

DOCKET NUMBER  
PROPOSED RULE **PR 20**  
(64FR35090)

DOCKETED  
US NRC

December 10, 1999

U.S. Nuclear Regulatory Commission  
Washington, DC 20555

'99 DEC 13 P3:11

Attention: Rulemaking and Adjudications Staff

I urge NRC to actively pursue rulemaking for the unconditional release of materials containing small amounts of radioactive material. There has long been a hole in the NRC's radiation protection regulations that this rulemaking would fill. It is very important that such rulemaking be protective of the public health and safety and establish a suitable risk-based dose limit. Secondary dose factors or reference values for surfaces and volumes containing radioactive materials are also needed to effectively implement these rules. An important part of the development of such rulemaking would be to adequately consider a wide range of potential exposure scenarios to determine the limitations and applicability of such rulemaking.

An important first step in this process has been the development and approval of a U.S. voluntary consensus standard under the auspices of the American National Standards Institute (ANSI). This standard, ANSI N13.12, "Surface and Volume Radioactivity Standards for Unconditional Clearance" was approved by ANSI in August 1999 and will be available for general distribution in January 2000. Since it was developed by a voluntary consensus standard body consideration is required by public law 104-113. This standard has several important limitations where it does not apply, such as the release of soil or land for agricultural purposes and release of licensed or regulated sites or facilities. For these areas NRC would need to consider other exposure scenarios as noted above.

As a final comment, on pages 35094 and 35098 of the request for comment I find NRC's characterization of ANSI as an "industry group" to be disingenuous and misleading about ANSI's role in standard setting. As a voluntary consensus standards organization, ANSI committees include members from industry, labor, government, professional organizations and private citizens. ANSI accredited committee N13, which facilitates standards for radiation protection and approved ANSI standard N13.12, includes the NRC and the Environmental Protection Agency among the eight or so standing members that represent U.S. government organizations. It should also be noted that the NRC had a representative on the N13.12 writing group since the effort began in 1990. I currently serve as the voluntary chair of the N13 Contamination Limits Section. A description of ANSI's role in national and international standard setting can be found at <http://web.ansi.org>.

Sincerely,

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