November 24, 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: Vanessa Cox, Project Manager ***/RA Gary C. Comfort 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 November 3, 2010, the U.S. Nuclear Regulatory Commission (NRC) held a public meeting, in the format of a facilitated roundtable workshop, in Los Angeles, California. The purpose of the 2-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 second 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 2-day meeting is also enclosed.

The workshop began with opening remarks from Josephine Piccone, Director, Division of Intergovernmental Liaison and Rulemaking (DILR), Office of Federal and State Materials and Environmental Management Programs (FSME). During 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.

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, Harbor UCLA Medical Center, AREVA, Valley Industrial X-Ray and Inspection Services,

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University of California-Los Angeles, American Association of Physicists in Medicine, Southern California Edison, Children's Hospital of Los Angeles, Conference of Radiation Control, Conference Directors**,** California Department of Public Health, Los Angeles County Department of Public Health, University of Southern California Medical Center, Hoag Memorial Hospital Presbyterian, Therapy Physics, Inc., American College of Radiology, City of Hope Medical Center, Council on Radionuclides and Radiopharmaceuticals, Veterans Affairs Medical Center, and U.S. Nuclear Regulatory Commission. In addition, audience members 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. Particularly important in this area was the need for agreement on the acceptable calculation approaches for effective dose. 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. Several participants asserted that safety would be decreased by reducing the limits, because some individuals would not use dosimetry in order to continue to perform their work. With respect to sensitive populations, most participants did not believe there was a need to change the current regulatory approach. Medical participants stated that the NRC should not change requirements for patient release. Participants indicated that they were not aware of any instances, other than patient release, where licensees have ever needed to request use of alternative dose limits for the public. 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 the 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.

The NRC 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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