



# Conference of Radiation Control Program Directors, Inc.

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February 29, 2008

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Dear Mr. McCraw:

The leadership of the Board of Directors of the Conference of Radiation Control Program Directors (CRCPD) has reviewed the Independent External Review Panel's Draft Report. We found the draft report to be comprehensive. We offer the following comments for consideration in the finalization of the report:

- 1) Regarding Recommendation 2, we believe that determining the information for the licensing process that should be readily accessible and available to members of the public under the Freedom of Information Act and that which should remain secure will be quite difficult. The Nuclear Regulatory Commission and many Agreement States have had licensing guidance on their web sites for several years. The withdrawal of some of the licensing guidance will also lengthen the process by requiring more direct correspondence back and forth from the applicant. This will increase the time and resources required to complete the application, renewal and inspection process for NRC and the states.
- 2) Recommendation 4 states: "The Panel recommends development of prescriptive physical security requirements using a risk-informed, graded approach. These standards would likely be more prescriptive than the requirements currently found in the IC Orders. This would help assure that physical protection of licensed materials is in conformance with a risk-informed decision-making process regarding security and safeguards issues.

This recommendation deviates from the Increased Controls Working Group's primary goal when developing the IC's and also seems counter to an earlier recommendation about providing too much information to potential malevolent users. The working group realized that a large number of variables exist between licensees in terms of facility design and process flow. One size does not fit all. Having a prescriptive nature to the IC's could have a much greater impact on the licensee in terms of cost and effective implementation and access to health care. In some cases, it may also compromise health and safety at the facility. These effects are especially true for medical facilities. It is also not performance-based, which was another of the working group's priorities. If prescriptive requirements are made available, the adversaries would know exactly what measures were in place and could easily plan a way to defeat them.

Page Two  
Aaron T. McCraw  
February 29, 2008

- 1) The proposed mechanism for effective communication is unclear. What is the proposed method to communicate regulatory requirements, inspection findings, and security plans that would also be secure from those who wish to do harm?
- 2) If the recommendations are implemented, additional training of both NRC and State staff will be needed on the culture of security versus the more familiar health and safety culture. The security training currently offered will need to expand and be offered to license evaluators as well as inspectors.

We appreciate the opportunity to comment on this important report. If you have any questions concerning the comments, do not hesitate to contact me.

Sincerely,



Debbie Gilley  
Chairperson

cc: Robert Lewis, OFSMEMP, NRC  
Cynthia Cardwell, OAS  
Tom Hill