

October 15, 1992

MEMORANDUM FOR: James M. Taylor  
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: SECY-92-325 - CHARACTERIZATION OF DISCRETE  
NARM AND EVALUATION OF THE NEED TO SEEK  
LEGISLATION EXTENDING NRC AUTHORITY TO  
DISCRETE NARM

This is to advise you that the Commission has not objected to the staff position to not seek legislative authority over naturally-occurring and accelerator-produced radioactive materials (NARM). The staff should continue to work with EPA and other Federal and State agencies with regard to NARM regulation. The staff should send the proposed letter to the Conference of Radiation Control Program Directors (CRCPD) after incorporating the changes indicated in the attachment. Also, inasmuch as until 1989 the States encouraged NRC to seek legislation to bring NARM under the agency's AEA jurisdiction, but have since that time consistently viewed NARM as an issue for State regulation, based on the CRCPD strategy document on NARM, the letter should be modified to reflect this change in the States' position.

While the NRC should focus its efforts on assisting EPA in their efforts to address NARM under the Toxic Substances Control Act (TSCA), care should be taken that in so doing it is clear that the NRC position on the low-level waste disposal draft proposed standard has not changed in any way.

Attachment:  
As stated

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SECY NOTE: THIS SRM AND SECY-92-325 WILL BE MADE PUBLICLY  
AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS  
SRM

cc: The Chairman  
Commissioner Rogers  
Commissioner Curtiss  
Commissioner Remick  
Commissioner de Planque  
OGC  
OIG