

POLICY ISSUE
NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Commissioner Wright
SUBJECT: SECY-19-0088 - Evaluation of Thresholds for Reporting Abnormal Occurrences in Response to SRM-M190423

Approved Disapproved Abstain Not Participating

COMMENTS: Below Attached None

Entered in STARS
Yes
No


SIGNATURE
10/18/19
DATE

Commissioner Wright's Comments on SECY-19-0088:
Evaluation of Thresholds for Reporting Abnormal Occurrences in Response to SRM-M190423

I approve the staff's recommended Option 1, to pursue development of revised medical event and source security Abnormal Occurrence (AO) criteria. I appreciate the staff's careful reevaluation of this issue and engagement with the Organization of Agreement States (OAS) and the Advisory Committee on the Medical Use of Isotopes (ACMUI). Based on the staff's analysis, which is consistent with the OAS and ACMUI positions, I agree that the current AO criteria may capture events that are not significant from the standpoint of public health or safety.

The Commission most recently considered revisions to the AO criteria in 2015. In the SRM for SECY-15-0040, the Commission approved two of the staff's three proposed revisions to the AO criteria for medical events with the expectation that these two changes would be sufficient to screen out events that were not significant from a standpoint of public health or safety. At that time there were some concerns that implementing the third revision would set too high of a bar, limit the information sent to Congress, or minimize the importance of events. I do not view the changes proposed then or the possible changes the staff may recommend now as problematic. Instead, I view these possible changes as an opportunity to better align agency practice with the statutory provision requiring AO reporting and to keep Congress and the public better informed on those events that are significant from the standpoint of public health or safety.

Even after the changes to the two AO criteria for medical events proposed in 2015 were implemented, the NRC continues to submit AO reports to Congress with statements that "the licensee does not expect adverse health effects to the patient" from the majority of medical event AOs reported. This type of reporting is inconsistent with the statutory threshold for what constitutes an AO and inappropriately introduces confusion as to the significance of the event. I do not support providing information to Congress or members of the public—including patients and their families—that may miscategorize the safety significance of an event. Therefore, while revising the AO criteria may reduce the number of AOs reported, it would better inform Congress on the type of events about which the statute requires the NRC to report.

Moreover, any revisions to the AO criteria would not limit the information available to Congress or the public. Such revisions would not change the requirements for events that must be reported to the NRC and Agreement States. Licensees will continue to submit required reports on a broader range of medical and source security events that may indicate a problem in a licensee's use of radioactive materials but may not be significant from a standpoint of public health or safety. The NRC makes information and records on reportable events available to the public and disseminates information through public announcements and special notifications to licensees and other stakeholders. The NRC also routinely informs Congress of events of interest that occur at licensed or regulated facilities.

I look forward to the staff's proposed revisions to the AO criteria, and appreciate the staff's continued thought and attention to this important issue.