

November 29, 2000

The Honorable Charles E. Grassley  
United States Senate  
Washington, DC 20510

Dear Senator Grassley:

I am responding to your letter forwarding the concerns of one of your constituents, Helen Tucker, regarding the possibility of radioactive materials from facilities licensed by the U.S. Nuclear Regulatory Commission (NRC) being used to produce household goods.

The NRC has a set of regulations that control operations at a variety of facilities which use radioactive materials, including hospitals and clinics, universities, power plants, and manufacturing facilities. The intent of these regulations is to ensure that licensed facilities use radioactive materials in a manner that protects public health and safety. These regulations also consider potential economic impacts on consumers and licensees.

NRC's regulations presently include various requirements for control of radioactive materials and prevention of their entry into the marketplace. Currently, we are engaged in a process of considering how best to control those materials that have very low amounts of, or no, radioactivity. As part of this process, we have sought public input in several ways. On June 30, 1999, we published a paper on alternatives for controlling this material and requested public comment. After that, we held public meetings at four locations around the country, during the Fall of 1999 and also in May 2000, to discuss the paper and hear public comments.

We have received a large number of public comments, both in writing, and verbally, at the public meetings. Based on those comments, we have decided to defer a decision on whether to prepare a regulation on control of solid materials, and have instead requested that the National Academy of Sciences (NAS) conduct a study on possible alternatives for control of slightly contaminated materials. The NAS study is expected to take 18 months to complete. In the meantime, we are developing further technical information and will seek additional public input before making a decision in this area.

To add perspective to our preliminary thinking in this area, the June 30, 1999, paper suggested possible alternative radiation dose criteria of (0.1, 1.0, or 10 millirem per year) (mrem/yr) above natural background. By way of comparison:

- These levels are smaller than exposures from naturally radioactive elements in food, soil, building materials, and cosmic rays, which total about (100 mrem/yr). The natural background levels can vary by as much as (40-50 mrem/yr) between what a person would receive in Eastern coastal areas, compared with mountainous areas in Colorado;
- These levels are in the range of what other organizations that set health standards consider to be safe when setting standards. For example, the National Council on

Radiation Protection and Measurements considers (1.0 mrem/yr) to be a level below which doses have negligible risk associated with them, and the Environmental Protection Agency allows the use of coal ash that is recycled into concrete blocks as long as the resulting dose is less than (10 mrem/yr).

Information about our current efforts in this area, including the text of the June 30, 1999, paper and other NRC documents, as well as 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 at: <http://www.nrc.gov/NMSS/IMNS/controlsolids.html>. The NRC web site can be accessed, using internet services on computers at home, or using computers available at local schools or libraries.

I want to assure you that any decision that we make with respect to the control of solid materials, including whether to proceed with rulemaking in this area, will be based on a full evaluation of the health and environmental impacts of all alternative approaches, as well as related economic impacts, and consideration of all issues in an open public forum.

Sincerely,

***/RA by Frank J. Miraglia Acting For/***

William D. Travers  
Executive Director  
for Operations

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William D. Travers  
Executive Director  
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