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June 17, 2022

Andrew Carrera and Katie Tapp
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Carrera and Dr. Tapp,

The OAS Executive Board (OAS) appreciates the opportunity to comment on the U.S. Nuclear Regulatory Commission's (NRC's) draft Commission paper: "Rulemaking Plan on Release of Animals Receiving Treatment Containing Byproduct Material." (RCPD-22-002)

OAS supports rulemaking Alternative 3: "Issue revised licensing guidance to clarify veterinary release" (Alternative 3). This option is more practical and protective of the limited resources currently facing many of the Agreement States. This option would also allow for a more streamlined process for updates as new veterinary byproduct materials are developed.

Two of the cons of Alternative 3 are described as: "Would not provide a consistent approach for the release of veterinary patients across the NMP" and "Would not resolve the regulatory uncertainties related to the veterinary release pathway of byproduct material". Most of the inconsistency and uncertainty seems to lie in the methods used to determine dose for veterinary release, and NRC staff is already developing a regulatory guide to address this issue.

OAS does not support increasing the public dose limits from veterinary patients from the current 0.1 rem standard under 10 CFR 20.1301 to 0.5 rem. The draft Commission paper describes that this increase may warrant additional protective measures such as "training and experience for authorized users and radiation safety officers, reporting and record keeping, and animal waste handling requirements". None of these protective measures address the fact that untrained, unregulated pet owners will ultimately be responsible for ensuring adequate radiation protection in their homes.

There is also concern that there will be an increase in the number of rejections of waste in landfills due to improper control of contaminated pet waste, adding to the resource burden on the Agreement States. We understand that NRC will seek stakeholder input if the rulemaking is initiated, and we will look forward to working with NRC to address these topics.

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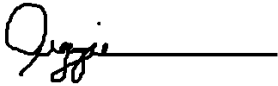
Organization of Agreement States

RCPD-22-002

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Once again, the Board appreciates this opportunity to comment. We are available should you have any questions or need clarifications to our responses.

Sincerely,

A handwritten signature in black ink, appearing to read "Augustinus", followed by a horizontal line extending to the right.

Augustinus Ong, Chair

Organization of Agreement States

NH Division of Public Health Services/Radiological Health Section

29 Hazen Drive

Concord, NH 03301-6503