



OFFICE OF THE SECRETARY

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

April 21, 1999

RELEASED TO THE PDR 12/15/99 [signature] date initials

MEMORANDUM TO: William D. Travers Executive Director for Operations

William M. Beecher, Director Office of Public Affairs

FROM: Annette Vietti-Cook, Secretary [signature]

SUBJECT: STAFF REQUIREMENTS - SECY-99-038 - STAFF EFFORTS TO ADDRESS ORPHAN SOURCE ISSUES

The Commission has approved the staff's request to sign the proposed Memorandum of Understanding with the Department of Energy on the management of sealed sources.

The Commission has approved the concept of proceeding with Option 2 to fund the Conference of Radiation Control Program Directors (CRCPD) to establish, implement, and manage a national orphan source program once the E-34 Committee's pilot project is complete. Specifically the Commission is approving the staff's continued interaction with the CRCPD in the development of the pilot program. The pilot program results are expected by mid-2000. If the pilot program results meet the programmatic needs of the NRC and the costs are reasonable (defined to be \$450,000 or less), the staff should send the Commission an information paper and start funding the program as soon as funds are available. If the pilot program does not meet the programmatic needs of the NRC or the costs are excessive, the staff should submit a paper to the Commission with recommended alternatives for proceeding with an orphan source control program. One of the alternatives could be, if appropriate, continuing to support the CRCPD program but at an increased funding level. However, in order to implement some program to address the orphan source control issue as soon as possible, the staff should include a \$450,000 request for a General Fund appropriation in the FY2001 budget specifically to support implementation of an orphan source control program. The staff should keep the Commission informed of its progress in pursuing option 2, including resolution of applicable legal issues using, as appropriate, Commission papers and informal briefings of the Commissioners' staff.

The staff should examine the definition of "orphan sources" used in the IAEA Consultants' Report which was considered by the IAEA Board of Governors at its March 22, 1999 meeting. Consistency in the definitions used by the NRC and the IAEA would be highly desirable.

Given the growing significance of this problem nationally and internationally, OPA should coordinate with DOE and CRCPD to issue a press release announcing the Commission's decision on this matter.

Based on the selection of Option 2, the staff should advise the Commission on whether all or most of the contents of this paper and the voting record on it could be made publicly available.

(EDO)

(SECY Suspense:

5/5/99)

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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CFO
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