

POLICY ISSUE
NOTATION VOTE

RESPONSE SHEET

TO: Carrie M. Safford, Secretary

FROM: Chair Hanson

SUBJECT: SECY-22-0065: Evaluation of the U.S. Nuclear
Regulatory Commission's General License Program
for Devices Containing Radioactive Materials in
Response to SRM-SECY-17-0083

Approved X Disapproved Abstain Not Participating

COMMENTS: Below Attached X None

Entered in STAR

Yes X
No

Signature
Christopher T. Hanson

Date 12/05/2023

Chair Hanson's comments on
SECY-22-0065—Evaluation of the U.S. Nuclear Regulatory Commission's General License
Program for Devices Containing Radioactive Materials in Response to SRM-SECY-17-0083

The Commission directed the staff to evaluate the generally licensed device (GLD) program to ensure it continues to provide reasonable assurance of adequate protection of public health and safety. The staff's evaluation included the recommendations from two NRC-Agreement State working groups. Both working groups concluded that the GLD program is protective of public health and safety in the current environment. The working groups found that the biggest challenge with the GLD program is accountability for these devices due to implementation differences among general license regulatory requirements across the National Materials Program (NMP).

In addition to the status quo option, the staff considered rulemaking options to change the activity thresholds for GLD registration requirements, add specific licensing requirements for certain GLDs, or a combination thereof. These options may improve accountability for some GLDs, but the options lack a robust safety case. I agree with staff that the costs associated with a rulemaking to implement changes described in the options would be substantial and not justified by the potential benefits.

As a separate matter, the Commission is considering the proposed rule for radioactive source security and accountability (RSSA) (SECY-22-0112). The proposed RSSA rule enhances source security and accountability requirements through license verification of licensees authorized for category 3 quantities of radioactive material, including category 3 quantities contained in GLDs.

Additionally, the Conference of Radiation Control Program Directors (CRCPD) and Organization of Agreement States (OAS) have formed a task force to evaluate potential improvements to the GLD program, building upon the recommendations of the NRC-Agreement State working groups. The CRCPD and OAS plan to provide general license program guidelines on clear and consistent GLD licensing practices for Agreement State programs to follow.

I am encouraged by the proposed RSSA rule and the CRCPD-OAS effort to share best practices to improve the GLD program. Together, these initiatives will address accountability challenges and inconsistencies in the GLD program found across the NMP. Therefore, I approve staff's recommended Option 1, to maintain the status quo.