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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 31, 32, 40 and 70

Public Workshop on the Regulation of Radioactive Devices

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: The NRC will hold a public workshop in Rockville, Maryland to review the regulatory program for devices containing radioactive materials licensed under 10 CFR Parts 30, 31, 32, 40 and 70. Interested members of the public are welcome to attend the meeting, however, for efficient conduct of the workshop, participation will be in the format of a round table discussion among invited representatives of potentially affected parties. The NRC has prepared a workshop agenda. This and related documents are available for review prior to the workshop and interested parties are encouraged to review this information. The NRC will accept and consider written comments from interested parties on this regulatory issue.

DATES: The workshop will be held on January 18, 1996 from 9:00 am to 5:00 pm. The workshop will continue, if necessary, on January 19, 1996 from 9:00 am to 12 noon. Comments on this regulatory issue should be received no later than January 31, 1996.

ADDRESSES: The public workshop will be held in the NRC auditorium at Two White Flint North, 11545 Rockville Pike, Rockville, Maryland. Visitor parking around the NRC building is limited, however, the workshop site is adjacent to the White Flint station on the Metro Red Line. Written comments can be provided at the workshop or by January 31, 1996 to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. Copies of the agenda and related documents can be obtained from the NRC's Public Document Room, 2120 L Street NW,

Washington DC 20037; Phone: 202-634-3273; Fax: 202-634-3343.

FOR FURTHER INFORMATION CONTACT:

Francis X. Cameron, Mail Stop O-15B18, U.S. Nuclear Regulatory Commission, Washington, DC 20555; Phone: 301-415-1642; Fax: 301-415-3200; INTERNET:FXC@NRC.GOV.

SUPPLEMENTARY INFORMATION:

Inadequate control of radioactive devices by licensees has led to radioactive materials being included in metal scrap intended for recycling (see J. Lubenau & J. Yusko, "Radioactive materials in Recycled Metals," *Health Physics*, 68:4, April, 1995). Radioactive sources have been accidentally smelted in metal mills resulting in radioactive contamination of mills, metal products and mill byproducts. In the U.S., costs attributable to decontamination, waste disposal and temporary mill closures following a smelting of a radioactive source have been as much as \$23,000,000 per event. There is a risk of radiation exposure to unsuspecting workers and members of the public. In 1990, the Commission determined that the problem needed to be addressed and directed a rulemaking to improve oversight of generally licensed devices. The proposed rule was published for public comment in 1991 (56 FR 67011, 26 December 1991). In 1993, however, finalization of the rule was deferred because of resource constraints. Instead, the Commission directed the staff to pursue alternatives. In 1995, the Commission approved formation of a joint Agreement State—Nuclear Regulatory Commission (NRC) Working Group to review the regulation of *all* devices containing licensed radioactive materials to assess the current regulatory program for these devices and provide recommendations to the Commission.

The Working Group held its initial meeting October 24-25, 1995, and a second meeting on December 19-20, 1995, in Rockville, Maryland. The Working Group members are Robert Free, Texas and Joel Lubenau, NRC, Co-chairs; Robin Haden, North Carolina, Martha Dibblee, Oregon; Rita Aldrich, New York (alternate); Lloyd Bolling, NRC and John Telford, NRC. James Yusko, Pennsylvania, is serving as liaison to the Working Group for the Conference of Radiation Control Program Directors. James Richardson, NRC Nuclear Safety Attache in Vienna,

Austria is serving as liaison for the International Atomic Energy Agency. At its initial meeting, in addition to the Working Group members, 28 representatives of the metal recycling and steel manufacturing industries, device vendors and users, health physics consultants and government agencies attended. Minutes of the first and second meetings of the Working Group and other background information are available for public inspection and copying for a fee at the NRC Public Document Room, under the file, "Review Group—Radioactive Devices."

The public workshop is intended to provide an opportunity for stakeholders to have an input into the Working Group assessment of the need for regulatory changes and development of recommendations, as needed, for regulatory options to improve controls of licensed devices and assure their proper disposal. A target date of May 1996 has been set for the Working Group to develop and finalize its recommendations.

For efficient conduct of the workshop, the meeting format will be a round table discussion among invited representatives from affected interests, e.g., the metal recycling industry and recycled metal consumers, device vendors and users, Federal and state regulators and citizen groups. The workshop will be open to the public, and the public will be provided opportunities throughout the workshop to comment on the issues presented for discussion.

If the Working Group recommends changes in NRC regulations and the Commission agrees, such changes would be proposed through a subsequent NRC public rulemaking process.

Dated at Rockville, Maryland, this 28th day of December 1995.

For the Nuclear Regulatory Commission,
Malcolm R. Knapp,
Deputy Director, Office of Nuclear Materials Safety and Safeguards.

[FR Doc. 96-108 Filed 1-3-96; 8:45 am]

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