

June 25, 2007

MEMORANDUM FOR: Luis A. Reyes  
Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - BRIEFING ON RESULTS OF THE AGENCY ACTION REVIEW MEETING - MATERIALS, 9:30 A.M., WEDNESDAY, MAY 30, 2007, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff on the results of its annual Agency Action Review Meeting (AARM) for materials.

In the future, in addition to the combined NRC and Agreement State data, for example in the chart of abnormal occurrences, the staff should provide trending analysis for NRC and Agreement States data separately.

The staff noted that the majority of the events are due to human performance and that it has a goal of zero events with a root cause of human performance. The staff noted that it was expanding the use of safety culture in a fuel cycle facility pilot. The Commission encourages the staff to continue its consideration of expanding the use of safety culture for appropriate materials licensees.

The staff should provide to the Commission a chart which discusses each Agreement State's civil penalty authority for enforcement of nuclear material regulations and requirements. The chart should be clear as to whether or not this authority rests with the State's agencies responsible for implementing the Agreement State Program or with the State's Attorney General or if there is no authority for civil penalties. Any major difference among the Agreement States' authority to assess civil penalties should be discussed. The staff should also provide information regarding Agreement States' approaches that utilize alternatives to civil penalties and their effectiveness in ensuring nuclear material regulations and requirements are enforced.

The Commission in a separate SRM is providing additional comments on SECY-07-0066 - Annual Report to the Commission on Licensee Performance in the Materials and Waste Programs - FY 2006.

The Commission would like the NRC's public website to be the first site chosen by the public as the source of information about radiation and radiation risk. The staff should revise the Agency's website to provide educational information about sources and levels of radiation in everyday life, including natural and man-made radiation. The web page should include information about NRC radiation protection regulations, and help the reader understand the context, and provide the baselines for radiation dose. The web page should also show variations of background radiation across the country, including naturally occurring sources and radiation levels near large NRC- or Agreement State-licensed facilities. In these efforts, the staff should consider an interactive tool that the public could use to see not only background radiation levels in their area, but also estimate radiation they may receive in their daily lives from medical diagnostic x-rays and nuclear medicine procedures. In accomplishing this task the website should provide links to other websites that also have information that maybe helpful like RadTown by EPA.

In future AARM briefings, presentations by and discussions with or about NRC or Agreement State licensees and other external participants should be part of the public sessions to the maximum extent possible.

cc: Chairman Klein  
Commissioner McGaffigan  
Commissioner Merrifield  
Commissioner Jaczko  
Commissioner Lyons  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR

