: John Frost, NSIR, 301-827-3695 or John.Frost@nrc.gov.)



SIGNIFICANT EVENTS

Non-use of Safety Equipment Leads to a Significant Overexposure during Radiography

Date and Place: March 12, 2014, LaPorte, TX

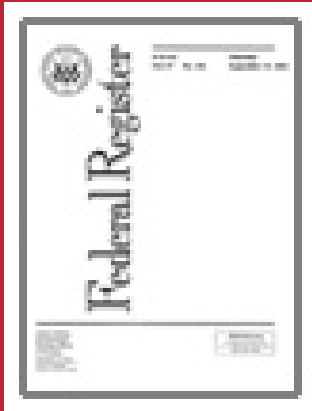
Event details: The licensee reported that a radiographer trainee appeared to have been exposed for approximately 15 seconds to a 2.55 TBq (69 Ci) Ir-192 source in a radiography camera. Based on the licensee's re-enactment of the event, the licensee initially calculated a dose of 36.8 Sv (3,680 rem) to the hand and 60 mSv (6 rem) whole body. However, it was noted that the trainee did not experience pain in his hand, neither were any deterministic effects observed. The State of Texas completed an investigation and calculated a dose of 120 mSv (12 rem) whole body and 40 mSv (4 rem) to the hand. The low estimated dose in the initial report was due to miscommunication between the affected radiographer and the licensee, as English is not the radiographer's primary language. The root cause of the overdose was the failure to wear or to utilize any radiation protection equipment.

Improper/Non-use of Safety Equipment Leads to a Significant Overexposure during Radiography

Date and Place: April 9, 2014, Dayton, OH

Event details: The licensee reported that the lead radiographer approached the end of the guide tube of a radiography camera that had a 3.29 TBq (89 Ci) Ir-192 source, having assumed that the source had already been retracted into the shielded camera. After approximately 90 seconds, the assistant radiographer entered the area. The assistant radiographer's alarming rate meter and survey meter indicated the presence of radiation and the two individuals left the area. The lead radiographer was wearing a whole body dosimetry badge which was sent for emergency processing. The dosimeter was measured by the vendor at 8.36 mSv (836 mrem). Based on re-enactments during the State of Ohio's reactive inspection, the licensee assigned the lead radiographer a whole body dose of 130 mSv (13 rem), and an extremity (hand) dose of 65 mSv (6.5 rem). The licensee assigned doses to the individual because the individual was wearing the dosimetry badge on his belt, rendering the badge not optimally positioned to accurately record his dose. The State of Ohio observed the following safety infractions during their reactive inspection: the lead radiographer's alarming rate meter had a dead battery; the radiographers did not utilize a source collimator causing the source to be unshielded; the lead radiographer's survey meter was not fully functional; and the lead radiographer had not tested his survey meter for proper response on the day of the event.

(Contact: Angela McIntosh, 301-415-5030 or Angela.McIntosh@nrc.gov)



SELECTED FEDERAL REGISTER NOTICES

March 5, 2014

79 FR 12362, List of Approved Spent Fuel Storage Casks: HI–STORM 100 Cask System; Amendment No. 9 (Direct Final Rule; Confirmation of Effective Date).

Summary: The NRC is confirming the effective date of March 11, 2014, for the direct final rule that was published in the *Federal Register* on December 6, 2013, and corrected on December 26, 2013. This direct final rule amended the NRC's spent fuel storage regulations by revising the Holtec International HI–STORM 100 Cask System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 9 to Certificate of Compliance (CoC) No. 1014.

(Contact: Naiem Tanious, FSME, 301–415–6103 or Naiem.Tanious@nrc.gov)

March 10, 2014

79 FR 13192, List of Approved Spent Fuel Storage Casks: Transnuclear, Inc. Standardized NUHOMS Cask System (Direct Final Rule)

Summary: The NRC is amending through a direct final rule its spent fuel storage regulations by revising the Transnuclear, Inc. Standardized NUHOMS Cask System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 13 to Certificate of Compliance (CoC) No. 1004. Amendment No. 13 includes changes to: (1) add two new dry shielded canisters (DSCs), the –37PTH and the –69BTH; (2) add new approved contents, including blended low-enriched uranium fuel, and control components to already approved DSCs; and (3) extend the use of the high-seismic horizontal storage module for storage of already approved DSCs. In addition, the amendment makes several other changes as described in Section III of the direct final rule. The effective date of the direct final rule was confirmed as May 16, 2014 (79 FR 28393).

(Contact: Gregory Trussell, FSME, 301–415–6445 or Gregory.Trussell@nrc.gov)

March 21, 2014

79 FR 15779, Advisory Committee on the Medical Uses of Isotopes: Renewal Notice (Renewal Notice Announcement)

Summary: The NRC has determined that the renewal of the charter for the Advisory Committee on the Medical Uses of Isotopes for the 2-year period beginning March 14, 2014, is in the public interest, in connection with duties imposed on the Commission by law.

(Contact: Sophie Holiday, FSME, 301–415–7865 or Sophie.Holiday@nrc.gov)

May 15, 2014

79 FR 27772, Low-Level Radioactive Waste Regulatory Program (Strategic Assessment Update; Request for Comment)

Summary: The NRC is conducting an update to a strategic assessment of its low-level radioactive waste (LLRW) regulatory program. The objective of this assessment is to identify and prioritize activities that the staff can undertake to ensure a stable, reliable, and adaptable regulatory framework for effective LLRW management, while also considering future needs and changes that may occur in the Nation's LLRW management system. The staff is seeking comments on developments that would affect the LLRW regulatory program in the next several years that would affect licensees and cited States and actions that the NRC could take to ensure safety, security, and the protection of the environment.

(Contact: Melanie C. Wong, FSME, 301–415–2432 or Melanie.Wong@nrc.gov)

June 2, 2014

79 FR 31348, Reporting of H-3, C-14, Tc-99, and I-129 on the Uniform Waste Manifest (Draft Regulatory Issue Summary; Request for Comment)

Summary: The NRC is seeking public comment on the draft regulatory issue summary, which addresses the reporting of hydrogen-3 (H-3), carbon-14 (C-14), technetium-99 (Tc-99), and iodine-129 (I-129) on the uniform waste manifest. The purpose of this draft RIS is to identify instances where licensees may use indirect methods to determine the activity of these radionuclides reported on the uniform manifest when the radionuclide is present at a concentration less than the lower limit of detection.

(Contact: Don Lowman, FSME, 301-415-5452 or Donald.Lowman@nrc.gov)

ONGOING RULEMAKINGS



RULEMAKING

DESCRIPTION

STATUS

PROPOSED RULES

10 CFR Part 61 – Low-Level Radioactive Waste (LLRW) Disposal

The proposed rule would revise 10 CFR Part 61 to require LLRW disposal licensees and license applicants to conduct updated and new site specific analyses and to permit the development of criteria for future LLRW acceptance based on the results of these analyses.

The rulemaking package (SECY-13-0075 dated July 18, 2013) was sent to the NRC Commission for review. The SRM was issued February 12, 2014. A revised proposed rule is due to SECY in 12 months (February 2015).

10 CFR Part 35 – Medical Use of Byproduct Material – Medical event Definitions, Training and Experience and Clarifying Amendments

The proposed rule would amend the reporting and notification requirements for a medical event, training and experience requirements, and changes to address a request filed in a petition for rulemaking.

The rulemaking package (SECY-13-0084, dated August 8, 2013; ADAMS No. MLI13179A068) was sent to the NRC Commission for review. On January 6, 2014 (ADAMS No. MLI4007A044), the SRM was issued approving the proposed rule with some modest changes. The proposed rule and draft guidance will be published for public comment in July 2014.

FINAL RULE

10 CFR Part 71 – Compatibility with Transportation Standards

The rule would amend the transportation safety requirements in 10 CFR Part 71 to make changes to the NRC regulations for the packaging and transportation of radioactive material.

The NRC published the proposed rule in the *Federal Register* and on May 16, 2013 (78 FR 28988). A final rule will likely be sent to the Commission in September 2014.

DIRECT FINAL RULE

10 CFR Part 70, Appendix A, Direct Final Rule, Reportable Safety Events

The direct final rule and companion proposed rule would modify the event reporting requirements in Part 70, Appendix A.

The Commission approved staff to move forward with rulemaking. (COM-SECY-13-0015; ADAMS No. MLI3044A383). The direct final rule and companion proposed rule may be published for public comment in October 2014.

10 CFR Part 73, Safeguard Information-Modified Handling (SGI-M) Categorization Change for Materials Facilities

The direct final rule and companion proposed rule would remove the SGI-M designation of the security-related information for large irradiators, M&D licensees, and for any licensee that transports Category 1 quantities of radioactive material or transports small quantities of irradiated reactor fuel that weigh 100 grams or less in net weight of irradiated fuel. The security-related information for these facilities and the transportation will be protected under the requirements of the new 10 Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material."

The staff sent the Commission a rulemaking package on April 24, 2013 (SECY-13-0045; ADAMS No. MLI3046A329), which the Commission approved. The SRM was issued on August 13, 2013 (ADAMS No. MLI3225A473). A revised rule package was sent back to the Commission for review. The direct final rule and companion proposed rule will likely be published for public comment in late summer 2014.

PETITIONS

PRM-72-7-NEI Petition – CoC Format and Content

The petition, submitted by Anthony Pietrangelo, on behalf of the Nuclear Energy Institute, requested that the NRC amend its 10 CFR Part 72 regulations to add a new rule governing spent nuclear fuel storage cask Certificate of Compliance (CoC) format and content, extend the applicability of the backfit rule to CoCs, and make other changes. The petitioner raised six issues to improve the efficiency of the licensing and oversight of spent fuel dry cask storage.

The receipt and request of the petition was published in the *Federal Register* on February 5, 2013, for a 75-day public comment period (78 FR 8050). Notice of resolution of the petition will be published in July 2014.

PRM 32-8 – Campco Petition

CampCo submitted a petition for rulemaking (PRM 32-8) requesting the NRC to amend regulations to allow commercial distribution of tritium markers.

The receipt and request of the petition was published in *Federal Register* on July 11, 2013, for a 75-day public comment period (78 FR 41720).

POLICY STATEMENT

Tribal Policy Statement

The tribal policy statement development will describe how to interact effectively with Native American tribes.

The staff sent the Commission a Tribal Policy Statement in January 10, 2014 (SECY-14-0006; ADAMS No. MLI3317B141). The policy statement will likely be published for public comment in late summer 2014.

PRE-RULEMAKING

10 CFR Part 20 – ICRP Recommendations

The rulemaking would revise 10 CFR Part 20.

FSME is developing technical issue papers and will publish them for stakeholder's comment in 2014.



TO OUR READERS

Thank you for your interest in our newsletter. In our attempt to keep the FSME News Link relevant, we welcome feedback on its contents. If you would like to suggest topics for the newsletter, please contact Vanessa Cox, FSME Rulemaking and Project Management Branch, by telephone at 301-415-8342 or by e-mail at Vanessa.Cox@nrc.gov. In addition, to ensure proper delivery of the FSME News Link and to prevent any interruption of service, please report e-mail address changes to Ms. Cox at FSME_Newsletter@nrc.gov.

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