

March 3, 2000

MEMORANDUM TO: Chairman Meserve
FROM: Edward McGaffigan, Jr.
SUBJECT: COMRAM-00-0001 - REQUEST FOR NAS STUDY OF NATIONAL POLICY ISSUES ON CONTROL OF SOLID MATERIALS

I generally agree with your proposal to request that the National Academy of Sciences' (NAS) Board on Energy and Environmental Systems conduct a study and provide recommendations on possible alternatives governing the release of slightly contaminated solid materials. As an alternative, NRC could provide a grant to the Congressionally-chartered National Council on Radiation Protection and Measurements (NCRP) for this work, as we are doing on a rulemaking for discrete radioactive particle dose limits ([COMSECY-00-0009](#)).

Regardless of which organization performs the work, it is my firm belief that a Commission decision to proceed with an independent study presumes that the staff continues its current level of effort to develop the technical basis for setting a standard and to draft a generic environmental impact statement for early public comment. In my opinion, NRC should proceed to fulfill its role in setting a clear release standard that adequately protects the public. Congressman Dingell, Secretary Richardson and a wide array of other stakeholders are urging us to set a standard. It might have been preferable to deal with the recycle of all radioactive material through an EPA-led effort, but as the staff informed us in spring 1998, EPA has put its efforts to develop clearance standards for radioactive material on indefinite hold. Nevertheless, it is worthwhile to keep in mind what the practice is in dealing with non-AEA radioactive material, such as coal ash, as we proceed to set a standard for AEA material. I know that the staff has been doing this and we may want the NAS or NCRP to do so as well.

I agree with Commissioner Dicus that the grant language should contain specifics with regard to deliverables and time lines for completion to better focus the study and increase its value to NRC's process. In that regard, I agree with Commissioner Dicus that the NAS (or NCRP) should consider relevant international experience and existing standards. This effort should also include a review of the European Union standard and how member States are implementing it and consider the American National Standards Institute's clearance standard N13.12, as required by the National Technology Transfer Act of 1995. In addition, I suggest that NAS or NCRP provide recommendations on dose modeling issues associated with determining an appropriate release standard and demonstrating compliance with a release standard. As we noted in our December 17, 1999 letter response to Congressman Dingell in the Tennessee nickel recycling case, various models such as the International Atomic Energy's TECDOC-855, the European Commission's 1998 report, the EPA's 1997 Technical Support Document, and NRC's [NUREG-1640](#), lead to somewhat different dose estimates.

cc: Commissioner Dicus
Commissioner Diaz
Commissioner Merrifield
EDO
SECY
OGC
OCFO
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