

Staggers

HARLEY D. STAGGERS, W. VA., CHAIRMAN

Congress of the United States
 House of Representatives
 Committee on Interstate and Foreign Commerce
 Room 2125, Rayburn House Office Building
 Washington, D.C. 20515

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W. E. WILLIAMSON, CHIEF CLERK AND STAFF DIRECTOR

March 21, 1980

Chairman
 Nuclear Regulatory Commission
 1717 F Street
 Washington, D. C. 20555

Sir:

Enclosed are three copies of H.R. 6745
 which the Committee would appreciate a prompt report,
 together with such comment as you may desire to make.

Would you kindly transmit your reply in
triplicate.

Respectfully,

Harley D. Staggers
 Chairman

Enc.

3/25..To OGC to Prepare Reply for Signature of Chairman
 or OGC as Appropriate...Date due: April 25..80-0586
 OCA to Ack

96TH CONGRESS
2D SESSION

H. R. 6745

To reorganize in the executive branch of the Government, by consolidating in the Environmental Protection Agency the major Federal Government responsibilities with respect to ionizing radiation, from both nuclear and nonnuclear sources, and to require such Agency to make a continuing comparison of the risks and effects of radiation from different sources and to assure that both the Congress and the public are kept aware of these risks and effects.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1980

Mr. WYDLER introduced the following bill; which was referred jointly to the Committees on Government Operations and Interstate and Foreign Commerce

A BILL

To reorganize in the executive branch of the Government, by consolidating in the Environmental Protection Agency the major Federal Government responsibilities with respect to ionizing radiation, from both nuclear and nonnuclear sources, and to require such Agency to make a continuing comparison of the risks and effects of radiation from different sources and to assure that both the Congress and the public are kept aware of these risks and effects.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That this Act may be cited as the "Radiation Control Act of
2 1979".

3 FINDINGS

4 SEC. 2. The Congress, noting the heightened public
5 concerns about radiation, particularly the effects of low-level
6 ionizing radiation on the public health and safety, hereby
7 finds that—

8 (1) technologically based activities in the Nation
9 are increasing the possibilities of radiation exposures to
10 the public and to occupational workers, both as a
11 result of technologies themselves and from the en-
12 hancement of exposures from naturally occurring radio-
13 activity;

14 (2) energy-related radiation exposure results not
15 only from nuclear energy (including uranium mining,
16 uranium mill tailings, reactor operation and accidents,
17 and waste disposal, with the number of nuclear power
18 reactors in the Nation being expected to more than
19 double in the next decade), but also from fossil fuels
20 including natural gas and coal;

21 (3) most of the remaining sources of radiation ex-
22 posures result from defense activities, medical activi-
23 ties, consumer products, and natural sources;

24 (4) epidemiological analysis is providing increased
25 confidence in statistical predictions of the harmful ef-

1 effects of radiation on population groups, including ef-
2 fects upon large numbers of atomic plant and base
3 workers, uranium miners, nuclear weapon effects vic-
4 tims, and persons subject to medical radiation;

5 (5) these and other findings have been assessed
6 for their practical importance by an Interagency Task
7 Force on the Health Effects of Ionizing Radiation
8 chaired by the Department of Health, Education, and
9 Welfare, by a National Academy of Sciences panel,
10 and by other reviewers;

11 (6) these assessments have established differences
12 between the degree of risk from different forms of radi-
13 ation; for some forms of radiation an important finding
14 is that the effects from small doses are proportionately
15 less than those from large doses;

16 (7) the Interagency Task Force and the General
17 Accounting Office have recommended coordination or
18 consolidation of the monitoring and control of radiation
19 which is now shared by various agencies of the Federal
20 Government, particularly the conduct of emergency
21 monitoring following accidents at nuclear reactors; and

22 (8) care in controlling radiation exposures needs
23 to be exercised wisely; monitoring techniques and radi-
24 ation controls that are insufficiently stringent pose
25 needless danger to the public health and safety, while

1 those that are overly stringent tend unnecessarily to
2 deprive the public of benefits from the activities that
3 are the cause of the radiation.

4 PURPOSES

5 SEC. 3. The purposes of this Act are—

6 (1) to consolidate the coordination, operation, and
7 as many as practicable of the Federal research respon-
8 sibilities concerning radiation in one Federal agency—
9 the Environmental Protection Agency;

10 (2) to arrange for the compilation and distribution
11 of comparative assessments of risks to the public, and
12 to occupational workers, that are realistically expected
13 from the various different sources of radiation described
14 in subparagraphs (A) through (F) of section 5(b)(3); and

15 (3) to the extent feasible for each category of radi-
16 ation source, to consolidate the various existing regula-
17 tions for their control, to establish new regulations only
18 where needed, and to reduce the extent of regulations
19 when consistent with comparative risks and with com-
20 parisons of risks and benefits.

21 CONSOLIDATION OF RADIATION CONTROL FUNCTIONS

22 SEC. 4. In order to carry out the purposes of this Act,
23 the Environmental Protection Agency (hereinafter referred to
24 as the "Agency") shall have primary responsibility on behalf
25 of the Federal Government for—

1 (1) the compilation of all available information on
2 radiation from all sources, the assessment of this infor-
3 mation, and the dissemination of the results of such as-
4 sessment to the public, as more particularly described
5 in section 5;

6 (2) the conduct and administration of Federal or
7 federally supported programs in radiation assessment
8 and in radiation effects;

9 (3) the development, issuance, and modification
10 (including periodic updating or repeal when appropri-
11 ate) of regulations dealing with the exposure to radi-
12 ation of the public and of occupational workers, result-
13 ing from different types of radiation from all categories
14 of sources and with respect to radiation exposure from
15 specific sources or facilities;

16 (4) the monitoring of radiation exposure, the
17 maintenance of records of radiation exposure, and the
18 establishment of allowable total exposures, both for the
19 public and for occupational workers; and

20 (5) the establishment of an identifiable group to
21 compile and analyze epidemiological information on the
22 effects of radiation upon the public and upon occupa-
23 tional workers.

1 DEVELOPMENT, ASSESSMENT, AND DISSEMINATION OF
2 INFORMATION

3 SEC. 5. (a) The Administrator of the Agency (herein-
4 after referred to as the "Administrator") shall carry out the
5 Agency's responsibility for the compilation, assessment, and
6 dissemination of information under section 4(a)(1) in accord-
7 ance with this section.

8 (b)(1) On the basis of epidemiological data and other sci-
9 entific information, the Administrator shall establish the most
10 likely statistical relation between a given exposure dose of
11 each form of ionizing radiation and the consequent harmful
12 effects therefrom.

13 (2) Information shall be compiled and, where the availa-
14 ble information is inadequate or insufficient, shall be devel-
15 oped, to determine the exposures encountered for the public
16 and for occupational workers in the case of each of the differ-
17 ent sources of ionizing radiation described in the categories
18 listed in subparagraphs (A) through (F) of paragraph (3).

19 (3) The exposure-effect relation as determined under
20 paragraph (1) shall be combined with the exposures encoun-
21 tered as determined under paragraph (2) to obtain the statis-
22 tically expected effect upon the public and upon occupational
23 workers from each of the individual types of sources within
24 each of the following categories:

1 (A) In the category of central station energy,
2 sources include nuclear, coal, natural gas, and prepara-
3 tions for fusion, where (in each case) the combined ef-
4 fects will include radiation from mining, production,
5 and wastes related to energy production.

6 (B) In the category of defense and military uses,
7 sources include fallout from United States and foreign
8 weapon detonations; nuclear propulsion including radi-
9 ation from related mining, production, and wastes; and
10 nuclear-power sources for space vehicles and satellites.

11 (C) In the category of medical uses, sources in-
12 clude both diagnostic procedures and therapeutic proc-
13 esses.

14 (D) In the category of consumer products, sources
15 include electronic products such as television; ionizing
16 devices such as smoke detectors; radioisotope supplies
17 such as nuclear pacemakers; products that contain sig-
18 nificant quantities of radioactive elements such as gas
19 mantels, false teeth, and eyeglasses; and materials for
20 luminous purposes such as timepieces and instrument
21 dials.

22 (E) In the category of public buildings, sources in-
23 clude heating units (and increased exposures resulting
24 from reduced turnover of air through conservation
25 should be taken into consideration).

1 (F) In the category of technologically increased
2 exposures, sources include air travel at high altitude
3 (with flight crews constituting an occupational group
4 that should be monitored).

5 (c)(1) Within twelve months after the date of the enact-
6 ment of this Act, the Administrator shall complete and
7 submit to the Congress a report compiling the information
8 developed under subsection (b), with his conclusions being
9 based on the best then current assessments of both the expo-
10 sure-effect relation as determined under subsection (b)(1) and
11 the exposures encountered rather than presenting only the
12 applicable upper limits. The assessments shall be rank-or-
13 dered according to the total expected effects on the public by
14 category and by types of sources within each category.

15 (2) Updates of the report submitted under paragraph (1)
16 shall be prepared and submitted annually to incorporate new
17 and more accurate information.

18 (3) The reports submitted under paragraphs (1) and (2),
19 shall be summarized and published in the Federal Register
20 and otherwise made available for public information pur-
21 poses.

22 (d) Within eighteen months after the date of the enact-
23 ment of this Act, the Administrator shall submit to the Con-
24 gress—

1 (1) his recommendations as to methods for inform-
2 ing the public about the sources of radiation that cause
3 the largest risks of radiation-caused harms to the
4 public, which recommendations may include require-
5 ments for more effective labeling of the products in-
6 volved and for the dissemination, through regular
7 means of communication, of information regarding
8 products or services that produce the radiation expo-
9 sures; and

10 (2) a report on the degree to which existing regu-
11 lations on the various categories of radiation sources,
12 and on the types of radiation sources within these cate-
13 gories, conform with the rank-ordering of risks to the
14 public as established under subsection (c).

15 A summary of the report submitted under paragraph (2) shall
16 be published in the Federal Register; and the report shall set
17 forth a program plan and schedule for implementation, devel-
18 oped by the Administrator, to modify the regulations involved
19 so as to make them commensurate (in terms of number, size,
20 complexity, and compliance requirements) with the risks to
21 the public health and safety from the sources of radiation to
22 which such regulations apply.

23 TRANSFERS OF FUNCTIONS

24 SEC. 6. There shall be transferred to and vested in the
25 Agency, in accordance with regulations prescribed by the Di-

1 rector of the Office of Management and Budget, all of the
2 functions and activities for which the Agency is given pri-
3 mary responsibility on behalf of the Federal Government
4 under section 4 and which are currently being exercised or
5 conducted by other Federal agencies and officers, along with
6 such related powers and duties of such other agencies and
7 officers, and such related positions, personnel, assets, rights,
8 obligations, liabilities, contracts, property, and funds of such
9 other agencies and officers, as may be determined under such
10 regulations to be appropriate.

11

DEFINITION

12 SEC. 7. For purposes of this Act, "forms of radiation"
13 are groupings of radiation with different characteristics. One
14 such form is radiation having low linear energy transfer
15 (LET) which includes gamma rays and X-rays; and another
16 is radiation having high LET which includes alpha particles
17 and neutrons.

18

MISCELLANEOUS PROVISIONS

19 SEC. 8. The Administrator shall keep the appropriate
20 committees of the House of Representatives and the Senate
21 fully and currently informed with respect to all activities
22 under this Act.

23

APPROPRIATIONS

24 SEC. 9. There is authorized to be appropriated to the
25 Administrator to carry out this Act the sum of \$5,000,000

- 1 for the fiscal year 1980, and such sums as may hereafter be
- 2 provided for in annual authorization Acts for the fiscal year
- 3 1981 and subsequent fiscal years.

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