

December 31, 2009

MEMORANDUM TO: Chairman Jaczko
Commissioner Klein
Commissioner Svinicki

FROM: R. W. Borchardt /RA *Martin J. Virgilio* for/
Executive Director for Operations

SUBJECT: REQUEST TO USE DIFFERENT COMMUNICATION TOOL TO
REMIND LICENSEES OF RESPONSIBILITIES REGARDING
DISPOSAL OF SOURCES

The purpose of this memorandum is to request the Commission redefine the communication tool directed in SRM-M090417, "Briefing on Low Level Waste (LLW) Program" to remind licensees of their regulatory responsibilities regarding the disposal of sources. The Commission specifically directed staff to work with the Organization of Agreement States (OAS) and the Conference of Radiation Control Program Directors (CRCPD) to issue an information notice as the communication tool for this task.

During discussions between Office of Federal and State Materials and Environmental Management Programs (FSME) staff, the OAS and CRCPD, the Agreement States and U.S. Nuclear Regulatory Commission (NRC) staff concluded that a comprehensive communication tool that provides practical guidance that could be updated routinely was required instead of an information notice. Discussions with licensees also indicated the need for information that would assist them in the disposal of LLW and radioactive sources. Consequently, Agreement State and NRC staff agreed that the development of a web page on the FSME external website would best serve the needs of the regulators and regulated communities. The FSME external website has effectively served as a clearinghouse for regulatory information used by the Agreement States, the NRC, and their respective licensees since 1996 (<http://nrc-stp.ornl.gov>). The addition of a web page on LLW and source disposal would provide a consolidated source of information on the regulatory requirements and provide practical guidance that could be used by all stakeholders. The availability of the web page will be communicated to Agreement States and materials licensees through a variety of existing lines of communications including the FSME newsletter and FSME letters.

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Staff has compiled the information needed for the initial version of the website including substantive input from the Agreement States. Staff is working with the website administrator to have the new web page publicly available by January 29, 2010. Based on staff submitting an alternative action to the Commission directed information notice, staff is requesting that the due date for this ticket be reset to January 29, 2010.

The staff believes that the deployment of the web page instead of an information notice is responsive to the needs of the Agreement States and materials licensees and can be updated as regulatory requirements and new information become available. The staff considers that issuing an information notice would not be efficient or effective since the information contained in this communication tool cannot be updated as readily as the webpage.

SECY, please track.

cc: SECY
OGC
OCA
OPA
CFO