



NRC/ FSME Initiatives

**Dr. Charles L. Miller, Director
Office of Federal and State Materials and
Environmental Management Programs**

**Texas Radiation Regulatory Conference
September 2, 2010**

Agenda

- Medical Issues
- Materials Security
- LLW Storage and Disposal

Medical Issues

- Medical Event Criteria
- Patient Release



Medical Event Criteria

- Commission briefing held July 8, 2010
- Re-proposed rule to Part 35
- Extensive stakeholder involvement
- Purpose:
 - Prevent event recurrence
 - Identify potential generic problems
 - Allow timely decisions on health care

Medical Event Criteria (continued)

- **SECY-08-0080-** Proposed rule changes most medical event criteria from dose based to activity based.
- **SECY-10-0062-** adds some new activity based criteria, but retains dose-based criteria
- Protects patient safety without intruding into medical practice

Medical Event Criteria (continued)

- Commission disapproved staff recommendations (SRM dated 8/10/10)
- Staff was told to work with ACMUI and stakeholders to develop event definitions
 - Hold stakeholder workshops
 - Provide an integrated plan with schedule and with Agreement State participation
 - Get ACMUI input in developing guidance

Medical Event Criteria (continued)

- **Concerns:**
 - Supervision of regulated activities by RSO's in remote locations
 - Fear of medical staff to question physicians

Patient Release (Part 35.75)

- **Concerns from Congressman Markey**
 - Restrictions on release of patients to hotels
 - Adequacy of inspections
 - Documentation of Review of Licensee Records for Patients Released
 - Lack of Reporting Requirements for Cases where Public May be Overexposed
- **NRC is developing guidance**

Materials Security

- Orders
- Energy Policy Act
- Regulations (Part 37)
- Integrated Source Management Portfolio



First Set of Security Orders

- June 2003- to large irradiators
- Jan. 2004- to certain M&D licensees
- July 2005- Transport Cat. I Materials
- Nov. 2005- Possess Cat. I and 2 Matls.

Energy Policy Act (EPAct) of 2005

- 2005- EPAct passed: Authorized fingerprinting of those w/ unescorted RAM access
- October 2006- Additional orders to certain licensees (fingerprints and FBI criminal history checks)
- Dec. 2007- Orders to others w/ Cat. 1 or 2 Quantities

Orders (License Conditions) vs. Rulemaking

- While an order is legally-binding on a licensee receiving it, a rule makes those requirements generally applicable to all
- Rulemaking affords the opportunity for public involvement

Part 37 Rule Objective

- **SECY-09-0181, Physical Protection of Byproduct Material, Proposed Rule (ADAMS ML092820074)**
- **Provide reasonable assurance of preventing the theft or diversion of Category 1 and Category 2 quantities of radioactive material for malevolent use**

Proposed Rule

- Create new Part 37 for security of byproduct material
 - Category 1 and Category 2
 - Irradiated fuel (<100 grams)
- Conforming changes to Parts 30, 32, 33, 34, 35, 36, 39, 51, 71, and 73

Major Provisions

- Access Authorization Program— Subpart B
- Security During Use – Subpart C
- Transportation Security – Subpart D

Requesting Specific Comment

- Fingerprinting of reviewing official
- Background investigation elements
- Protection of information
- LLEA notification at temporary jobsites
- Disabling vehicle exemption
- License/address verification for transfer
- NRC-approved monitoring plan for railroad classification yard

Part 37 - Timeline

- **Published for public comment –**
 - June 15, 2010 (75 FR 33902)
 - Comment period closes October 13, 2010
- **Guidance document for public comment**
 - Comment period closes November 12, 2010
 - Public meeting Sept. 20 in Rockville, MD
- **Final rule to Commission – Fall 2011**

Integrated Source Mgt. Portfolio (ISMP)

- Contract Awarded in May 2010
- Consists of:
 - NSTS- National Source Tracking System
 - LVS- License Verification System
 - WBL- Web-Based Licensing
- NSTS- to provide an up-to-date accounting of all Cat I and II sources possessed by all NRC and A/S licensees

Objectives of LVS

- Enable authorized licensees nationwide to confirm validity of a licensee, and for Cat I and II licensees to confirm that possession limits are not exceeded
- Enable authorized govt. authorities to view specific info on supplier & receiver licensees as necessary to verify transfers to RAM
- Provide potential system users with convenient, robust, secure system access via the web

Objectives of WBL

- Provide web-based licensing system for NRC licensees
- Provide up-to-date repository of all licenses nationwide
- Provide an avenue for Agreement States to use the same licensing and information platform as the NRC.

Low Level Waste Storage/Disposal

- Depleted Uranium (DU)
- Blending of Wastes



Unique Waste Streams - DU

- SRM-SECY-08-0147, 3/18/09, pursue a limited rulemaking to specify a reqmt. for site-specific analysis & tech. reqmt. for unique waste streams, including disposal of significant quantities of DU.

Depleted Uranium (continued)

- NRC is not proposing to alter the waste classification scheme, but could restrict disposal based on site-specific analysis
- 6/24/09- FRN published (74FR 30175) to solicit public input on potential rulemaking
- Sept. 2009- Workshops held in Rockville, MD and Salt Lake City, UT

Depleted Uranium (continued)

- Staff is developing a technical basis document to support a draft rulemaking
- Sept. 2011--Draft rule scheduled for public comment
- Sept. 2012--Final version scheduled

Blending of Wastes

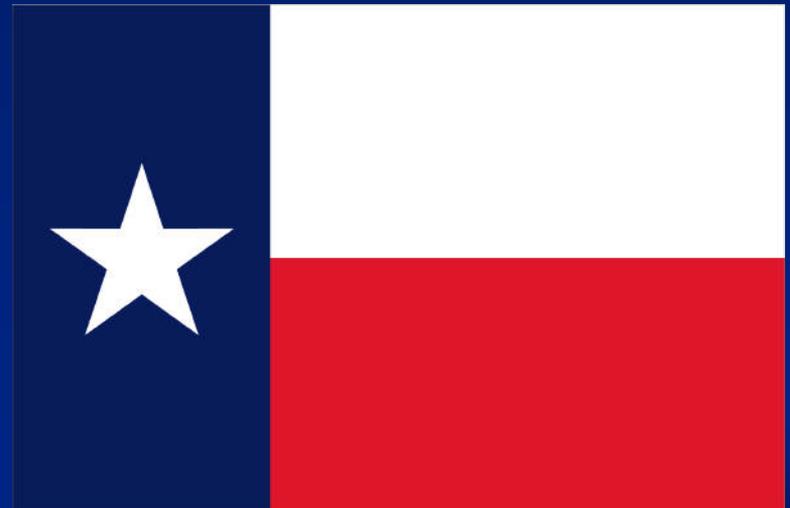
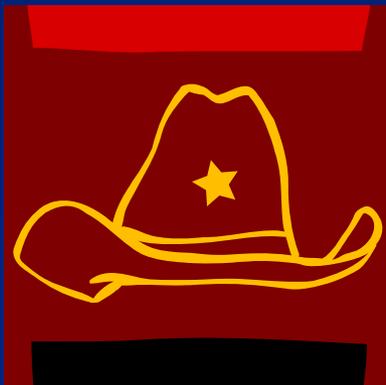
- Blending- mixing of Class A LLW with Class B/C LLW
- Not prohibited or explicitly addressed in NRC regulations
- Closure of Barnwell to 36 States has increased interest in blending to reduce the amount of B & C wastes.

Blending of Wastes

- April 7, 2010--SECY-10-0043 provided
 - Risk-informed, Performance-based position
- June 17, 2010- Commission meeting
 - States & Stakeholders presentations
 - Included Texas and WCS
- Commission is considering staff recommendations now

A Tip of the Hat to Texas

- Strong safety record by 1700 licensees representing broad cross-section
- Valued Federal-State regulatory partnership



Questions

