

**Conference of Radiation Control Program Directors (CRCPD)  
Agenda Items for June 13, 2000 NRC Briefing**

1. Introduction
2. Assistance from STP
3. CRCPD Partnership
  - Overview of partnership efforts
  - National Materials Program Working Group, Steering Committee
  - Cavalier challenge
5. Regulation development
  - S-5 Ad hoc Committee on the State's Role in National Radioactive Materials Regulation Development
  - Reorganization of SSR working groups to improve efficiency
8. Issues from May, 2,000 National Conference on Radiation Control in Tampa, FL
  - CRCPD strategic plan
  - Revised reactor oversight process
11. Other issues
  - Training for developing agreement state and non-agreement state personnel
  - KI
  - Accountability of GL sources and devices
  - 10CFR35
16. Invitation to 2001 National Conference on Radiation Control in Anchorage, AK

OSP

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**NRC BRIEFING - June 13, 2000**

**JUN 07 2000**

## **Conference of Radiation Control Program Directors, Inc. (CRCPD)**

- Good morning, Chairman Meserve and Commissioners.
- My name is Paul Schmidt and I am here as the Chairman of the Conference of Radiation Control Program Directors, commonly referred to as CRCPD.
- I thank you for the kind invitation to appear before you this morning to discuss some issues of importance to the CRCPD, provide an update on a number of important initiatives within our organization and highlight some noteworthy efforts. My comments reflect input from the executive board and some of our 55 committees and task forces addressing the wide variety of radiation issues that impact the states.
- I would first like to express CRCPD's appreciation for the support and interaction provided by the Office of State and Tribal Programs. At the headquarters level, the efforts of Paul Lohaus (NRC liaison to CRCPD), Fred Combs, Jim Myers and others from STP are instrumental in helping to maintain a positive working relationship between CRCPD and the NRC. The addition of RADRAP is also worthy of mention as a good on-line mechanism for increasing communication among state and federal radiation regulatory agencies. We look forward to better information sharing through use of the internet and a continued positive relationship with your agency. In addition, in my other role as director of the Wisconsin Radiation Control Program, I would like to extend my appreciation for the support provided by the NRC to an official agreement state 'wannabe'. I have seen first-hand how critical the support of staff from STP and the NRC regional office is to a developing agreement state. I hope this level of national and regional support to all developing agreement states can also continue into the future.
- My next comments focus on the partnership activities of the CRCPD. In order to fulfill the CRCPD mission to a) promote consistency in addressing and resolving radiation issues; b) encourage high standards of quality in radiation protection programs; and c) provide leadership in radiation safety and education; we recognize the importance of developing active partnerships with organizations and agencies involved in the many radiation protection issues that impact the states. As indicated by this slide, we pursue every opportunity to establish active partnerships with other groups through liaisons and other means.
- CRCPD's membership consists of state and local radiation control program directors and staff, staff of related federal and international agencies, representatives from the medical profession, academia and industry, and others totaling approximately 1,000 members. The members provide the working energy for our committees and task forces. An Office of Executive Director in Frankfort, KY provides coordination and administrative support.

- CRCPD, through cooperative agreements, works closely with numerous federal agencies, including the FDA, EPA, DOE, FEMA, DOT and others, in addition to our activities with the NRC.
- We work closely with many professional organizations, including the Health Physics Society, American College of Radiology, Council of State Governments, National Council on Radiation Protection and Measurements (NCRP) and the International Atomic Energy Agency.
- We also participate, whenever possible, in national initiatives focused on improving specific aspects of radiation protection. Some recent examples include:
  1. Participation in the NRC National Materials Working Group, as well as the NMWG Steering Committee, since the stated philosophy of this group "to create a true partnership of the NRC and the States that will ensure protection of public health, safety and the environment" is consistent with our goals and activities. We are very pleased for the opportunity to participate in this effort.
  2. Participation in 'Cavalier Challenge', a joint NRC and FBI emergency preparedness tabletop exercise held on May 24 in Lynchburg, VA. According to the Chairman of our E-6 Committee on Emergency Response Planning who attended this event, the exercise provided excellent interaction between the participants. We commend the NRC on jointly sponsoring this activity and support further opportunities for interaction of federal and state emergency responders.
- We believe the CRCPD, through its partnership efforts, provides a unique forum for communication about radiation issues that can help us move forward in improving radiation protection.
- In the area of regulation development, I would like to make you aware of two initiatives within CRCPD:
  1. During the Nov, 1999 Commission briefing, then Chairman Bob Hallisey of MA informed you of a CRCPD initiative to create a committee to examine the state's role in regulation development due to the impact of an increasing number of agreement states. In Feb, 2000, the CRCPD Board created the S-5 Ad hoc Committee on the State's Role in National Radioactive Materials Regulation Development. We view this committee as complimentary to the NRC National Materials Working Group and look forward to interaction between the two groups.
  2. The CRCPD Board recently evaluated the performance and activities of the

many committees charged with developing portions of the 'Suggested State Regulations for the Control of Radiation (SSR)', which is the template, radiation control regulations developed to encourage regulatory consistency among states, and has implemented changes designed to improve performance. We are keenly aware of the need to develop SSR's in an expeditious manner to reflect federal regulation changes, and are committed to continual improvements in the SSR development process. A key component of SSR development is federal participation. We request that the NRC continue to provide the financial support necessary for NRC resource staff to be involved in the SSR process.

- Last month, the CRCPD held its annual National Conference on Radiation Control in Tampa, FL. We were pleased to have Commissioner Diaz attend and present the keynote address at the conference. Two items from this conference are:
  1. CRCPD now has a member-approved strategic plan that establishes clear goals and priorities to help guide the future activities of our organization. I have provided a summary copy for your information.
  2. As an organization consisting primarily of state regulators, we recognize the need to establish and evaluate performance indicators for regulatory processes. The recent revision of the NRC reactor oversight process is a good example of revisiting performance indicators. We request that NRC continue its outreach efforts to inform the state regulatory community of the revised reactor oversight process. We also offer our assistance in any future redesign of nuclear plant and other regulatory processes.
- My next comments focus on REP and radioactive materials issues:
  1. First, we want to convey our appreciation for the quality training offered by the NRC to developing and existing agreement states, as well as stress the importance of NRC continuing its support of training as more states pursue agreement state status and address staff turnover.
  2. Second, we empathize with the NRC as you deliberate the use of KI as a protective measure for the general public. This issue is of intense interest to the states. If the final recommendation is for stockpiling of KI for the public, we request that the NRC consider funding sources and the development of implementation guidance for the states in your deliberations.
  3. We continue to support the NRC's efforts to reinvent the generally-licensed sources and devices program and address orphan sources.

4. There are many other issues related to 10 CFR 35 and materials regulation that are important to CRCPD and the states. I believe the OAS is prepared to address those issues.
- Finally, we would like to extend an invitation to the Commission to attend and participate in our next National Conference on Radiation Control that will be held from April 29 -May 2, 2001 in Anchorage, AK. This conference provides a timely forum for information sharing and discussion of the many radiation issues affecting the states and always benefits from NRC participation.
  - Thank you, again, for the opportunity to speak to you this morning. I would be happy to address any questions and comments at your convenience.

## **CRCPD STRATEGIC PLAN**

### **Goals and Objectives**

#### **GOAL 1: PRODUCE RADIATION PROTECTION SOLUTIONS THAT MEET COMMUNITY NEEDS.**

- Objective 1: Determine Membership Needs
- Objective 2: Review Working Group's Activities Annually
- Objective 3: Be Proactive in Handling New Issues
- Objective 4: Promote Standardization
- Objective 5: Expand Development of CRCPD Guidance Documents

#### **GOAL 2: ASSIST STATES WITH IMPROVING TOOLS.**

- Objective 1: Develop a Mechanism to Gather Information Requested by Member States
- Objective 2: Act as a Clearinghouse for all States/Members

#### **GOAL 3: PROMOTE AN ACTIVE, ENERGIZED MEMBERSHIP**

- Objective 1: Provide More benefits for CRCPD Members
- Objective 2: Promote Opportunities for Participation in Committee Activities
- Objective 3: Provide Training Opportunities for CRCPD Members
- Objective 4: Increase Communication Among Members

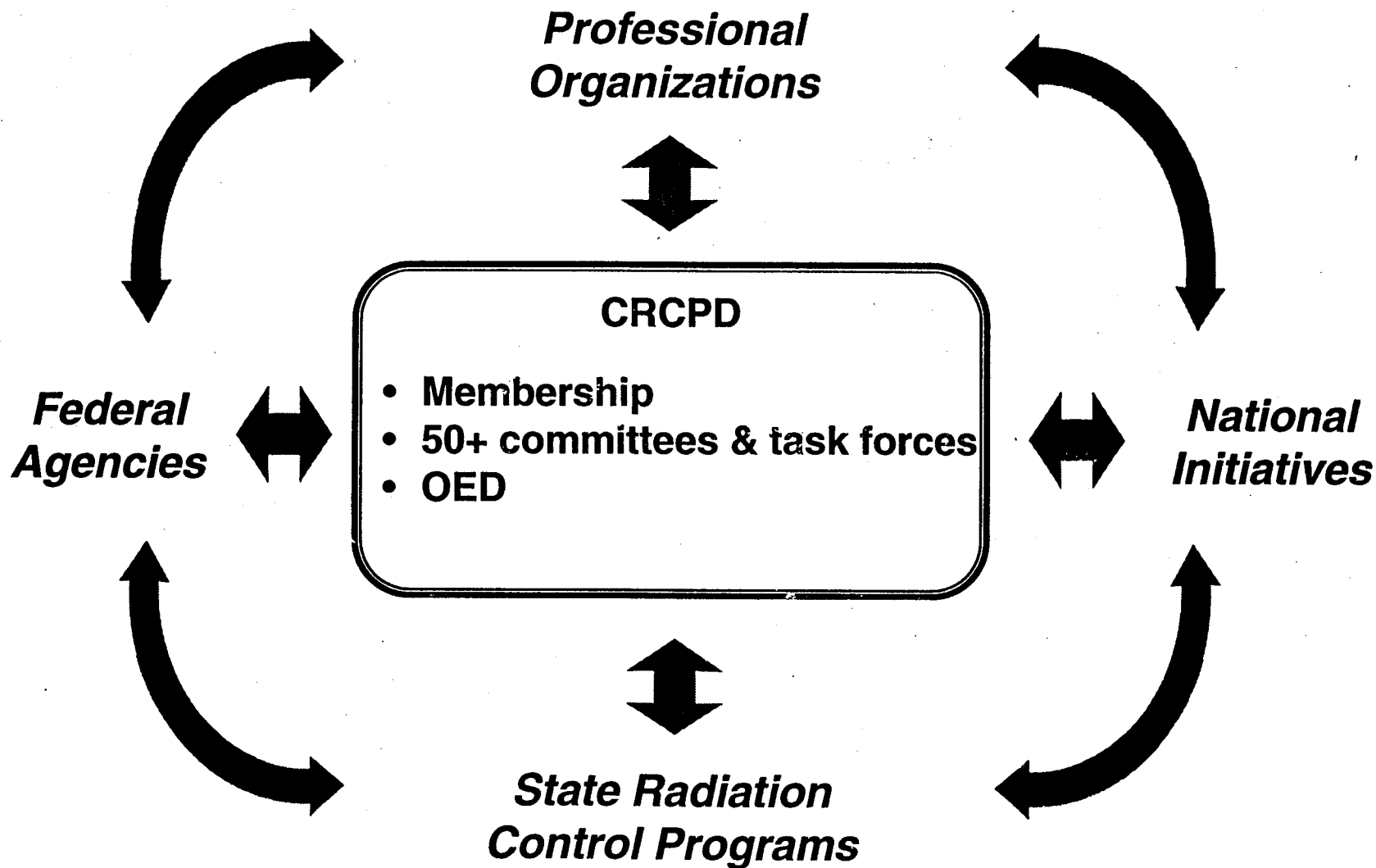
#### **GOAL 4: ASSURE SOUND FISCAL AND ORGANIZATIONAL MANAGEMENT OF CRCPD.**

- Objective 1: Maintain a Sound Fiscal Plan.
- Objective 2: Assure Effective Management of CRCPD
- Objective 3: Assure CRCPD Activities are Consistent with the Strategic Plan
- Objective 4: Evaluate the Relationship Between the CRCPD and the Organization of Agreement States

#### **GOAL 5: ENHANCE PROFILE OF ORGANIZATION.**

- Objective 1: Assume a Leadership Role on Radiation Protection and Public Policy Issues
- Objective 2: Actively Liaison with Professional Organizations and Federal Agencies
- Objective 3: Advertise What We Have

# CRCPD PARTNERSHIP



# ORGANIZATION OF AGREEMENT STATES



Organization of Agreement States

Edgar D. Bailey, P.E., CHP  
Chairman

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# AGREEMENT STATES

Alabama	Arizona	Arkansas	California	Colorado
Florida	Georgia	Illinois	Iowa	Kansas
Kentucky	Louisiana	Maine	Maryland	Massachusetts
Mississippi	Nebraska	Nevada	New Hampshire	New Mexico
New York	North Carolina	North Dakota	Ohio	Oregon
Rhode Island	South Carolina	Tennessee	Texas	Utah
		Washington		

# WANNABES

Minnesota

Oklahoma

Pennsylvania

Wisconsin

# Organization of Agreement States

- Chairman --- Edgar D. Bailey, California
- Chairman-Elect --- Kathy Allen, Illinois
- Past-Chairman --- Stanley R. Marshall,  
Nevada
- Secretary --- Richard A. Ratliff, Texas
- Secretary-Elect --- Alice Hamilton Rogers,  
Texas

# COMPARISONS

## USNRC

## Agreement States

- States --- 19 (38%)
- Licensees --- 5,296 (25%)
- Population --- 74,712,000 (27%)

- States --- 31 (62%)
- Licensees --- 16,202 (75%)
- Population --- 199,923,000 (73%)

# OAS ACTIVITIES

- Annual Meeting of the Agreement States
- Establishment of RAD RAP
- Monthly Conference Call with USNRC and “Notes” of the Call which Are Distributed to All Agreements States and Wannabes
- Initiation of Annual Planning Session

# OAS ACTIVITIES Cont.

- Participation of Agreement State Personnel on USNRC Work Groups, etc.
- Participation of Agreement State Personnel on IMPEP Review Teams and Management Review Boards
- Goal of Establishing a “Virtual” Office
- Goal of Incorporation of OAS

# OAS ACTIVITIES Cont.

- Goal of Providing Greater Input to Congressional Committees
- Goal of Increasing Support to USNRC in Its Goals and Program Efforts

# OAS Annual Meeting

October 2 to 4, 2000

Charleston, South Carolina

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# OAS CONCERNS

- Harmonization of Training, Risk Management, and Regulations & Procedures
- Training (and Its Funding)
- National Materials Program
- External Regulation of DOE
- Regulation of Pre-1978 Materials

# OAS CONCERNS Cont.

- 10 CFR Part 35
- Source Material (10 CFR Part 40)
- NORM and NARM Regulation
- Stockpiling of KI
- D & D Regulations
- “Clearance Rule” Regulations

# HARMONIZATION

Training

Risk Management

Regulations and Procedures

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# TRAINING

- Basic Educational Standards
- Joint Specialized Training Courses
- Joint Continuing Education & Refresher Courses

# RISK MANAGEMENT

- External Regulation of USDOE
- Regulation of USACE FUSRAP Program
- Military Base Closures/Cleanups
- Regulation of NORM and NARM
- OSHA Regulations
- D&D and “Clearance Rule” Harmonization

# REGULATIONS and PROCEDURES

- Same Regulations Apply to All Entities including USDOE, USACE, OSHA, and Base Closures
- Same Regulations Apply to All Radioactive Materials including NORM, NARM, SM, & Pre 1978 Materials
- Same Level of Protection for All Exempt Materials & Items

# REGULATIONS and PROCEDURES Cont.

- Same “Cleanup” Standards Apply to Byproduct, Source, and Special Nuclear Materials
- Seamless Transition between D&D and “Clearance Rule” Standards
- IMPEP Reviews Focused to Ensure that Standards Are Being Uniformly Applied

# Organization of Agreement States

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Alice Rogers  
Texas Natural Resource Conservation Commission

# Topics

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- 10 CFR Part 40
- NORM
- Pre-1978 11.e.2 (FUSRAP) Material

# 10 CFR Part 40

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## OAS & Colorado Petition for Rulemaking

- Priority
- Risk
- State's input
- Clear

# Naturally Occuring Radioactive Material

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(NORM)

- Drinking Water Treatment
- Oil and Gas Exploration and Production
- Paper Mill Sludges
- Some Uranium Mill Tailings
- Phosphogypsum Tailings
- Foundry Zircon Sands
- Granite

# Different Standards for Disposal

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- Louisiana  $<150$  pCi/gm in NOW landfill
- Michigan  $<50$  pCi/gm in Type 2 MSW landfills
- New Mexico injection in company's own wells
- Texas injection of o&g NORM on or offsite
- Texas no standards for industrial NORM disposal

# **EPA's Drinking Water Rule**

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Sets limits for radon and radium in drinking water

- Disposal of NORM contaminated wastes will be a problem for many PWS

# **Pre-1978 11.e.2 Material**

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- Relook at current authority
- Seek clarification on authority

**Kathy Allen, IL**

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**Chair-Elect**  
**Organization of Agreement States**

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# **National Materials Program Working Group**

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- ◆ **List Program Elements**
    - **IMPEP**
    - **CRCPD's "Criteria for an Adequate Radiation Control Program"**
  - ◆ **Evaluate Element Options  
Against WG Philosophy**
  - ◆ **Create Recommendations for  
Consideration**
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# **Common Attributes of a National Program**

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- ◆ Develop Priorities Cooperatively**
  - ◆ Increase Horizontal Communication**
  - ◆ Create Centers of Excellence/Expertise**
  - ◆ Recognize Current Successes**
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# **Common Attributes of a National Program**

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- ◆ Reduce Duplication of Efforts**
  - ◆ Share Responsibilities**
  - ◆ Share Resources**
  - ◆ Use Alternative Resources**
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# **National Program Challenges**

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- ◆ **Change Procedures/Processes**
  - ◆ **Buy-In from States & NRC**
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# Compatibility of Rules

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## ◆ Levels of Compatibility

- A, B, C, D, H&S

## ◆ Levels of Review

- Equivalent to Compatibility level

## ◆ Problems with Changes after Comment Period

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# **Recent Compatibility Changes**

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- ◆ **GL Rule**
  - ◆ **Medical Rule**
    - **I-131 Training**
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