

## Pros and Cons

No Change	
Pros	Cons
<ul style="list-style-type: none"><li>- Save resources (States and Federal) in the near term; no work related to coordination</li></ul>	<ul style="list-style-type: none"><li>- Overall regulation is inconsistent since NRC may not be aware of all non-fuel cycle activities that may inadvertently concentrate source material to levels greater than the concentration limit. Considerable additional resources would be needed to find such situations.</li><li>- Inconsistent with handling of most other NORM</li><li>- With exemption, limited ability by States and EPA to regulate material</li><li>- NRC is not fully carrying out its responsibility to protect public health and safety</li></ul>

## Pros and Cons

Increase NRC Regulation		
Options for Increasing NRC Regulation	Pros	Cons
<p>Eliminate the exemption</p> <p>Lower the Concentration Level</p> <p>Keep the exemption, but specify the activities that can or cannot be conducted under the exemption - based on health and safety concern(s)</p> <p>Combination of revising concentration level and specifying which activities can or cannot be done under the exemption</p>	<ul style="list-style-type: none"> <li>- Provides a justifiable basis for the regulations based on current radiation protection standards.</li> </ul>	<ul style="list-style-type: none"> <li>- Increases the regulatory workload on NRC</li> <li>- Increases the impact, including fees, on those subject to regulation by requiring licenses for a wide variety of activities that were previously exempt from licensing.</li> <li>- Would cause NRC to regulate operations in the non-nuclear mineral extraction industry where hazards from materials other than uranium and thorium may predominate.</li> <li>- Could cause interface problems between NRC and EPA (and possibly the States), since EPA is in the process of developing guidance for controlling diffuse sources of naturally-occurring radioactive material.</li> </ul>

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Decrease NRC Responsibility		
Options for Decreasing NRC Responsibility	Pros	Cons
<p>Regulate uranium or thorium that is extracted for the use of the uranium or thorium</p> <p>Regulate uranium or thorium that is extracted for the use of the uranium or thorium <b>and</b> rare earth processing</p> <p>Establish a concentration level below which NRC would not have jurisdiction, i.e. 0.05% or some other determined concentration</p>	<ul style="list-style-type: none"> <li>- Would allow the NRC to concentrate its resources on the regulation of processing activities directly related to uranium recovery and subsequent utilization of the recovered materials.</li> <li>- Would not change the NRC authority to control uranium and thorium from a strategic standpoint.</li> <li>- Would potentially remove many of the inconsistencies within NRC regulations</li> <li>- Would allow the potential hazards of uranium and thorium to be placed in proper perspective with the potential hazards of other materials with which they are associated, e.g. chemicals and radium.</li> <li>- Would allow EPA, OSHA and the States to have a comprehensive control program over all aspects of activities involving low concentrations of naturally-occurring radioactive material.</li> <li>- Reduces the number of agencies involved in regulating low concentrations of source material.</li> <li>- Conserves NRC resources in the long term</li> </ul>	<ul style="list-style-type: none"> <li>- Would require expenditure of NRC, State and other Federal agencies resources in the near term to coordinate the proposed NRC action with the EPA, OSHA, and the States</li> </ul>