



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

May 19, 2020

Mr. Steven Berger
Nuclear Services General Manager
WMG, Inc.
16 Bank Street
Peekskill, NY 10566

Dear Mr. Berger:

The Nuclear Regulatory Commission (NRC) is planning to update a Health Physics Position (HPPOS) that is relevant to the RADMAN software sold by WMG, Inc. That position, HPPOS-288, stated that a Topical Report about RADMAN that WMG, Inc. submitted to the NRC in 1982 was acceptable for referencing. The NRC plans to revise HPPOS-288 to inform licensees that vendors are allowed, but not required, to submit Topical Reports to NRC for review, in part. The purpose of this letter is to inform you about the change. The NRC does not require any action from you in response to this letter¹.

On July 25, 1983, the NRC staff wrote to WMG, Inc. to provide the conclusions of the staff's review of the RADMAN Topical Report (see the Agencywide Documents Access and Management System [ADAMS] at Accession No. ML20024D869). As stated in that letter, the NRC staff concluded that licensees could use RADMAN as a vehicle to demonstrate compliance with NRC regulations related to Low-Level Radioactive Waste classification and transportation manifests, subject to certain conditions. Those conditions pertained to radionuclide correlations, manifest formatting, and software updates to remain consistent with future modifications to regulatory requirements.

The Topical Report process² is designed to improve licensing efficiency by allowing the NRC staff to perform a single review of a topic that applies to multiple nuclear power plants. Although it improves efficiency, use of the Topical Report process is not required.

The NRC is planning to revise HPPOS-288 to clarify the following points:

- The NRC allows licensees to use vendor supplied software without Topical Reports;
- NRC does not require vendors to develop Topical Reports for software or to submit Topical Reports to NRC for review;
- The NRC does not endorse specific commercial software programs for demonstrating regulatory compliance; and

¹ This letter discusses additional ways by which licensees may satisfy the existing regulatory requirements in 10 CFR Part 20 and 10 CFR Part 61. This letter requires no action or written response beyond that already required by the regulations. As this letter does not require any action, the letter does not represent backfitting as defined in 10 CFR 50.109(a)(1) and is not otherwise inconsistent with any issue finality provision in 10 CFR Part 52.

² The NRC's regulations related to topical reports are provided in Title 10, *Code of Federal Regulations* (10 CFR), Part 21, and sections 10 CFR 2.390, 10 CFR 50.5, 10 CFR 50.7, and 10 CFR 170.11 (see ADAMS Accession No. ML19123A252).

- Each NRC licensee is responsible for demonstrating compliance with NRC regulations, even if the licensee uses a vendor-supplied software program as part of the demonstration.

The NRC plans to change the webpage for HPPOS-288, which is available at <https://www.nrc.gov/about-nrc/radiation/protects-you/hppos/hppos288.html>. The previous version of HPPOS-288, which was focused on the 1983 review of the RADMAN Topical Report, will be accessible from the new HPPOS-288 by hyperlink for historical reference.

If you have any questions regarding this matter, please contact me or Christianne Ridge of my staff at (301) 415-5673.

Sincerely,

Patricia K. Holahan, Director
Division of Decommissioning, Uranium Recovery
and Waste Programs

SUBJECT: THE NUCLEAR REGULATORY COMMISSION IS PLANNING TO UPDATE A HEALTH PHYSICS POSITION THAT IS RELEVANT TO THE RADMAN SOFTWARE SOLD BY WMG, INC. **DATE MAY 19, 2020**

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