

United States Nuclear Regulatory Commission

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NOTE TO EDITORS:

The Nuclear Regulatory Commission has responded to a letter from the Environmental Protection Agency concerning a regulation that the NRC is developing on radiological criteria for decommissioning. The text of the NRC letter is enclosed.

February 21, 1997

The Honorable Carol M. Browner
Administrator
Environmental Protection Agency
Washington, D.C. 20460

Dear Administrator Browner:

I am writing in response to your letter of February 7, 1997 in which you expressed concern over positions that NRC may be taking regarding groundwater remediation and cleanup levels in its final rule on radiological criteria for decommissioning. In particular, you indicated concern over the possibility that NRC would increase the 15 mrem/yr dose criterion for license termination as contained in NRC's proposed rule to up to 30 mrem/yr, and that NRC might delete the separate groundwater requirements of the proposed rule.

To begin, the Commission believes that the nation deserves a uniform approach to radiation regulation which protects people from significant hazard regardless of the source, whether it is Atomic Energy Act materials, naturally occurring materials, or other materials, and which focuses regulatory resources on the most significant hazards. Further, below an upper safety limit, cost-benefit considerations must apply in site specific implementation of the radiation protection standards.

The NRC staff is currently engaged in preparing a final rule for Commission consideration. The Commission wants to assure you that it will give careful consideration to EPA's views in reviewing the NRC staff's recommendations for finalizing the rule, particularly in the matters cited in your February 7 letter. Nonetheless, as you are aware, the NRC staff has previously briefed the OMB, and I have previously written to Sally Katzen of OMB, providing the Commission's preliminary view that the separate groundwater protection requirement may be deleted, and that the appropriate dose criterion is in the range between 15 and 30 mrem/yr. Consequently, there is a possibility that in the final rule, when promulgated, the NRC approach may differ from what EPA is recommending. However, the Commission believes that its position on these matters will be consistent with the above principles, as well as with the proposed Federal Radiation Protection guidance.

