

Engaging Stakeholders on Changing the U.S. Radiation Protection Framework

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Introduction

Following the publication of the recommendations of the International Commission on Radiological Protection (ICRP) in Publication 103, the staff of the U.S. Nuclear Regulatory Commission (NRC) began a process to determine if there were areas in the NRC regulatory structure where changes should be considered. The approach involved engagement with stakeholders and interested parties to understand benefits, impacts, and burdens of possible changes. Work was also started to develop of a rulemaking technical basis for possible revision. The objective was to determine if there are appropriate, and scientifically justified, changes to achieve greater alignment with the ICRP recommendations.

Challenge

The open process for changing regulations in the United States normally includes a formal opportunity for public comments on each proposed change. The NRC has found it useful to expand on the mandatory elements by significantly increasing dialogue during the early development of ideas, in order to better understand the issues, options, benefits and impacts of possible changes. For the radiation protection regulations, there are a wide range of stakeholders representing the diversity of uses of radiation and radioactive materials, public interest groups, and other State and Federal regulatory organizations. The States are particularly important, because 37 of the 50 States have entered into agreements with the NRC, whereby the authority for regulation of many uses of radioactive material have been relinquished by NRC, and assumed by the State under specific conditions of adequacy and compatibility.

Process

The NRC staff has used a variety of methods to engage stakeholders on possible changes. The activities have included conferences, symposia, facilitated public meetings, individual stakeholder meetings, web documentation, and provisions for written inputs. Three Federal Register Notices have been issued, soliciting feedback and comments (74 FR 32198, 75 FR 59160, and 76 FR 53847). These formal notices provide the documentation to capture comments in the rulemaking docket. In addition, presentations and discussion have taken place with a variety of professional societies, licensee organizations, public interest groups, and the States. A total of 59 comments were received from these formal requests, and are publically available.

In the fall of 2010, a series of facilitated round table workshops was conducted. Attendees included representatives from a broad range of users of radioactive material, as well as professional societies, private citizens, and the States. Each workshop included representatives from a broad range of users of radioactive material. In addition, each workshop provided an opportunity for certain segments of stakeholders to have a more complete representation in the discussion. The workshop in Washington, D.C. included a focus on the nuclear power industry, and other Federal Agencies. The Los Angeles California workshop included a focus on medical uses of radiation, and the Houston Texas workshop included a focus on industrial uses.

Facilitated workshops provide the unique opportunity for stakeholders to not only address the NRC, but also to discuss the issues with each other. The interactions are enhanced by a round table format, where representatives of different interests are all sitting at the table, and by the use of an independent facilitator to moderate the discussions. In many instances, a particular discussion thread involved a number of different participants, who were able to elaborate, agree with, or counter particular viewpoints. Time was provided for other attendees to also address the issues. The result was an excellent dialogue that provided insights into the common themes and viewpoints, as well as areas where unique issues may be present. Transcripts of each workshop are publically available.

Issues

The key issues under discussion included:

- The incorporation of updated scientific information and models supporting dose assessment and compliance
- Revision of dose limits for occupational exposure
- Revision of limits for the lens of the eye
- the use of planning tools (constraints) as part of the radiation protection optimization process
- Updates of other radiation protection requirements, such as nuclear power reactor specific requirements.

The initial response of most stakeholders, including various types of licensees, was that changes should be made to reflect the current dose calculation methodology and terminology. At the same time, many stakeholders did not believe that changes to dose limits and As Low As Reasonably Achievable (ALARA) were necessary. Many concerns were expressed about the impact of making changes, such as the impact on medical practice.

Future

The NRC has not yet made a decision to move forward with a rulemaking action. Recommendations were provided to the Commissioners at the end of April, 2012. The options range from making no changes, to the pursuit of changes in a number of areas. If approved by the Commission, the staff will work closely with States and continue to engage stakeholders using specific proposals for regulatory requirements and implementation guidance to prepare the basis for a formal proposed rulemaking. The ongoing process is expected to continue for several years, and staff expects to use similar techniques to interact with our stakeholders and partners.

