October 19, 2000

Martin and Isabel Kellerman
2375 Wallen Lane
N. Bellmore, NY 11710

Dear Mr. and Ms. Kellerman:

I am responding to your letter, to President Clinton, on your concerns about issues regarding control of releases of solid materials from nuclear facilities licensed by the U.S. Nuclear Regulatory Commission (NRC).

At this time, the NRC is in the preliminary stages of examining its approach on controlling solid material from NRC-regulated activities and has sought public input to its decision-making process through various forums. An initial step in that process was to prepare, for public comment, a paper that discusses issues associated with alternative courses of action. This "Issues Paper" was published in a Federal Register notice (FRN) on June 30, 1999 (64 FR 35090), with a comment period that was originally scheduled to close on November 15, 1999, but which was extended to December 22, 1999. To provide further opportunity for public input, NRC held a series of public meetings, during the Fall of 1999, at four locations, as announced in the FRN.

On March 23, 2000, the NRC staff provided the Commission with a paper (SECY-00-0070) summarizing the public's concerns, expressed both during the public meetings and in written comments, along with the staff's recommendations on how to proceed regarding control of solid materials at licensed facilities. To assist in its review of that paper, the Commission held two separate meetings, open to the public, in May 2000. At the first meeting, the staff briefed the Commission on the paper, and at the second meeting, representatives of various stakeholder groups were provided with an opportunity to express their comments and concerns to the Commission.

Based on its review of SECY-00-0070, as well as on input from the May 2000 public meetings, the Commission, in a directive to the NRC staff dated August 18, 2000, indicated that it was deferring a final decision on whether to proceed with rulemaking on control of solid materials. It directed the staff to proceed with a National Academy of Sciences (NAS) study on possible alternatives for release of slightly contaminated materials and to continue the development of a technical information base to support a Commission policy decision in this area. In addition, the Commission directed the staff to provide its recommendations on how best to proceed, approximately 3 months after completion of the NAS study.

While the Commission is still in preliminary stages of examining its approach in this area, and further study and efforts to seek public input will continue to be conducted, it is worthwhile to put in context the potential dose levels being considered in connection with the NRC's examination of the control of solid materials. Possible alternatives mentioned in the June 30, 1999, Issues Paper and in SECY-00-0070 include a dose standard to the maximally exposed individual of 0,

0.1, 1.0, or 10 millirem per year (mrem/yr) above background arising from the release of materials. To put these figures into perspective:

- The National Council on Radiation Protection and Measurements (NCRP) considers 1.0 mrem/yr to be a negligible individual dose -- a level below which the dose can be dismissed from consideration in risk estimates;

- Exposures received by the general public from natural background radiation, excluding inhalation of radon, are on the order of 100 mrem/yr (includes soil and building materials, cosmic rays, and food and drink). Natural background can vary by as much as 40-50 mrem/yr in going from Eastern coastal areas to mountainous areas in Colorado;

- NRC's individual public dose limit from licensed activities is 100 mrem/yr and is consistent with the recommendations of national and international organizations (e.g., NCRP and the International Commission on Radiological Protection).

- EPA allows the use of coal ash that is recycled into concrete blocks as long as the resulting dose is less than 10 mrem/yr.

The intent of the above information is not to prejudge any alternative but to put into context that the levels being discussed in NRC's examination of its approach are in the range of exposure encountered in a variety of routine activities. Any NRC decisionmaking with respect to the control of solid materials will be based on a full evaluation of the health and environmental impacts of all alternative approaches, as well as evaluation of related economic impacts, and consideration of all issues in an open public forum.

Information about current NRC efforts in this area, including contents of various documents (including the Issues Paper, SECY-00-0070, and the August 18, 2000, Commission directive), public comments received to date, summaries and transcripts of the public meetings, and opportunities for further public comment, is available on NRC's Web site address at: http://www.nrc.gov/NMSS/IMNS/controlsolids.html. The NRC Web site can be accessed, using internet services, on computers at home or available at local schools or libraries.

Sincerely,

/RA/

William F. Kane, Director
Office of Nuclear Material Safety
and Safeguards

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