

October 25, 1991

MEMORANDUM FOR: James M. Taylor  
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary /S/

SUBJECT: SECY-91-241 - ADEQUACY OF RADIOACTIVE  
MATERIALS USED UNDER THE GENERAL LICENSE OF  
10 CFR 31.5

The Commission (with all Commissioners agreeing) has agreed that the paper provides a good summary of activities that have occurred over the past year. The staff should provide the Commission comprehensive, periodic updates (on a semi-annual basis) on this program which include specific milestones and address all elements of the plans for improved oversight of general licensees, including the status of all the related rulemaking efforts.

Future reports should also address the following issues:

- 1) The Commission expressed the view in the SRM on SECY-90-175 that workers who receive on-the-job exposures involving generally licensed sources " ... are members of the general public rather than radiation workers." In SECY-91-241, the staff states that these workers are not necessarily members of the general public. The staff should provide rationale for classifying these workers as either members of the public or radiation workers.
- 2) Should a final decision be made to lower the design dose limit for generally-licensed devices, the staff should consider options for mitigating the impacts, such as applying the lower limits only to future products.
- 3) The staff reported that evaluation of the impact of reducing the design dose criteria would include a complex and expensive contractual undertaking and recommends against such an initiative. Does the NRC currently have exposure data, or require manufacturers to provide such data, in the

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SECY NOTE: THIS SRM, SECY-91-241, AND THE VOTE SHEETS OF THE CHAIRMAN, AND COMMISSIONERS ROGERS AND CURTISS WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS

FROM THE DATE OF THIS SRM

context of the existing 500 millirem limit? If not, what provides the basis for the staff belief that "the typical exposures are well below the 500 millirem limit?" The staff should also provide its view on the potential merit of a study of the doses actually received by workers in order to assess the level of protection being achieved by the existing program.

- 4) The staff should provide further rationale for why no actions are planned for those licensees who responded to the survey, but could not account for their sources and information on how all follow-up actions have been factored into the regulatory improvement plan.
- 5) According to SECY-89-289, Agreement States charge fees and inspect general licensees, yet staff claims that NRC cannot collect fees and that they only inspect general licensees for specific causes, since agency resources required to collect fees and routinely inspect would be prohibitive. Consequently, there continues to be an apparent inequity between specific licensees, who are charged fees, and general licensees possessing similar sources, who are not subject to fees. The staff should present and evaluate potential options for resolving or mitigating this inequity. If it cannot be resolved or mitigated, a credible explanation should be provided.
- 6) The staff should more fully assess and discuss the potential issues associated with availability and appropriate use of disposal and storage options by general licensees.

(EDO) (SECY Suspense: 4/17/92)

The staff should submit its final recommendations on (1) the need for future improvements in the regulatory oversight of general licensees, (2) whether to recommend specific licensing for some generally-licensed devices, and (3) the dose criteria for the design of devices for general licensees after completion of the peer review of the Oak Ridge Associated University report on the "Improper Transfer/Disposal Scenarios for Generally-Licensed Devices."

(EDO) (SECY Suspense: 12/31/92)

cc: The Chairman  
Commissioner Rogers  
Commissioner Curtiss  
Commissioner Remick  
OGC  
GPA

OIG