



Conference of Radiation Control Program Directors, Inc.

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May 31, 2002

Paul H. Lohaus, Director
Office of State and Tribal Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Paul:

Please find enclosed a resolution passed by the Conference of Radiation Control Program Directors, Inc. (CRCPD) membership on May 8, 2002, at our recent annual meeting in Madison, Wisconsin, relating to the release from regulatory control of solid materials from nuclear facilities. As you will note in the enclosed resolution, CRCPD is recommending that

- NRC move forward without delay with a rulemaking process for developing national standards for the control of solid materials from nuclear facilities,
- That standards include a prohibition against the importation of solid materials exceeding the U. S. standard, and
- That technical bases developed by NRC need to include considerations of NARM and TENORM.

As you may be aware, this resolution was presented to the CRCPD membership by the CRCPD Committee on Resource Recovery and Radioactivity (E-23). Pete Myers, E-23 Chairperson, has requested that I also provide Tony Huffert, NRC staff person and E-23 NRC resource person, with a copy of this resolution since it is our understanding that NRC is currently working on a SECY paper dealing with this subject. I have shown Tony as a "cc" to this transmittal letter.

On behalf of the CRCPD membership, we appreciate NRC's attention and possible action on the ideas and recommendations addressed in this resolution.

Sincerely,

Patricia C. Gorman

Administrative Officer

PCG/pg

Enclosure

CC: Tony Huffert
Board of Directors/OAS Advisory Representative
Charles Hardin
Ronald Fraass

Pete Myers, E-23 Chairperson



CONFERENCE OF RADIATION CONTROL PROGRAM DIRECTORS, INC.

RESOLUTION

- Relating to:** The Release from Regulatory Control of Solid Materials from Nuclear Facilities.
- WHEREAS:** There is no national regulatory standard for consistently clearing solid materials from nuclear facilities; and, the Conference of Radiation Control Program Directors, Inc. (CRCPD) recognizes inconsistencies in the current approach to decisions made on clearing solid materials from regulatory control, and
- WHEREAS:** A uniform clearance standard has clear advantage over the current case-by-case approach in clearance of solid materials, and
- WHEREAS:** The CRCPD has historically recommended that naturally occurring and accelerator produced radioactive material (NARM) and technically enhanced naturally occurring radioactive material (TENORM) be treated consistently and uniformly in the development of standards for the control of solid materials, and
- WHEREAS:** The CRCPD, in prior resolutions, has advocated for development of an individual dose criterion and establishment of a policy and rulemaking based on sound, risk-based policy for exempting products or practices based on associated individual risks being trivial, and
- WHEREAS:** A risk based and technically defensible standard will serve to improve public confidence while maintaining human health and protection of the environment, and
- WHEREAS:** The U. S. Nuclear Regulatory Commission (NRC) will soon be making a decision on whether to move forward with a rulemaking process or other alternatives, and
- WHEREAS:** NRC decisions on selection of a final dose criterion and concentration guidelines would be driven by a rulemaking process that includes stakeholder involvement and building upon already established national and international technical consensus, and
- WHEREAS:** NRC rulemaking would include transparent and independent analysis of technical bases for the rulemaking, and

WHEREAS: The Department of Energy (DOE), with its current initiative to develop a Programmatic Environmental Impacts Statement on scrap metal, may independently move forward to develop clearance criteria for their facilities, and

WHEREAS: National standards developed by NRC would serve to encourage DOE and other federal and state agencies to establish compatible standards, and

WHEREAS: Regulations pertaining to controlling solid materials would provide a lasting and durable legal foundation for decisions made on clearing solid materials from nuclear facilities.

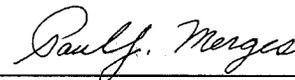
NOW BE IT RESOLVED:

That the CRCPD recommends the NRC move forward without delay with a rulemaking process for developing national standards for the control of solid materials from nuclear facilities,

That standards include a prohibition against the importation of solid materials exceeding the U. S. standard, and

That technical bases developed by NRC need to include considerations of NARM and TENORM.

Approved by the CRCPD Membership on May 8, 2002



Paul J. Merges, Ph.D.
CRCPD Chairperson