April 13, 2009

ALL AGREEMENT AND NON-AGREEMENT STATES
ALL STATE LIAISON OFFICERS

OPPORTUNITY TO PROVIDE FEEDBACK ON THE OPTIONS TO REVISE RADIATION PROTECTION REGULATIONS AND GUIDANCE WITH RESPECT TO THE 2007 RECOMMENDATIONS OF THE INTERNATIONAL COMMISSION ON RADIOLOGICAL PROTECTION (FSME-09-025)

Purpose: To inform the States and State Liaison Officers that the U.S. Nuclear Regulatory Commission (NRC) is soliciting comments from stakeholders and interested parties on the regulatory issues and options to achieve greater alignment between NRC's radiation protection regulations and the 2007 recommendations of the International Commission on Radiological Protection (ICRP) contained in ICRP Publication 103.

Background: On December 18, 2008, the NRC staff provided a Policy Issue Notation Vote Paper (SECY-08-0197) to the Commission which presented the regulatory options of moving, or not moving, towards a greater degree of alignment of the NRC regulatory framework with ICRP Publication 103. In a Staff Requirements Memorandum (SRM) dated April 2, 2009, the Commission approved the staff's recommendation to immediately begin engagement with stakeholders and interested parties to initiate development of the technical basis for possible revision of the NRC's radiation protection regulations, as appropriate and where scientifically justified.

Discussion: The Commission believes that the current NRC regulatory framework continues to provide adequate protection of health and safety of workers, the public, and the environment. From a safety regulation perspective, ICRP Publication 103 proposes measures that go beyond what is needed to provide adequate protection. In order to ensure that the NRC is well informed of all the benefits and burdens associated with further alignment of NRC's current radiation protection regulations with ICRP 103, we will actively engage stakeholders and interested parties on the technical and regulatory issues associated with such changes. NRC staff will utilize this feedback in drafting the appropriate technical basis and making suggestions for proposed rulemaking to the Commission. An overview of the possible changes to both material- and reactor-based radiation protection regulations are outlined in SECY-08-0197, which is publically available in the Agency wide Documents Access and Management System (ADAMS) under accession No. ML083360582. The SRM to SECY-08-0197 is also publically available in ADAMS accession No. ML090920103. In addition, there will be an opportunity for the stakeholders and interested parties to introduce other options, issues, and information for the NRC's consideration. We are currently constructing a dedicated website for stakeholder comments and/or input.

In preliminary discussions with the NRC on this topic, representatives from the Organization of Agreement States (OAS) and the Conference of Radiation Control Program Directors (CRCPD) indicated their eagerness to provide early feedback during this process. A session to receive initial feedback on this topic was held at the 2008 OAS meeting in Columbus, Ohio. We utilized the initial feedback in constructing the options presented to the Commission in SECY-08-0197.

We appreciate the input and hope to continue fostering this engagement around the pertinent issues while drafting the technical basis within the next 2-3 years. The subject is an agenda item at the CRCPD's 41st Conference on Radiation Control in May 2009. In addition, this topic has been submitted for consideration at the State Liaison Officer Counterpart meeting in August 2009.

We invite you to respond to this letter, or through any other mechanisms mentioned herein, to provide comments, views, and/or interests related to the subject matter.*

If you have any questions regarding this correspondence, please contact me at (301) 415-7278 the individuals named below.

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*This information request has been approved by OMB 3150-0029, expiration 08/31/2010. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

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