



OFFICE OF THE  
SECRETARY

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

*State Prog.*

March 21, 1980

MEMORANDUM FOR: William J. Dircks, Acting EDO  
FROM: Samuel J. Chilk, Secretary *[Signature]*  
SUBJECT: SECY-80-17 - REVISION OF CRITERIA FOR EVALUATING AGREEMENT  
STATE RADIATION CONTROL PROGRAMS (COMMISSIONER ACTION ITEM)

This is to advise you that the Commission (with three Commissioners concurring) has approved the recommendation to issue the revised criteria as a Commission Policy Statement. Commissioners Gilinsky and Bradford dissented in this action.

Commissioner Gilinsky would revise the criteria to include technical indicators suggested by the State of California.

In connection with his disapproval Commissioner Bradford noted:

"I agree with the EDO's desire to withdraw this paper and do the job right."

While the Commission approves the recommendation to issue the revised criteria as a Commission Policy Statement, it requests that the statement be accompanied by a request for public comment and should include background material on those comments that have already been received and incorporated in the revised criteria. Further, the Commission wishes the Policy Statement to address the comments provided by the Office of Standards Development relating to "performance data, such as incident reports," and the NMSS comments regarding the complement of technical personnel with the necessary qualifications to handle the broad range of safety matters which could arise in Agreement State programs and those of the State of California, relating to the use of "an additional category of indicators," including "the exposure experience of radiation workers, patients in nuclear medicine and the public in the vicinity of licensed facilities."

In addition, the Policy Statement should be modified to:

- (1) Expand the introduction section to provide a more complete explanation of how the guide categories and information will be used by the NRC in reviewing Agreement States programs. (For example, will NRC develop a check list with all Category I items required to be noted "Satisfactory"?)
- (2) Explain the relationship between the determination whether a program is adequate to protect the public health and safety and the determination whether the program is compatible with the NRC Regulatory Program. (Can a program be compatible but inadequate?)
- (3) Add the technical quality of the review process as a Category I item.

The Commission has noted the potential advantages of a public meeting on this matter and has decided to defer a decision in this regard pending receipt of public comment on the Policy Statement.

Individual Commissioner comments have been provided you under separate cover.

cc:

Chairman Ahearne  
Commissioner Gilinsky  
Commissioner Kennedy  
Commissioner Hendrie  
Commissioner Bradford  
Commission Staff Offices  
Director, State Programs

CONTACT:  
SJSParry (SECY)  
4-1410