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NRC REVISES REGULATIONS ON
RELEASE OF RADIOACTIVE MATERIALS FROM NUCLEAR FACILITIES

The Nuclear Regulatory Commission is amending its regulation that governs release of radioactive materials from NRC-licensed facilities other than nuclear power plants.

The changes are expected to eliminate unnecessary dual regulation by both the NRC and the Environmental Protection Agency by providing a basis for EPA to rescind its regulations for NRC non-reactor licensees.

The revisions will require affected NRC licensees to constrain air emissions of radioactive materials from their facilities so that the highest radiation dose an individual member of the public would be likely to receive as a result of those emissions is 10 millirems per year. This proposal is part of NRC's program to maintain radiation doses from licensed facilities to levels that are as low as is reasonably achievable.

NRC requires its licensees to ensure that the dose to an individual member of the public does not exceed 100 millirems per year from all pathways (including air emissions). The Commission believes that these current regulations provide adequate protection of the public health and safety. The revision will ensure that air emissions are maintained at a very low level, while eliminating dual regulation.

Under the NRC's revised regulations, if the 10 millirem per year constraint level is exceeded, the licensee will have to report to the NRC and take prompt and appropriate corrective action to avoid recurrence.

The 1977 amendments to the Clean Air Act required EPA to consider whether radioactive materials should be identified as a hazardous air pollutant and, if so, to adopt standards to limit their emissions. EPA decided that radioactive materials are a hazardous pollutant and issued standards for their emission in

air on October 31, 1989. Later that year, Congress enacted amendments to the Clean Air Act that said (in the Simpson amendment) that EPA need not issue standards for emissions of radioactive material from facilities licensed by the NRC if the EPA Administrator determines that the regulatory program established by the NRC provides "an ample margin of safety to protect the public health."

EPA stayed the effectiveness of its regulations for a while, but its regulations are now in effect for licensees other than nuclear power plants, which means that NRC-licensed facilities are currently subject to dual regulation of air emissions by both the NRC and EPA. (For nuclear power plants, EPA has rescinded regulation of air emissions, based on NRC regulations already in place for power reactors and a history of more than 20 years of reported air emissions well below 10 millirems per year for these plants.) The EPA regulations state that emissions of radioactive materials to air from NRC-licensed facilities must not exceed amounts that would cause any member of the public to receive a radiation dose of 10 millirems per year.

EPA conducted two studies of air emissions from NRC non-reactor licensees. For the more than 500 licensees evaluated, none exceeded 10 millirems per year. On the basis of these studies, it is evident that constraining air emissions of radioactive material to 10 millirems for the maximally exposed member of the public is reasonably achievable.

A proposed rule on this subject was published in the Federal Register on December 13 of last year. Changes made as a result of comments received are described in yesterday's edition of the Federal Register.

The revisions will be effective on January 9.

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