

TELEPHONE CONFERENCE CALL SUMMARY
GLOBAL NUCLEAR FUELS – AMERICAS
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DATE AND TIME: January 3, 2019, 11:30 a.m.

PARTICIPANTS:	<u>FCSE, FFLB</u> Tyrone Naquin Merritt Baker Kevin Ramsey	<u>GNF-A</u> Scott Murray (Licensing) Jonathan Rohner (EH&S) Brad Beard (Facility Manager) Phil Ollis (Licensing) Brian Henderson (Rad Protection)
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Staff from Global Nuclear Fuels – Americas (GNF-A) requested a discussion regarding an approach for a potential upcoming exemption request. On July 27, 2015, the Nuclear Energy Institute (NEI) requested (Agencywide Documents Access and Management System [ADAMS] Accession Number ML15217A488) clarification of ‘spreadable contamination,’ and ‘unplanned,’ as they pertain to event reporting requirements in Title 10 of the *Code of Federal Regulations* (10 CFR), Paragraphs 40.60(b)(1) and 70.50(b)(1), which require a 24 hour notification of an unplanned contamination event that requires access to the contaminated area to be restricted for more than 24 hours by imposing additional controls of prohibiting entry. These issues were submitted using the NEI 14-14 Regulatory Issue Resolution Protocol. The Division of Fuel Cycle Safety, Safeguards, and Environmental Review (FCSE) established a team to review and evaluate the issues. Public Meetings were held in August and October 2016 to broadly discuss the issues with industry. On October 27, 2016, NEI submitted further information (ADAMS ML16330A146) regarding the topics, proposing minimum acceptance criteria for consideration to the problem statements. On April 4, 2017, staff responded (ADAMS ML17065A174) that issues with 10 CFR 40.60(b)(1) and 70.50(b)(1) could be addressed through the existing regulatory requirements and that the staff intended to issue a Regulatory Issue Summary (RIS) to provide additional information regarding the regulatory requirements. On October 4, 2018 the Division Director (FCSE) issued correspondence (ADAMS ML18236A321) stating industry’s proposal to exclude contamination events from reporting requirements would not be consistent with current radiation safety programs. In addition, this correspondence stated that no RIS would be issued and that the existing regulatory framework is adequate to address these issues.

On November 19, 2018, GNF-A notified the Headquarters Operations Center (Event Notification 53744) of an unplanned contamination restricting access for greater than 24 hours, as specified in 10 CFR 70.50(b)(1)(i). This occurred in a restricted area and, though the public was unaffected by this event, GNF-A conservatively reported the event. This prompted GNF-A to consider a regulatory approach to establish a threshold for reporting in accordance with regulatory requirements. Scott Murray discussed the possibility of using an exemption request using the criteria proposed in the NEI response to the October public meetings (ADAMS ML16330A146). This approach would follow what has been used successfully by industry in addressing the issue of reporting of unplanned medical treatment with spreadable contamination of 10 CFR 70.50(b)(3). Exemptions have been approved with specific prescriptive criteria. Kevin Ramsey stated criteria for imposing of radiological controls would have to be more specific than ‘imposing controls as necessary,’ which was identified in the NEI response. Merritt Baker inquired if there are not procedures that GNF-A staff uses that contain action levels that could be used as notification thresholds. Brian Henderson stated there are existing Radiation Protection Procedures with specific survey criteria triggered by contamination

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levels, but that these limits are inappropriate to use as a notification threshold because they are work-specific and pertain to general cleanliness. Kevin Ramsey stated that GNF-A needed to evaluate criteria that would provide assurance of notification for certain circumstances and that perhaps these could be tied to performance criteria established in 10 CFR Section 70.61. Ty Naquin inquired how an inspection team would be able to review any events involving contamination under a planned exemption. Phil Ollis stated that current practice requires documentation of any events involving contamination. This documentation is already reviewed by Region staff and would not be changed under exemption. Global Nuclear Fuels – Americas staff stated they would further evaluate criteria which may be useable and provide a threshold for notification before submitting an exemption request.

PRINCIPAL CONTRIBUTOR

Tyrone Naquin