November 2, 2010

MEMORANDUM TO: James Danna, Chief
Rulemaking Branch A
Division of Intergovernmental Liaison and Rulemaking
Office of Federal and State Materials
and Environmental Management Programs

FROM: Kimyata Morgan-Butler, Health Physicist ***/RA James Danna for/***
Rulemaking Branch A
Division of Intergovernmental Liaison and Rulemaking
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: SUMMARY OF PUBLIC WORKSHOP ON POTENTIAL CHANGES TO THE U.S. NUCLEAR REGULATORY COMMISSION RADIATION PROTECTION REGULATIONS AND GUIDANCE

On October 25, 2010, the U.S. Nuclear Regulatory Commission (NRC) held a public meeting, in the format of a facilitated roundtable workshop, in Silver Spring, Maryland. The workshop was also available through the web (webinar). The purpose of the three-day workshop was to solicit early public input on the potential changes to the NRC's radiation protection regulations in light of recommendations presented in the International Commission on Radiological Protection (ICRP) Publication 103 (2007). This was the first in a series of three public meetings being held nation-wide on this topic. A notice of the public meetings with a request for comments was published in the *Federal Register* (75 FR 59160) on September 27, 2010 (enclosed). Specific information regarding meeting dates, times, and locations was made publically available early in October 2010 (enclosed). The agenda for the three-day meeting is also enclosed.

The workshop began with opening remarks from Mark Thaggard, Deputy Director, Division of Intergovernmental Liaison and Rulemaking (DILR), Office of Federal and State Materials and Environmental Management Programs (FSME). During the first two days of the workshop, meeting participants discussed issues related to NRC radiation protection regulations and guidance, including: effective dose and numerical values, occupational dose limits, doses to special populations (embryo/fetus of a declared pregnant worker and dose limits for members of the public), and dose constraints. On the third day of the workshop, discussions were focused on the technical issues and options related to the power reactor radiation protection standards contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix I, including: revision of the basis for design objectives, implementation, approach and considerations in revision of the regulations, and the scope of revisions.

CONTACT: Kimyata Morgan-Butler, FSME/DILR
(301) 415-0733

The roundtable panel members were pre-selected for the workshop to represent the diversity of stakeholders for the various uses of radioactive materials licensed by the NRC. The panel members included representatives from the following organizations: Nuclear Energy Institute, Exelon Nuclear, Duke Energy, Southern Nuclear Company, Dominion Resources, Organization of Agreement States, Conference of Radiation Control Program Directors, U.S. Environmental Protection Agency, Canadian Nuclear Safety Commission, National Institutes of Health, U.S. Department of Energy, Troxler Electronic Laboratories, Inc., American Portable Nuclear Gauge Association, International Source Suppliers and Producers Association, Society of Nuclear Medicine, American College of Radiology, EnergySolutions, United States Enrichment Corporation, Oak Ridge National Laboratory, Triad Isotopes, Inc., and S.M. Stoller Corporation. In addition, audience members and webinar participants had the opportunity to offer input during the discussions. Lists of the panel members and meeting participants are enclosed.

Meeting participants expressed a wide variety of perspectives and views. Related to terminology and numerical values, meeting participants expressed support for moving to updated methodologies, and consistent terminology. Participants viewed this issue as the most important aspect of consistency with international recommendations. Related to the dose limits, many panel members asserted that there was not a sufficient scientific basis for changing the occupational dose limit, and examples of possible impacts were provided. With respect to sensitive populations, various views were expressed. NRC staff encouraged stakeholders to consider voluntarily submitting data related to the dose limit for an embryo/fetus, if available. With respect to dose constraints and optimization, participants expressed a concern about the possibility that introduction would be a de facto limit, particularly if numerical values were included. However, there was support for the need to do planning for radiation protection, and the importance of planning criteria as part of that planning process. With respect to Part 50 Appendix I, there was support for moving to an updated methodology, and a wide-ranging discussion of the various questions on the scope of a possible revision. The panel engaged in a considerable discussion on the relationship between the NRC regulatory changes and possible changes to the U.S. Environmental Protection Agency's Generally Applicable Environmental Standards in 40 CFR Part 190.

Staff encouraged participants to submit written comments to the agency in response to questions presented at the meeting and the *Federal Register* notice published on September 27, 2010 (enclosed). A transcript of the workshop proceedings will be posted to NRC's public website.

Materials that were provided to the participants in the workshop are enclosed.

For further information contact Kimyata Morgan-Butler at (301) 415-0733, e-mail: Kimyata.MorganButler@nrc.gov or Donald A. Cool at (301) 415-634, e-mail: Donald.Cool@nrc.gov.

Enclosures:
As stated

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OFFICE	RBA/DILR/FSME	BC: RBA/DILR/FSME
NAME	Morgan-Butler	JDanna
DATE	11/01/10	11/02/10

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