Conference of Radiation Control Program Directors, Inc.

Office of Executive Director ◆ 205 Capital Avenue ◆ Frankfort, KY 40601
Phone: 502/227-4543 ◆ Fax: 502/227-7862 ◆ Web Site: www.crcpd.org
Central E-mail: staff@crcpd.org

Board of Directors

Chairperson
Cynthia C Cardwell
Texas

Chairperson-Elect
Richard A Ratliff
Texas

Past Chairperson
Paul J. Merges, Ph D
New York

Treasurer
Terry C. Frazee
Washington

Members-at-Large
Julia A. Schmitt
Nebraska

Russell S. Takata
Hawaii

Debbie B. Gilley
Florida

Office of Executive Director

Executive Director
Ronald G Fraass
Kentucky

Administrative Officer
Patricia C. Gorman
Kentucky

October 16, 2002

Paul H. Lohaus, Director
Nuclear Regulatory Commission (NRC)
State and Tribal Programs
Washington, DC 20555

RE: Regulation of DOE Facilities Resolution

Dear Paul:

On behalf of the Conference of Radiation Control Program Directors, Inc. (CRCPD) membership, please find enclosed a resolution relating to the regulation of DOE facilities and responsibilities of states for the regulation of radiation sources (radioactive materials and radiation producing machines) at those facilities. As noted in the enclosed document, the CRCPD is recommending the following:

- That the CRCPD formally request Congress to recognize the authority of the state radiation control programs over sources of ionizing radiation in these contractor-operated DOE facilities for which the state has statutory and regulatory authority; and
- That a copy of this resolution be provided to the DOE, the Nuclear Regulatory Commission (NRC), and the appropriations committees having jurisdiction over NRC and DOE.

I would like to request your assistance in identifying contact information relative to whom in Congress should receive this resolution and which appropriations committees have jurisdiction over your agency.

On behalf of the CRCPD membership, we appreciate your consideration of this resolution and the information that has been provided.

Sincerely,

Ronald G. Fraass
Executive Director

RGF/PCG/ss
Enclosure
CC: Board of Directors/OAS Advisory Representative
Ed Bailey, Chairperson, Committee on Federal Facilities

SP02

CONFERENCE OF RADIATION CONTROL PROGRAM DIRECTORS, INC.

RESOLUTION

Relating to: Regulation of U.S. Department of Energy Facilities and Responsibilities of States for the Regulation of Radiation Sources (Radioactive Materials and Radiation Producing Machines) at Those Facilities.

WHEREAS: The U.S. Department of Energy (DOE) facilities that utilize radiation sources presently are not subject to the external oversight equivalent to other governmental agencies and private industry; and

WHEREAS: Resolutions passed by the Conference of Radiation Control Program Directors, Inc. (CRCPD) in 1991 and 1993 have consistently supported the external regulation of the DOE; and

WHEREAS: In the fall of 2001, the conference committee considering appropriations bills for energy and water development (H.R. 2311 and S 1171) directed DOE to prepare an implementation plan to transition to external regulation at certain DOE non-defense science laboratories; and

WHEREAS: The radiation sources at contractor-operated DOE science laboratories and facilities include machine sources such as x-ray machines and accelerators, accelerator-produced radioactive materials, and Atomic Energy Act (AEA) materials; and

WHEREAS: The states have comprehensive radiation control experience in regulating sources such as these and have existing statutes, regulations, inspection procedures, equipment, and personnel for the oversight of facilities such as these; and

WHEREAS: It would be most effective and cost-efficient to extend the existing state programs for the regulation of sources of radiation at these contractor-operated DOE facilities.

NOW, THEREFORE, BE IT RESOLVED:

That the CRCPD formally request Congress to recognize the authority of the state radiation control programs over sources of ionizing radiation in these contractor-operated DOE facilities for which the state has statutory and regulatory authority;

BE IT FURTHER RESOLVED:

That a copy of this resolution be provided to the DOE, the Nuclear Regulatory Commission (NRC), and the appropriations committees having jurisdiction over NRC and DOE.

Approved by the CRCPD Membership on May 6, 2002

Paul J. Merges

Paul J. Merges, Ph.D.
CRCPD Chairperson