

**Radiological Control Coordinating Committee (RCCC)**  
**Meeting Minutes**  
**November 13-14, 1995**  
**Denver, Colorado**

**I. Convene Meeting, Agenda Additions, Approval of Boston Minutes for July 27-28, 1996.**

The meeting convened at 9:05 a.m. in the Colorado Room, Marriott Southeast. **Attachment 1** is the attendee list and **Attachment 2** is the list of Action Items.

The Chair reviewed the list of participants for a November 8 conference call to discuss the future of the RCCC. The final resolution of that discussion was the RCCC will be a standing committee to the ES&H Council who will provide management, direction and structure. The Chair said institutional and technical issues have been resolved. At this meeting, the RCCC will discuss the path forward and issues that need to be resolved. The Chair said there have been some issues regarding the Committee usurping line management and the RCCC needs to clarify these as a committee; therefore, "Issue Resolution" will be added to the agenda. After the Chair talked with Tom Todd, he realized the Committee had to do something quick on a conference call, otherwise, the Committee would not be able to meet with Dr. Tara O'Toole per the criteria established by her office.

RFFO asked for "Compliance Assessment Methodology for the Price-Anderson Recommendations" to be added to the agenda. RFFO received a memorandum he would like to discuss. Also, EH-3/HOWARD had an item he wanted on the agenda which will be added with Joel's discussion of "exemption lessons."

The Chair did not know if Dr. O'Toole was able to attend the ES&H conference due to the number of committee meetings scheduled. The Chair read a meeting schedule and reviewed the RCCC agenda. "Exemption Process" with EH-52(EH-3/HOWARD) was added as was "Compliance Assessment Methodology" which will follow "Issue Resolution."

The Committee was asked about approval of minutes from the July 27-28 RCCC Meeting at Boston. DP-311 said there were a lot of issues regarding the minutes. DP-311 thought some things that were "hearsay" should not be included in the minutes. The committee agreed to give proposed changes to the recording secretary. EH-52 said issues should be included in the meeting minutes. The Chair did not feel comfortable about changing meeting minutes unless RCCC members brought them to the table. EH-3/ED said he would provide changes. EM-25 asked that changes be given to the recording secretary. RFFO said the Committee has to be aware of wordsmithing. There has to be value-added to change the minutes.

EM-25 said the Committee needs to discuss how they will do the meeting minutes.

(i.e.: format, style, who will be the recording secretary). The Chair said if there are any major issues, the RCCC will have to discuss them. Proposed changes to the Boston RCCC Minutes will be from EM-25, SR, EH-3 and DP-311. Those changes will be taken into consideration before minutes are finalized.

## **II. Transuranic Limits and EH Site Rep's Role in 10 CFR 835 and Posting Questions**

OR had asked to lead the discussion on these items, but was called back to his office from the ES&H Conference. OR planned to compile a written position on the Transuranic Limits, the Chair stated. The Committee agreed to put these items on hold. EH-3 said the posting issues for laboratories are significant.

## **III. Dosimetry Limits for Personnel Traveling to Foreign Countries**

EH-52 summarized discussions with General Counsel. From the enforcement viewpoint, EH-52 said no decision has been made as to how Price-Anderson applies.

EH-3/HOWARD said that is one element. The second element is to determine when people work out of the country, if they are working as DOE contractors. The bottom line, EH-3/HOWARD said, is if all dosimetry limit issues are resolved, General Counsel have more than enough challenges to work within the borders of the United States. GC's present position is they are not even looking overseas.

EH-52 said it was not intended for 10 CFR 835 to apply outside of the U.S.; therefore, if you are working overseas, it was not the intent to impose 10 CFR 835. The protection principles which apply are from Order 835. Presently, negotiations are underway with Russia about use of certain products, EH-52 said. From both perspectives, it is not the intent to have civil penalties or regular liabilities apply outside of the U.S. EH-52 said one needs to be aware of dose. Order 835 would not apply as to how that dose is determined. Order 835 would not cover how the dose is determined. EH-3/HOWARD said that would not be any different from people working in the NRC.

EH-52 said there are two options: 1) Summarize the discussion with General Counsel and send a memo to the RCCC members, with concurrence from the enforcement people; or 2) Request General Council to write an interpretation. EH-52 said the first option would be more practical.

**ACTION ITEM:** *EH-52 will write a memo to the RCCC and summarize that the Committee does not view that 10 CFR 835 would apply outside of the U.S.*

The Chair said the protection principles are what people need to clearly understand. For example, when you travel to Russia and are doing work, there are some interesting interactions that occur. EH-52 said Ann Troy traveled to Geneva to negotiate some dosimetry items. EH-3/HOWARD said the State Department would take the lead on any issue overseas. EH-52 stated the State Department is negotiating what the coverage's are

and who would use protective equipment in those situations. RFFO asked about the availability of training. EH-52 said training would also be an issue.

NV asked for clarification of this discussion. If a team from one of the labs travels to a foreign country, they are not responsible for determining the doses, NV asked. EH-52 said the travelers, under Order 835, are not responsible for dosimetry; however, under Order 835 when the traveler returns, they must know their dose to assess if they are within limits.

NV asked if contractors are responsible for reporting dosimetry results as part of the annual report, for example, DOE work performed at the Marshall Islands. EH-52 replied the key is to protect the people. That is the principle, either through a Memorandum Of Understanding or a contractor. EH-52 said the question is, under Order 835, are you liable from an enforcement perspective? You would be liable to provide adequate protection for your workers. RL said the question is for when an individual travels to a foreign country and returns. The contractor could not allow that individual to work, because under DOE activity they were above the allowable limits. EH-3/HOWARD said the contractors are responsible for the limits, but RL was talking about enforcement. If the contractors receive the Order 835 dose overseas, DOE does not enforce that.

RL is concerned about radiation work. EH-3/HOWARD said if DOE runs into a practical problem, part of General Counsel's job is to find a solution. We have a responsibility with respect to the RadCon Manual. RL said the worker is still in the foreign country under DOE activity. EH-3/HOWARD said there are a tremendous number of unknowns in these matters. One must use common sense, either by contract or by treaty. The discipline we invoke on ourselves, not Order 835.

RL asked who will establish agreements with the contractor. EH-3/HOWARD said the state department, along with DOE, would establish agreements and that Ann Troy presently is working this issue. EH-3/HOWARD said that he thought a contractor would like to be present at those negotiations in order to understand the agreement and make the contractor's position known. RL said one of their contractors is set up basically with the amendment to the RPP. They take fairly conservative measures.

RFFO said this issue was raised as a comment to Order 202-B. The preamble tried to clarify this issue. You have to do your best dose estimate, and there is a responsibility of the contractor to monitor this. RFFO said they went back to previous employers. You can not ignore the does estimate, but you did handle that in the preamble to the resolution. But there is one clarification that RL just brought up. Say a person goes overseas and gets another 150 millirem, do you have a violation of the rule? EH-3/HOWARD said there might be a possible violation. The facts unique to that situation would have to be reviewed and it would have to be determined if they warrant those being handled at the site level.

EH-3/HOWARD thought all RCCC members at their individual sites would be aware of those situations. RFFO said they have had some individuals with significant medical

restrictions who have been ignored. This is not a trivial issue, RFFO said. Good records need to be kept.

EH-3/HOWARD said if it becomes a problem, then the issue is elevated in our collective eyes. The Chair said the dosimetry issue is complex, but the RCCC needs to develop a standard template in order for people to feel comfortable.

#### **IV. Update on Radon Subcommittee Report**

The Chair gave the RCCC a copy of the Radon Subcommittee report. Subsequent to the report, the Chair said there were some extensive comments received from EH-52 and EH. There was a meeting on October 18 in Washington so the Radon Subcommittee could get resolution on the report and move forward. All of the comments received by the Radon Subcommittee have been addressed, said the Chair. The comments are being incorporated into the final version of the report.

The Chair said there were two alternatives:

- 1) Adopt ICRP in its entirety. This brings in lung models and concepts from the dosimetry concept. This also will put the Radon Subcommittee in a different technical perspective. There is some hesitancy to adopt this alternative.
- 2) Continue using ICRP 32, which is what Order 832 specifies, but the monitoring threshold would be raised, including background. This idea has been discussed with sites with a problem (Fernald and UMTRA project mainly). Input from Fernald and the UMTRA project is that ICRP 32 is something the sites can live with because it is consistent with the exemption process going on for the radon request.

There are four exemptions presently being considered, the Chair said. Uranium remediation activities are requesting the exemptions, and there have been conference calls with the field. There is not an inconsistency with the Subcommittee report and the exemption process.

EH-52 agreed there was not an inconsistency. EH-52 said the process is needed in this country before DOE adopts these things while other countries have other approaches already in place. For most of these facilities radon is a transient issue. The work will be shut down in a couple of years, EH-52 said. I don't think we have any inconsistencies or any opposition between the positions. EH-52 said the issue is how we can get things done. The Chair said that by having both approaches out there, we are allowing flexibility and we have a sound technical position.

NV asked if the Chair was stating the Field Offices will receive the Radon Subcommittee Report and need to select the method to be used. The Chair said, no, this is a report directed to the guidance policy. NV stated someone has to implement the order. NV said he understood the Chair to say another alternative might be equally acceptable. NV asked the Chair to explain. The Chair said there are two acceptable alternatives and that is where the RCCC Subcommittee would leave the final line. NV said, then DOE would chose one alternative and proceed with it. The Chair agreed, saying there were eight alternatives in the entire report and we have reduced that to two.

RFFO said his site is getting into trouble with skin contamination. RFFO is looking at the PCM-2s monitoring with that issue. This was basically an occupational issue, not a skin contamination issue. It is a problem because RFFO has to log it as a skin contamination issue, but there are no doses. RFFO withdrew their exemption request. The Chair said that skin contamination is not covered and is not discussed anywhere else. The RCCC members could review that issue one more time, the Chair said.

***ACTION ITEM:** The Radon Subcommittee will send their report back to the RCCC get approval electronically or by phone and then the Chair will forward the report to EH..*

The Chair reminded the Committee they have already seen the Radon Subcommittee report. The basic principles are there. Once the report is approved, the report is sent to Joe Fitzgerald, who will handle it from there. The Chair hopes the report will be approved by phone in two weeks.

**\* COMPLETED**

## **V. Annual Occupational Safety Report**

Jay Maesler distributed **Attachment 3**, the Annual Occupational Safety Report. Maisler said the findings came from the survey and the workshop in July 1995 or early August. The report was noted as being untimely, Maisler said, which should be a shock to you all (Laughter from the Committee).

Maisler said the report was not being used in the benchmarking activities, which concerned Dr. O'Toole when the first report went out in 1992. The report includes lots of data, Maisler said, but the report was not issued. The report was studied to determine what could be done to enhance or improve it. The report was not user friendly, Maisler said. As a result of the resent survey and meeting, the summary report will be a real nice report on generally broad data that would be of interest and useful to managers and other stakeholders, Maisler said.

RFFO thought one of the changes to the report was to show the process of the changes to cleanup. Maisler said the raw data report will be available electronically, site specific, as received. EH-3/HOWARD asked who was the audience for the report? Maisler said there are three reports: a summary which is for managers; a full report, which is targeted for technically oriented people; and site-specific data, which is for people who have specific needs.

DP-311 preferred the site-specific report. NV did not think the information came out site-specific. EM-25 said it is that way for SNL. NV thought the information is sent back to Los Alamos. NV said his prime contractor does not report it.

Maisler said the data will be reported as it becomes available. NV said he was under the impression that each contractor reports separately with the others. Maisler said the summary report, which is near a final draft for review, identifies key indicators. That is

one of the direct improvements which will help identify “significants.” The report looks at collective items, Maisler said. This report is for 1992, 1993 and 1994 and shows how DOE fared with the administrative control levels. Pat Tilson asked if that was dose limits. Maisler replied that incidents are explained as well.

The Chair asked if Maisler was addressing where you have TEDE and if they were exceeding the 50 rem. Maisler said that information may not have been reported into the system. The Chair said there was a 1994 exposure which exceeded the bone dose. Maisler did not think the contractors are required to report that; therefore it is not included in the report. The Chair said it might be good to see where this is going in the future. Maisler said he thought skin contamination was the only item reported. The Chair thought that was correct, but was not certain. Maisler said doses by facility type, labor category and the components of dose are also included in the report.

The Chair asked where tritium was included in the report. Maisler said the report picks tritium up in one of the tables and shows the doses are really nominal on an average dose basis. You have a lot of collected dose, Maisler said, but the individual doses are low. The Chair asked if the report shows that information and asked if there was a category. Maisler said he would have to see how tritium dose was reported. The Chair said the report discusses internal deposition of radiation material, but for the most part it doesn't include tritium. Maisler said he didn't think it included all, just some, tritium.

RL asked if the report makes a distinction between planned or unplanned exposures. Maisler said no distinction is shown, but there is an attempt to compare DOE dose to other activities. Maisler said the data is publicly available. What you find is DOE is steadily trending down, the Navy is real low, with a slight trend upward. The NRC is higher than DOE, but trending down, Maisler said. They attempted to get international data, but comparisons would have been difficult, Maisler said.

There is also a new section called ALARA action at DOE, said Maisler. This is a test section that included just a few examples received from the complex. This was due to the timing of the report. The input was sought for future reports in order to identify good things being done that are bringing doses down, Maisler said. The Chair asked if there was an ALARA review done and documented approximately two years ago, and was it included? Maisler said his group talked to RFFO-Dione about these examples and that it might have been as much as five years ago.

DP-311 asked if there was any data exchange with Canada. Maisler said his survey team had been in contact with Canada, but no exchange of data has been made at this time. They have tritium, Maisler said.

The appendix on health risk is a chapter from a previous report, Maisler said. This was included to put things in perspective with other industrial hazards. RFFO asked what the basis for that was. Maisler said that is still being reviewed for occupational population hazards. The information was in the report before, Maisler said, and the consensus from surveys was that the health risk chapter should stay. Maisler said the appendices may be

of interest to some readers. The report covers 1992-94, when there was some transition in effect.

RFFO said it is difficult to make the report consistent. You have to be able to put this information together if needed, but I don't want to spend a lot of money, RFFO said. It gets back to the idea of comparing apples and oranges. The Order 444.1 says we will get information to people. Maisler said the goal for publication is to have the report signed out by the end of the year.

The Chair asked what the dose by age and sex was. Maisler said some people reported this information. SR asked if the report will be sent out for field review. Historically the report had not been sent out for field review. RFFO said they were asked to make their reported information "fit" the computer program. EH-52 said that request was in order to make the information fit the centralized data base. It is not like EH has collected the data directly from your site. RFFO said all the data is lumped into one number. If the RCCC members can not look at the data, not to scrutinize it, but to see what the data means. SR asked Maisler if his group wanted the data to be useful.

Maisler said as far as the review, there was concurrence at DOE-HQ. SR said he was pushing for RCCC review in order that the report does what it is intended to do. Maisler said there are test cases to see if people can understand and follow them. The data was modified because of new requirements in TEDE and so on. But with the reformatting of the report, the Chair said it might make sense to have a "reality check" of the report. At least that would be a path forward. DP-311 said it is important for the report to be a very good management tool. It is the most requested single document, said DP-311. EH-52 said this would be a one-time review for comment. EH-3/HOWARD said the last thing you want is for people to receive the report and say they can not use it.

***ACTION ITEM:*** Maisler will include a statement in the report that it is suggested copies are provided to the RCCC for review, and then a turnaround date. This will give the RCCC an opportunity for a "reality check."

EM-25 had access to preliminary data from this report. It came out that the initial intention was to mention that in 1993 we moved from AECD to CEDE without too much elaboration on the form. In 1992, if you look at the data, one-third of the collective dose is internal. In 1993, the internal dose reported is a large drop, EM-25 said. It is not a drop in dose, but you have to say there is a methodology change. The change in methodology would have an impact on the figure reported. RFFO said you do not want to give the impression we have become more effective.

***ACTION ITEMS:*** Maisler will check with the Nevada test site to report how DOE handles Livermore. Also, Maisler will receive reports from AL, SR, OAK and OH to see how tritium is handled/reported.

The Committee then took a break and resumed at 10:40 a.m.

## **VI. Rule 10 CFR 835 and Order 441 Information**

EH-52 said that since the last RCCC meeting (in July) due to the order reduction process, Order 5480.11 was canceled. The remaining radiological control documents, 10 CFR 835 and an interim notice, DOE Notice 441.1, are being reviewed. EH-52 said they are working a number of initiatives because this process significantly changed the way the department operates.

EH-52 said there is a major change of 10 CFR 835 in progress. This original proposed amendment would include the tritium limit presently in the RadCon Manual, EH-52 said. The amendment would also include some concepts that seemed reasonable during the initial year when Order 835 came out. RFFO pointed out some corrections, EH-52 said. Then there was also a proposed amendment of the applicability of 10 CFR 835 with the provisions of DOE Notice 441.1; however, that will not be done simply as a one for one transfer and proposal of those positions, said EH-52.

We are looking at what needs to be in a radiological control program, said EH-52. We are looking at the ultimate format of DOE Notice 441. We did not have a methodology to fall back on; therefore we are going to use a methodology to do what we say in DOE Notice 441.1. (Regulatory versus guidance). There will only be one set of requirements ultimately with Notice 441.1 going away and all the other documents would be guidance, EH-52 said. The RadCon Manual would be guidance and there would not be the dual system we presently have. EH-52 said contractual requirements also have to be followed. What I know is that we will have a regulatory system on one side, EH-52 said. The main item is 10 CFR 835 and everything else would be guidance.

SR said that gets caught up in the necessary and sufficient process. The RPP evokes things at the site. EH-52 said our major initiatives are to amend 10 CFR 835 and amend development of the systematic process, looking at requirements, then to revise or come out with the RadCom Manual in a technical manual form. EH-52 said these are their initiatives. As far as Necessary and Sufficient, I'm not sure what our role is, EH-52 said. There is a task team with EH-5, with Roy Gibbs, that is working this issue and developing the EH actions for necessary and sufficient.

One issue is the Defense Nuclear Facilities definition of the ER labs. There has been a legal problem. SR said the sites can not drop the RadCon Manual and in the process not invoke Notice 441.1 EH-52 agreed. DP-311 said if you say all applicable orders in the DOE Orders, that should cover it all, but they are all worded differently. The Chair said that from a contractual perspective, there are a myriad of issues, for example, the AL Manager, has directed that AL contractors will not implement these orders without specific guidance from the Operations Offices. Notice 441.1 is one of the things that needs to be done right. The Chair asked, "Have you implemented the Notice from the contracting officer perspective?"



The problem with RFFO is that after five years, DOE and not the contractor, will be implementing the program, said RFFO. SR said the contractor has to send any changes to an RPP to DOE.

EH-3/HOWARD said in theory the Necessary and Sufficient working group is addressing this issue. The people at individual sites identify things into the regulatory package necessary to operate the site. By definition it contains all statutes and regulations, EH-3/HOWARD said. It is supposed to be the exercise of judgment by people at the site working collaboratively with their program offices. After they reach an agreement as to what the sufficient information is, then this is worked. SR said the pilots are very narrow. EH-3/HOWARD said there are a lot of misunderstandings which is why pilots are done -- to see if the pilot works.

PAT TILSON raised a NTLF issue. Tilson said Dick Black led us to believe that the way Necessary and Sufficient issues were written was not workable. EH-3/HOWARD said one of the biggest misunderstandings is that some believe N&S gives them the right to chose which regulations apply to them. That is a fundamental misunderstanding which needs to be clarified as soon as possible. RFFO said it is a problem which causes conflicts on how work is done. It is not trivial, RFFO said, because several projects at RFFO are being bid on now.

EH-3/HOWARD said one thing we have learned from the first set of pilots is the interaction between the sites, program offices and the general councils and other offices is not appropriate. The fact of the matter is there are some subject matter experts at HQ who feel that they were not brought in early on in the pilots and there might be some pilots that went down a path the subject matter experts feel uncomfortable with. EH-3/HOWARD said we will have to sort this all out. In theory the N&S concept is sound, but we individually have to make it work. The DNFSB is already expressing some reservations, EH-3/HOWARD said. My view is the solution is not top-down or bottom-up; but how to find a comfort level for everybody. There is going to be some anguish in that process, like any birthing process. We all need to figure how to make this work. The RCCC needs to have the appropriate level of input into your N&S set. I don't see how they can do it without you. RFFO said they have groups that say they will do exactly what they have to. But when you bring this into a site that has satellites, which in two years, may be completely different, it impacts how the site contractor has to perform their services. EH-3/HOWARD said RFFO was worried about a smaller issue before getting the main issue resolved. The Chair said the discussion has jumped way over and that the original topic discussion was about the role of Order 835.

EH-3/HOWARD said it is critical that every one of these Necessary and Sufficient sets should include Order 835, unless there is a process to substitute something else. EH-52 said Necessary and Sufficient is related to Order 835. EH-3/HOWARD said you will have people who say we do not need Order 835, or anything, for the RadCon Manual. The Chair said that at Los Alamos AL did 10 CFR 835 through a Necessary and Sufficient process which included 23 elements. The time period worked was July 1995 through present. The Chair said AL was able to get through 11 of those 23 elements.

They essentially took the words of Order 835 and invoked them. It is more of an implementation process than a Necessary and Sufficient process, the Chair said. LANL Line management and the ES&H group are now working together and talking about 10 CFR 835. The Chair said it is not clear what the path in Kansas City is with the medical issues. Convened groups do not work as well as part of the identified group. There are a lot of lessons learned, and the path forward is still being worked by the HQ Standards the Chair said, but he does not know the path for it.

EH-3/HOWARD said as an example of a disaster story that they had one group decide that RCRA and CERCLA did not apply to them. [Necessary and Sufficient clearly exists and is working]. However, the Chair understands that from a contractual standpoint it is a team decision to be made by the PSOs and the Field Office management as to who applies the process. If it is not a team process, necessary and sufficient will not be universally applied. It depends upon the contractual arrangement and Cherri Langenfeld, CH, is working this issue. As of late October, Cherri's group decided to use the team concept with the field office manager and the PSO's who have interest in applying the process at various sites. EH-52 said it is coming soon. The Chair said Langenfeld's committee has a decision coming up in the next couple of weeks and already has a process established.

For DOE Order 10 CFR 835, the current process includes an amendment where the notice information would be put back in on a "reasons why" methodology. One question, the Chair asked, "Does 441.1 pick up the tritium limits? The RadCon Manual is a guidance document where things are invoked." EH-3/HOWARD said one subtlety is that while something might not be enforced from a regulatory perspective, it may be enforced from a contractual perspective. The Chair cautioned that the tritium limit may have been lost. EH-52 said if you invoked the tritium limit it in your RPP, you should have it. EH-52 does not see this as a major issue. If tritium is formally invoked in the RPP, we also have approval at the CSO level.

SR asked if there was a timetable for the 10 CFR 835 amendment. EH-52 said soon. Once again we can write the initial draft, and hope to have it by mid-December, said EH-52. EH-3/HOWARD said we are way behind on getting the rest of the nuclear safety rules published. EH-3/HOWARD expects them to be published by February or March of 1996.

DP-311 asked EH-52, is tritium limited to defense nuclear facilities? EH-52 said no, this was written to meet constraints on order reduction, but nothing is certain anymore. We will write it as Order 441 was written, to apply everywhere. EH-52 said, then we will see the comment resolution process. The Chair asked, who is developing the technical basis, for tritium limits? EH-52 said it is their process. We are supposed to have that out with the amendments, EH-52 said. We hope that will define the process as to how we go about the initial DOE review process. This at least gives us a structure on how to do it, said EH-52. It adds some rigor to the process, a systematic engineering process, or at least as close as we can get to that. Hopefully, EH-52 said, when we get through this

process, probably in a year, we will have a set of requirements based on technological issues.

EH-52 said we can say what process was used. RCCC members may not agree with it, but this is why we did it. Then we will have a set of guidance documents for purposes of implementing the order. EH-52 said, then we will have backlogs of technical clarifications as well as exemption requests which can be used as acceptable variances to Order 835. Legally, we will then have what the approaches are to implementation, EH-52 said. A year in DOE is a long time and there will be a presidential election at that time which is a wild card.

EH-52 passed out **Attachment 4**, Exemption Request Status (11/10/95) and the RCCC discussed the attachment. The Chair said he had an exception to a line on Page 2. EH-52 said that Mary Ann Sullivan, the Deputy General Council (GC-50), will review these exemption requests. The enforcement policy was to provide relief, EH-52 said, and we feel these are reliable, but have not been edited for legal ramifications.

EH-3/HOWARD distributed **Attachment 5**, "Enforcement Guidance Supplement 95-01." We decided that it would be unreasonable to hold contractors strictly accountable for parts of Order 835 where they had requested an exemption, EH-3/HOWARD said, if the reason why they have not been granted the exemption is because DOE has not been able to push it through the internal review process.

So what we have done, EH-3/HOWARD said, is issued a guidance supplement that basically says any exemption request received by November 1, 1995, we will refrain from enforcement until DOE either approves or rejects that exemption request. We selected the November 1 date immediately prior to issuance of this guidance letter. It is simple and practical, EH-3/HOWARD said. We have a good handle on which exemptions are being supported by EH-52 and the RCCC. It is a practical approach to a problem which our bureaucratic process is in part responsible for. EH-3/HOWARD said this also says the Price-Anderson is not a game of "gotcha." EH-52 said there are not any new exemptions.

## **VII. Compliance Acceptance and Methodology**

RFFO said that since Headquarters published a standard called "enforcement assessment" (part of the handbook); we came up with a Standard Operating Procedure. RFFO distributed **Attachment 6**. What determines an isolated incident versus something else, RFFO asked. Is this technically equivalent? Are they doing what they say they are going to do? For instance, RFFO has performance measurements they have to do above and beyond statutory regulations.

This was the first time RFFO included Price-Anderson, RFFO said. One process is "how do we do compliance?" One statement they made was that they will "do good records." Their feeling was they have a material release survey. If it says less than 20 mrem (?), we can check a box and that is good enough. By using a process like the attachment, RFFO said, we discovered that does not necessarily mean you have done your survey.

This process was an attempt of how we use the information. RFFO took a slice and looked at 5 or 6 methodologies. We had numerous problems locating records. The procedure identified the differences between enforcement of, or if it is an isolated deficiency or a programmatic deficiency.

**ACTION ITEM:** *RCCC members will provide RFFO with feedback on their Standard Operating Procedure at the request of the RFFO representative.*

The Chair asked RFFO, "Once you found a programmatic issue, does this (the SOP) address how you proceed from there?" RFFO said yes, there are six parts of the process. On Page 3 (of Attachment 6), the methodology steps are listed. It embraces the self assessment process and folds it into the process. EH-3/HOWARD said the General Counsel has not discussed the particulars about this method. RFFO said no, but this procedure is to help RFFO to get past this.

EM-25 asked what triggers the execution of the procedures? RFFO said it is triggered any time subject areas crop up. EM-25 said this is triggered by anything that makes RFFO think there could be a concern. EM-25 asked if RFFO had the chance to read the OSI Manual. RFFO did and indicated that OSI Manual is how do we get from there to here. RFFO did some "what if" scenarios.

EH-3/HOWARD said that Point 1 is we want to encourage aggressive contractor identification and reporting of their problems. Point 2 is when we develop suspicions, we want to work with our contractors in identifying possible problems. I want everybody to remember that, EH-3/HOWARD said. The one thing we do not want to do is to turn DOE staffs into NRC type inspectors.

RFFO said there are a lot of changes in his office. As of November 27, 1995, RFFO will be the head of the Nuclear Environmental Safety Assessment. RFFO owns the technical assessment of that program, but does not own the program. RFFO said the contractor owns the program and will be able to assess the program. EH-3/HOWARD said we want to make clear we are not in a game of "gotcha." Pat Tilson praised RFFO's document.

RFFO said as we get into the Price-Anderson items, we wanted an established format. RFFO presented this to the RCCC because they are going to be one of the first to go through this process. EM-25 said Rich wants to copy this and run this through the QA rule to see if it works.

**ACTION ITEM:** *The RCCC will provide, by December 15, 1995, any comments to RFFO or Jim Langstadt (303) 966-2542.*

## **VIII. ISSUE RESOLUTION**

The Chair stated he was offended by the remarks at the conference call on November 8. We have had some major issues, the Chair said. From a personal perspective, this is bothersome to me that there have been some positions that we as a Committee are not representing the consensus opinion. The Chair said the only way to move forward is to determine what the issues are. The Chair stated he did not know of any issues that are

consensus opinion. Consensus does not mean unanimous. This has gotten to be a very personal thing. Last week on the conference call, saying “he did this, he did that.” I took that to be the first indication of problems.

The Chair said he asked Larry Miller, NE-441, what the issue was. NE-441 was not able to come up with a firm issue, the Chair said. I feel very strongly in this area that I need to know what the issues are. RFFO said that at Germantown a couple of years ago, “consensus” was an agreement that the RCCC members could all live with and move forward on. The Chair indicated this has been the operating principle of the Committee.

The Chair asked NE to put any issues on the table relating to the November 8, 1995 conference call. The Chair asked NE-441 to put in writing any issues they had. There was an NE was not able to attend this meeting, therefore, **Attachment 7**, NE-411’s statement in writing, was passed out to the RCCC. The Chair said the statement was much more flowery to Gene Runkle than the Chair would have liked.

The Chair said the first issue he was aware of was on exemptions. The Chair said he understood that DP has taken the opinion that the RCCC preempted line management prerogative. DP-311 said that is not correct, that exemptions are what the RCCC do best. The Chair said that the RCCC associated the Committee positions as “supported by the RCCC,” or not supported by the RCCC. We did not recommend or preempt any contractor line manager from moving ahead, the Chair said. RCCC members agreed that was clear.

DP-311 said her concerns and program office concerns are the fact that the forum is not a defined, tighter thing. You could have severe disagreements with people being silent. The Chair asked DP-311 for concrete examples of where this occurs.

DP-311 said it is not clear when we have or do not have consensus. DP-311 said the charter needs to be changed on this issue. The Chair asked for “real time examples” where this has happened. For example, on the conference call, they mentioned the dollars.

TED WYKA said he thought this was one area where the RCCC did well. The Chair said that DP-311 expressed, on the conference call, that there was a problem or major issue.

The Chair said he wants to know what the issues are. DP-311 said there are unclear items in the meeting minutes where things (written) are not a part of the consensus.

The Chair said he was asking about the dollars being a concern. The Chair said the RCCC looked at dollars associated with the costs of radiation protection as a “reality check” and found the figures were not consistent for the report to the DNFSB. One Operations Office had \$10 million dollars while another office spent zero. We had some contractors with zeros, others with big numbers. The Chair said he wanted consistency, therefore the RCCC provided information back through EH and they went forward. The

Chair asked if that was the consensus of this committee of how we worked on this issue - the Committee agreed.

DP-311 said there is no problem with that. DP-311 said there are statements in the meeting minutes that I do not think are clear. The Chair said he wants examples of statements being made around Washington (regarding the Chairman and the RCCC) and tearing this Committee apart. Rick Jones mentioned this subject multiple times on the conference call, the Chair said. "What are the problems?," the Chair asked. "It comes back to me personally."

PAT TILSON said the Chair was asking for specific examples of consensus not being reached. Silently, everybody nods their head yes, and you (the Chair) say we have a consensus. Down the road, on the meeting minutes, it says, "Gene said . . ." There was not a line in the minutes saying eight of 10 members present said yes, Tilson said. It is just the way the opinion was offered.

NE-443 (RAJ SHARMA) said at other places he has seen people stay silent. That does not mean it (the opinion) was agreed with. NE-443 said a more vocal consensus is what would be needed. PAT TILSON said preferably what the Chair would say is, "Here is the preferred opinion. All in favor." The idea of being more formal.

RFFO said if you record it, it is a vote not consensus. NE-443 said he has seen many other places that people will keep quiet, even if they do not agree with the position stated. NV said you might not agree, but you can live with the position stated that is a consensus. NE-443 said some committee members are not saying yes or no, but they are being taken to consent. PAT TILSON said this is a mechanism issue.

The Chair said it is becoming a personal issue that the Chair is driving all of the actions of the RCCC. The Chair said he has seen this idea in writing and it bothers him. The Chair said he was accused of wanting to become the lead spokesman of DOE because of referencing the Podonsky assessment report. That was never the intent, the Chair said. I am doing things in good intent and getting "laid out on the slab" for no reason, said the Chair.

The Chair said NE came in (last week on the conference call) with the same type of statements, saying he (the Chair) did this, he (the Chair) did that. The Chair said he does take a very progressive role in trying to move things forward in the Committee in order to try to get a position and move things on. The Chair said we have never voted in this committee. DP-311 said this is not a personal issue, but a methods issue. DP-311 said we need an updated charter that defines what a consensus is. DP-311 said she thought that will fix things.

PAT TILSON told the Chair that because you tend to speak out, everybody here knows you are speaking from the RCCC and that is where people see it as "Gene".

The Chair said that on Order 470, there was a lot of discussion on the RCCC taking a formal position on the RadCon Manual. -- mandatory versus non mandatory. The Chair

did not want that on the record because of the RCCC charter. The Chair felt that everybody had the right to put comments in through their PSO and the field office process. The Chair said that has become a major issue for DP-311. The Chair said he told the Committee why he believed a vote on Order 470 should not happen. The Chair thought the Committee would be going against the RCCC Charter. Also, the Chair said he felt if you are going to take a position, you need to know your PSO's position. The Chair said he did not know what the AL Manager's position was on Order 470 at the time of the meeting and therefore, could not speak for AL. The Chair said he thought it was fair and equitable for but obviously it was not to the liking of everybody on the committee.

DP-311 said that during the May 25-26 RCCC meeting at Las Vegas, when Vicki Bohanan was brainstorming, DP-311 would have liked to see point of order. DP-311 said she thinks the procedures are a little too loose. She would like to see procedures tightened up a little bit. NE-443 said that for the record, NE does not have any problem.

The Chair said the minutes support what he has said as far as exemptions, dollar values and Order 470 comments.

The Chair asked if there are there any issues burning with anyone at this time? The Chair said those things (exemptions, dollars spent on rad protection, and Order 470) have been thrown at him a lot. EH-3/HOWARD said it sounds to him that some RCCC members have felt uncomfortable verbalizing their views at the meetings. EH-3/HOWARD said he thinks human nature being what it is, the Committee might have done something differently. I think we should encourage everyone to speak up as candidly as we can. I am sure everyone is trying to be conscientious here, EH-3/HOWARD said. I think this committee has done some wonderful things for DOE and I would encourage it to continue and to thrive.

EH-52 stated his observation is that a lot of people are not reticent. EH-52 said he thinks the RadCon Manual was the most contentious issue the Committee has had. It is not to be expected that the contentiousness should not flow over into the group. It is one issue, EH-52 said, but the Committee still works. The confusion, EH-52 said, is where the RCCC is and what it stands for. A lot of people say the RCCC should do this, EH-52 said. I have not agreed with all the things the Committee has always done, but I do not think we are doing anything that is inconsistent with conrml committee function.

RFFO said that EH-3/HOWARD said it very eloquently. RFFO said his point is that if it seems any field people think we have a problem, we say so. RFFO said he does not understand the need for rules and formalization of committee function. I think the value of this Committee is that we operate on consensus. RFFO said each office and program has to deviate. RFFO likes to hear what his EH representative says. I think a formalized process will take away from the Committee's effectiveness, RFFO said. If there is a problem with individuals . . . DP-311 said nobody is having a problem. DP-311 said when we submit data at Headquarters, we can not just do it, and smile and nod.

RFFO said he does not like the bean counting. The Chair said the information went to DP-1. It did not go directly through the DNFSB. DP-311 said the budget data did bypass. TED WYKA clarified that eventually the budget data went through each office. DP-311 disagreed.

The Chair asked the Committee what did they do wrong in this area? EM-25 said the Committee input was a very big help. EM-25 said this data should be at the fingertips of a certain group of individuals at DOE with no secrets. EM-25 said the RCCC did a good job of validating the budget numbers.

TED WYKA said he brought the budget issue up at the meeting in Las Vegas. PAT TILSON said perception is not always reality, that many people outside may have thought it (the budget figures) came from the RCCC. DP-311 said it is not going to the program offices. The Chair said he can not fix the fact that the RCCC is not getting to the CSO functional office levels. This committee cannot do that. The Chair said this is one of the things where we are getting into trouble. The RCCC members are responsible for ensuring all elements of their organization are engaged. The Chair said this poor communication process has to be improved. DP-311 said she did not have (input from) the program offices and that the RCCC should not touch data, other to say that we support it or do not support the data.

DP-311 said, "I'm not saying RCCC hasn't done good things. I'm afraid to talk because everything I say in the minutes is negative." TED WYKA said, the RCCC members took the data back to their respective offices in order to see if you could live with it. Wyka said that after the package was put together, we had a meeting with people. We used the RCCC because you were RadCon managers of your sites. Wyke said the RCCC could do a dummy check on the data and tell us where to fix it. Wyka said that the reality on the budget matter is that it may not be specifically listed in the RCCC Charter, but the RCCC needs to know what is going on. You are going through every commitment, Wyka said. The RCCC needs to have an insight.

EM-25 believes that in any action or document that comes out, each and every RCCC member has the time to go home and consult, validate, and talk with people in our offices to validate information. EM-25 said when we say we are agreeing with a certain document, I don't see such a problem. We avoid doing our homework sometimes and are not as well prepared as we would like when we started, EM-25 said. From the perspective of line management, EM-25 said we can only inform line management, they are part of our process. We do not deny EM management of participation in any way, EM-25 said.

DP-311 said she sees the same thing EM-25 sees; however, there is no problem with the verification of data. DP-311 said when data generated from the RCCC goes directly to the DNFSB --- for example, the annual report had a spread sheet with dollars from the RadCon Manual -- DP-311 does not have problems, but when the Program Office point of contact sees it, they get angry and complain. That is why I think there is a problem. RFFO said this is not an RCCC problem, but a personal problem between EM and



DP-311. The Chair said this impacts the RCCC and it is becoming a personal affront. The Chair said this is not going to go away.

SR asked if the RCCC sent out the annual report straight to the DNFSB? TED WYKA said, "I wish." (Laughter) DP-311 said EH sent the annual report, but it went through line management. DP-311 said, I know the board gets it before I do. SR said he didn't recall the RCCC Chair's signature on the annual report it is signed by each CSO.

EM-25 said it is difficult to go back in the minutes to find items. (Perhaps some type of index could be provided, or the style of minutes needs to be changed.)

TED WYKA said it normally takes a year to get the previous years' annual report. We are working on a year. You submit numbers and it goes through a long, laborious shop chain. The budget goes from the "-1's," to the Secretary. WYKA said his office takes the annual report once it is signed, but the report is not a Board deliverable. RFFO asked if the report was an RCCC deliverable. WYKA said no, the annual report is a Department deliverable. The Chair said the annual report is an RCCC function. The Chair said the RCCC has a responsibility for the report out of 91-6. Today that still exists, the Chair said. It was promised to me by the advisors of 91-6, the Chair said, that if the RCCC was late on this they would help us process the report through the CSO signature chains. The Chair said he does not see how this is circumventing line management. However, this is the poison that is running through the system.

NV asked if Ted Wyka's group had any direct communication with the DNFSB? TED WYKA said that when we have a meeting, the RCCC Chair is there. However, RFFO said the Chair is not handing reports directly. NV said the perception is that if the Chair is at the meeting, he is representing the RCCC. NE-443 said on those action items they get consensus from all the line management.

DP-311 said that in my group we talk about it all the time. You just can not have DP-1 sign it and everyone likes it, DP-311 said. The Chair asked if that was an RCCC problem. We keep hearing that the RCCC is taking line management function. NE-443 said it is incumbent on line management ... RFFO said that Recommendation 91-6 says the RCCC will evaluate budget plans. It is not the RCCC's job to report to the Secretary of Energy. It is the CSO's job, RFFO said, and this is being done.

The Chair said the RCCC was tasked with a lot. RFFO said RCCC members have to report to our field or program representatives. It is not the RCCC putting the report together. The assignment to the RCCC is to develop a report, verify data, and then get it out the CSOs for approval. DP-311 said this needs to be fixed. That stuff (the budget report) does not go directly from here (the RCCC) to EH, then directly to the Board. PAT TILSON said it sounds like this is a line management problem. They are not giving it to you.

DP-311 said the core of the problem is that when key managers do not see everything, they get angry. RFFO asked why is it the Chair's responsibility? DP-311 said it is not the Chair's responsibility. RFFO said the Chair is being attacked for it.

The Chair asked the RCCC if it is the consensus that we do not have a problem here. (People are nodding heads, raising hands. DP-311 asked what the question was)  
The Chair stated the RCCC can not go into the internal workings of an organization. EM-25 said the meeting minutes go to "-1's." Let's use this example of the annual report, EM-25 said. When the first pages were generated, the annual report could be seen by many people, then a second edition was made.

DP-311 said we are putting ourselves where we are asking field people to do things and bypassing people. I think we are missing the point here. RFFO said that EH sent him a Memorandum of Understanding regarding some item. SR said if you do not have the funding, we have to go back to our PSO. We (SR) issue operating plans. NE-443 said there is a coordination problem, that an item can be moved up or down.

DP-311 said that should the RCCC ever get into a data collection mode, we have to do it cautiously. The Chair asked DP-311 where have we done a data collection mode?  
DP-311 said the attachment to the Field estimates is an example. We (DP) are defending the Field estimates to this day, DP-311 said. SR said their estimate came from his office at SR, not from the RCCC. EH-52 said if you want to get to rad people, you go through the RCCC. Clearly we have said it already. EH-52 said it is outside our scope. We can not control how people feel.

EH-52 said he has noticed the same things too. For example, EH-52 during the exemption request process. The exemption requests will come from the field. The program says one thing, and we (EH-52) will get a different slant on the same request. But it is not the RCCC's fault, EH-52 said. We interchange data.

RFFO said regarding the numbers on the budget report last year, I called EM-25 and discussed the numbers. That did not have anything to do with the RCCC. RFFO said this discussion could continue on and on and on, but the RCCC is not responsible for reports. The Chair said the RadCon numbers were submitted with the updates of the implementation plans a year ago. The Chair asked, what have we done wrong in that area? DP-311 repeated the Chair's question and asked, were they estimates when they went directly to the Board? The Chair asked when did they (the RadCon numbers) go directly to the Board? DP-said the RCCC should be very careful with what we say to the Board.

*Chair Note: It was agreed by the Committee that the RCCC minutes reflect the "consensus" opinion of the Committee, that we have handled data properly for verification and accuracy and that each RCCC member must keep all interested elements of their organization informed.*

The RCCC broke for lunch at 12:35 p.m. and reconvened at 1:40 p.m. with the intention of concluding at 4 p.m.

## **IX. Annual Report Data**

The Chair said there was an issue with NE-1 signature of the report. EM-25 said everybody signed the report, NE-1 has not signed because he does not have data from some NE sites, which are not defense sites. EM-25 received a phone call from an NE person to use her network to get the data for them. EM-25 said her impression is that if NE wants to put that data in it would be extremely difficult because they do not have up-to-date data.

The Chair told NE-443 he needed some help. EM-25 said she has a copy of the data, if NE-443 needed it. EH-52 said he talked with NE-40 and tried to impress the need for him to take action on this. EH-52 said NE-40 indicated he would take a “shot.” EH-52 will check on NE-40’s progress. EM-25 said this report has all kinds of data. EM-25 has a copy, but NE-441 has the report.

*\*\* Lets try t o get the Annual Report signed - please.*

## **X. OPEN DISCUSSION ON THE FUTURE OF THE RCCC**

The chair said six people attended the Industrial Hygiene meeting this morning and that Harvey Grasso, the IHCC Chair, will share how that meeting went with the RCCC at 3 p.m. It has been resolved that the RCCC will be part of the ES&H Council. The RCCC will be a Standing Committee with management direction of structure from staff committee. EH-52 said he brought the charter and membership of the ES&H Council. **(Attachment 8 and Attachment 9)**

The Chair said there is an inconsistency in the ES&H charter. EH-1 in one spot provides guidance whereas EH-2 is said to provide the same guidance in another place. PAT TILSON asked the Chair if the RCCC charter needed revision.

The Chair said the RCCC charter certainly does need revision. The RCCC Charter was consistent with the RadCon Manual and needs to be updated. EH-52 offered the Committee an option to put together a position paper that would explain to the ES&H Council how the RCCC is set up; how the Committee operates. The Chair said the IHCC said it wanted to operate under separate charters. The Chair said there are different things the RCCC does versus the IHCC.

The Chair read the RCCC operating procedures document, unsigned, to the Committee. EH-52 said there are reasonable decision points for the group: Are you a standing committee? The Chair responded that was decided the other day, that the RCCC is a standing committee for the ES&H Council.

RFFO said it would be nice if the ES&H Council would assign the RCCC Chair and commit the resources to support that Chair. EH-52 said if you look at the ES&H Council membership, you have got some horsepower. It is a nice fit.

RFFO said there are programmatic people on the ES&H Council. The Chair asked the Committee how to define the process of naming a RCCC Chair. PAT TILSON proposed the RCCC provide a nominee and the ES&H Council say yea or nay. EH-52 said the expectation would be that the RCCC would run independently from the ES&H Council. SR said if the ES&H Council appoints the RCCC Chair, you do have some ability to get some support for the Chair. RFFO said if the ES&H Council buys off on that idea, then it is up to that member to support that chair and provide whatever is necessary. RFFO liked SR's idea that the RCCC select their own Chair, get buyoff from the ES&H Council; otherwise you take away the ability for the RCCC to do its own self governing.

The Chair asked if the same process would be used to name a Vice Chair? SR asked, "What about the secretary?" The Chair said the record taker has historically been provided by the Chair, but if the Committee wants a different type of minutes, we need to have someone who is very familiar with the radiation area.

#### **Discussion of Meeting Minutes:**

SR said the minutes are a transcript, rather than minutes of a Committee meeting. That would contain certain elements that pertain to the committee. RFFO said a year ago we got into a problem when the minutes were summarized. The Chair said that for process, if you take what is done as literal transcript, for whatever reason it is just fact. If you take out individual inputs, the Chair said, then nobody can come back and say you have not captured a certain thought. The Chair said if you try to distill the meeting minutes, then we may run into problems and disagreements.

DP-311 asked why don't we say there is a consensus in the meeting minutes. When there is a strong opinion, it should go in as consensus. EH-52 said it is never done that way. NE-443 asked what the purpose of the RCCC minutes is. NE-443 said he thinks the purpose is to review and see what was actually said. What you can do is come up with much shorter meeting minutes which include action items, NE-443 said.

The Chair said the minutes include action items. RFFO said it is imperative that the minutes are more like a transcript. The Chair said we could change the process and have someone else "cut them." NE-443 said if you still want to maintain a verbatim transcript, what other purpose does it serve?

EH-52 said perhaps the RCCC should wait to decide this issue. If the RCCC is just an exchange of information and lessons learned and sharing of things you are trying to accomplish in the field and those impacts, then you do not need verbatim transcripts, EH-52 said. With that behind us, perhaps this is an opportunity to see what the RCCC does and make it more a technical group exchanging information about implementation of issues, EH-52 said. EM-25 said except we are looking forward for this amendment that we have some in-depth discussions which will be more or less of the same nature we had in the past.

SR said when you have those technical discussions, you have like a rule implementation group and we have deliberations and make decisions. If we want to keep this process, it is simple. If it is sharing solutions, problems and ideas, then why do you need minutes, SR asked.

PAT TILSON said the compromise could be ....EM-25 said sometimes I look through previous meeting minutes to find an idea and it is very difficult to locate. EH-52 said he thinks it is easier to do what the recording secretaries have done. That way you have a majority of the information, EH-52 said. SR said we need to define the scope, then define the process.

EH-3/HOWARD said this is an example of a situation where I would hope we would not have a verbatim transcript. I hope in the future my office could use the RCCC to see what is more and less important as far as enforcement issues. We are talking about discussions at a preliminary stage, EH-3/HOWARD said, and I know our office would be better off if we did not have verbatim meeting minutes.

The Chair said a process the RCCC used a while back, between the change in recording secretaries, was to have Dan Schwendenman, a contractor with EASI, come in and do the minutes. They were succinct, more of the distillation, the Chair said. That does not introduce any more time, but you have to have a different resource to do the process.

NV said perhaps the group is trying to include more information in the minutes than is needed. Maybe, NV said, we just need a brief listing of discussion topics. Then any resolutions, action items and results of action items. NV said this would keep out all of the discussion and back and forth that led to the action/resolution. Then we have got a record of what was discussed and a record of any resolutions. The Chair said the RCCC should solve this issue now. I want to go back to what we are doing as a committee.

#### **Discussion of the RCCC Charter:**

The RCCC Charter, **Attachment 10**, was distributed.

The Committee discussed the five main items under the first sentence.

- 1)- Exchanging information and ideas -- got consensus.
- 2)- Coordinating training and orientation issues -- consensus is to delete this point.
- 3)- Advising on radiological control methods, field practices and techniques -- put "providing technical support"

PAT TILSON said the introductory paragraph leads in OK. The Chair said sensitive words are "recommends" and "advising." The Chair said he thought it was right on. EM-25 said the Committee is "advising." EH-3/ED said how about apprising the ES&H Council. NV said we want to make recommendations. EH-3/HOWARD said, "Support

and make recommendations” is in the sentence leading into the 5 points. DP-311 asked if consistency meshed with necessary and sufficient. The Chair asked for consensus, just need to fix the verbiage.

4) Coordinating on interpretation and implementation issues --

PAT TILSON said “rules and regulations” of standards. The Chair said perhaps “discuss” is the word needed. EH-3/HOWARD asked to strike the words “Coordinating on ...” The verbs are correct in the introductory sentences/paragraph. The Chair asked if that impels the RCCC to doing interpretation. PAT TILSON said the RCCC is supporting and providing representation. The Chair asked why don’t we say “implementation and compliance measures.”

5) Providing information on emerging radiological control standards and technologies in commercial and international sectors.

The Chair asked the Committee if they are doing this. PAT TILSON said this should be left in the RCCC Charter.

The Chair asked if there were other issues? EH-3/HOWARD said enforcement issues and when Order 834 becomes a regulation, someone has to figure out what the relation between those working on 834 and 835 is. The Chair said the Committee had discussed that already. There is also an Environmental RCCC.

EH-52 said RL had an idea. The Chair said he got the idea from RL, but asked to wait a moment before discussing that idea. The Chair said he wanted to capture the ideas first, then see if they fit into the ES&H Council set up. The Chair asked EH-3/HOWARD if there was something on enforcement that he wanted to add.

EH-3 said that since this Charter was approved, I’ve spent a lot of time in the field. How we manage these programs is important. The radcon management part needs to be included, EH-3 said. It is not just a technical forum, but I think we talk about significant problems seen around the DOE complex. It is not how we do health physics, EH-3 said.

The Chair asked about budgetary issues. EM-25 said management of radiation issues means money, occurrence reports, and human resources. The Chair said program management assistance. PAT TILSON said to have something nice and broad which gets your foot in the door. EH-3/ED said he was trying to get away from that idea.

EH-52 said to make the RCCC Charter more of a summary statement, with the idea that all of the above shows. We are doing all these things to promote management of radiological issues. RFFO asked what issues are coming to the forefront. RFFO said the radon issue is one. The radon subcommittee report was a good example of the committee working an item. The Chair asked for the group to keep the thought of program management in here. The Chair wants to keep away from the thought that the RCCC is usurping management.

NV asked about policy changes. The Chair said they're already included in the charter. EH-3 said it is important that this charter not be read as a closed document. RFFO asked if EH-3 wanted to be prescriptive. EH-3 said it is not just for DOE.

The Chair said he made a change to the fifth item under "a." Working with the DNFSB, the Chair asked if the Committee wanted to capture anything there. Are coordination processes important to include? Collecting information? SR asked if the RCCC's working interaction with the DNFSB has been beneficial or problematic? The Chair said he thought it has been successful because we can discuss issues here. There are also secondary benefits.

SR said by working with the ES&H council, would the RCCC be perceived as being under a leash. EH-52 said the ES&H Charter is one year old.

EH-3/HOWARD said the group might want to include a generic statement like, "including but not limited to...." The Chair asked about other duties as assigned by the ES&H Council. Have we captured what Tom Todd had mentioned? By going to the Council we will have the availability of primary program and Field Office support for our actions.

EH-52 said the authority comes from the ability to work within your own management structure. That's the beauty of it, that you get the management buy-in by what you are doing up front. EH-3 asked if the RCCC wants to say "as requested." - Consensus was reached on this point.

The Chair said we have to capture the program management concept. The RCCC consensus is that the six items are ones they can live with.

RL suggested we look at the five elements on the ES&H Charter and change where it says "ES&H" and change to "RadCon." If we're going to be a standing committee under ES&H, their charter could be used because it includes all the ideas, RL said. The Chair said the RCCC could put a blanket statement that fully supports all the general concepts under the ES&H Charter. SR said the Charter could state the RCCC supports the five tenants of the ES&H Council "by."

PAT TILSON asked if the RCCC should expand beyond radiological control, perhaps radiation protection. The Chair said it is all encompassing. We have lived with this charter for a long time so we can use those types of lead-in sentences. The Chair asked if that gives the group a rough draft charter.

DP-311 asked if it would be appropriate to make this charter a pilot. SR said the RCCC Charter is a living document. The items discussed here are the first effort which can be modified or changed as the group works with the ES&H Council. RFFO said the RCCC should not make recommendations to the ES&H Council. DP-311 said the RCCC should advise line management as necessary and asked shouldn't that idea be included? RFFO said he goes back to his RFFO Field Manager.

## **Part 2 of the RCCC Charter**

The Chair said the next part of the RCCC Charter is “Part 2-DOE Radiological Control Coordinating Committee Membership” which can be changed easily.

EH-3/ED asked to return to Item 1b. Does this mean we aren’t responsible to report. The Chair said he thought “b” was deleted. RFFO asked why the “b” would have to be included. Isn’t that an individual decision, RFFO said. EH-3/ED said that as long as we understand we are not going into a vacuum and that the ES&H Council are the only people we need to interact with. The Chair said he did not see anything different from what was included before. The Chair said there needs to include, “Chair and Vice Chairman are nominated by the RCCC and appointed by the ES&H Council.”

The Chair said, What are we doing currently? Will we reappoint everybody as members? If you do not have a letter, you are not an official member. The Chair said if you do not have a letter from your superior appointing you as a member of the RCCC, you’re not a member.

EM-25 said perhaps we could have new membership by assigning/renewing membership. SR said that requirement came out of the RadCon Manual. EH-52 said with the political changes present, perhaps we should leave the topic alone now. RCCC consensus was indicated.

The Chair wrote on a flipchart page:  
Chair = RCCC Recommended  
Vice Chair = ES&H Council Appointment.

RL said he did not want to saddle someone for life as being chairman of the RCCC. SR suggested to have the Vice Chair become the Chair after a year. SR said then you would achieve some continuity and also you would not have a constant change over. The RCCC reached consensus on this idea.

EH-3 said we can wait to get this detail. NE-443 said this should be ratified by the ES&H Council. The Chair said ratified by the ES&H Council at their next scheduled meeting.

PAT TILSON said the RCCC does not want to be telling the ES&H Council what to do. The Chair said appointments for a minimum of one year, then the vice chair would succeed. We can work out the language later.

The Chair asked if “Subcommittees” is OK. EH-3 said subcommittees is included because subcommittees do the work, for example the radon subcommittee. The Chair said to leave it at this time and move on. We have lived with it for a period of time, he said.



### **Part 3 of RCCC Charter**

The Chair said the frequency of meetings could be twice a year, semi-annually instead of at least quarterly. Is that reasonable? EH-3/HOWARD said the RCCC should meet as determined by the Chairman or as requested by the ES&H Council.

The Chair asked about the last two paragraphs of Part 3. Should the meeting minutes be sent to the ES&H Council and RCCC Members. EH-3 said the understanding is, that say if Mario Fiori wants to look at these, I think the list is the absolute minimum. The Chair said recommendations should reflect consensus. PAT TILSON said the Charter says there could be a written dissenting view attached to meeting minutes.

The Chair said this is the first step of the process. We will have a draft charter, he said. The ES&H Council may task us with additional requirements. EH-52 said the RCCC may receive guidance from the ES&H Council on how they want to fabricate.

The Chair asked if there were any disagreements on where we are. DP-311 said no. The Chair said that DP-311 brings the field office perspective with her at the meeting. EH-52 said this is only going to your boss on ES&H Council. If they have an issue with that, they will discuss that with you.

EH-3 said positions are something that connote a galvanized, "this is the way it's going to be" idea. There is a shade of a difference there. Desires and preferences of organizations might be a better way to put it. DP-311 said for example, at the United Nations, the U.S. votes. But anybody could talk from the U.S. DP-311 said this is a big difference. This is more of a technical group. RL said the RCCC provides recommendation based on our technical opinion. The Chair said he can not divorce himself from his group. RFFO said he did not understand the issue. EH-3 said it connotes no interaction if we just say, this is the Albuquerque position or the Richland position.

EH-52 said he thinks the RCCC works well to develop consensus. Otherwise you would turn into a rebel organization with personal bias. EH-52 said if your organization does not want the idea you are bringing, you are still in trouble. PAT TILSON said that over the meeting you find some point that everyone can live with. EH-3/ED said his point was that we do not want a galvanized point of view. SR said if you are the minority position you can put in a dissenting opinion.

DP-311 said we did not agree on the issue regarding the RadCon manual. SR said after the meeting he went back to his site and that his management supported the document, but at least SR understood what others were saying about it. DP-311 said the issue was so politically charged. The Chair said that the Committee came to the bottom line that everybody had the opportunity to provide their management's view to EH. That is what we discussed before lunch, the Chair said. This is a fair process.

DP-311 said with the minutes coming up, there is some wording needed. SR said we will disagree, we can not avoid it. The Chair wanted to know what the issues are. The Chair said he can not deal with a speculative process.

EH-52 said the RCCC is advisory. It is a recommendation on how to approach radiological issues. If you have a dissenting opinion, you have the opportunity to present that. RFFO said there was discussion of the implementation plan right in the meeting minutes. RFFO took that discussion to his management and they said no, we are not going to do it that way. RFFO said we did not meet the December deadline, but we have always had the option for a dissenting opinion.

DP-311 asked, "Are other committees doing this?" EH-52 said that is an issue on the table. The ERCC, IHCC, the occupational physicians ... any safety and health groups, we want to give them a forum to operate under and a sponsor. EH-52 said this provides an avenue for them to communicate and set their activities. Today is the first attempt to do that. If the RCCC chooses its charter as the way they want to do business, that is a good vehicle, EH-52 said. Our office does all the ES&H Council support. So if you get it to us, we'll get it to the Council support people. I would also offer that these are your bosses and brief them so they do not get surprised.

NE-443 said on the consensus issue, this is fine; however, your PSO who might have some additional information on the issue may or may not agree. A member could be put in a bad position, NE-443 said. PAT TILSON said ideally a RCCC member should be briefed on a topic before attending the meeting. The Chair said that also at the meeting you could state what your PSO's position is, or say you don't know what your PSO's position is, and go back and find out for the group. SR said you provide a written statement saying you have briefed your PSO.

DP-311 said we are making this more of a bureaucratic group than an advisory group. EH-52 said having the dissenting opinions attached is fair. DP-311 agreed that was fair.

### **Charter's Opening Paragraph**

The Chair said that in the opening paragraph we can capture the ideas. EH-3/ED asked, "What's management direction and structure?" EH-52 said the point there is, say for example the DNFSB, the ES&H Council could go the DNFSB and ask if they want the RCCC to collect this information. EH-52 said they have the vehicle to provide direction to this organization and help it have the horse power to go out and succeed in this endeavor. Then they are not taking on positions by themselves without the backing. You get the management backing for the organization which gives you the opportunity to succeed.

EH-3/ED asked, "Does that solve SR's budget problem?" EH-52 said that issue will have to be dealt with locally. If this organization or the council says these things are not required or unfunded mandates or if they ask for a report in 90 days, you would have the chance to get information and provide that report.

EH-3/ED said one other question about the relationship between the ES&H Council and the RCCC: “Is this a mail-order relationship or would there be a joint meeting from time to time?” The Chair said the RCCC should mention this in the charter. EH-52 said the ES&H Council could have as a standard agenda item that the ES&H to report out on the progress of the RCCC. Again, that is an issue to be worked out in the details, EH-52 said. The Chair said he thought the RCCC should put something in the charter about the Chair reports to the ES&H Committee.

PAT TILSON asked if the association with the ES&H Council means they can dissolve the RCCC at any time. EH-3/ED said early on a joint meeting would be helpful for people to understand the kinds of things that transpire. EM-25 said we get direct information from the S&H people who work in our shop.

EH-52 said one option would be to have a scope of work or plan for each fiscal year and present to the council. We would ask for your opinion and you would know what we are doing over the next year, EH-52 said. Keep the ES&H Council apprised of the progress for the agenda for the year. For example, what are the key issues? EH-52 said he did not think this was a charter item, but it is an operational procedure. EH-3/ED said he hoped the RCCC did not become too bureaucratic.

EH-52 said we have turned into a response organization. This could get us in front of the issues. EM-25 said that if we say it too strongly in the Charter, it might tie our hands. The Chair said we should consider this as proactive planning. EH-52 said that would show value-added, which needs to be shown.

The Chair summarized the charter discussion. PAT TILSON asked if a line should be included stating this is a living document. EH-3/HOWARD said the last item on their charter is other duties as contemplated. He was not sure why someone would think the group is limited.

EH-52 asked if the RCCC Charter could be out in the next month or two. The Chair said it could be out in a week (5 working days).

*ACTION ITEM: Send updated RCCC charter out to members for review.*

## **XI. STATUS OF INDUSTRIAL HYGIENE COORDINATING COMMITTEE**

Harvey Grasso introduced himself as the industrial hygienist at OAK. He has been on the IHCC the last few years as the chairman, and is the current chairman. They have a chairman and chairman elect. The chairman elect follows the next year.

Grasso said the IHCC wrestled with the charter issue and tried to get it signed off at EH without success. A while back, Grasso said the IHCC decided we would not bother with a charter, that in fact we were chartered by our managers because they recognized the value of our function in sharing and working on IH issues and spreading information.

The issue of chartering under the ES&H Council is one area where we differ some, Grasso said. When it came up, I thought it would provide us a little better direction and go any technical direction so when we are done it would be accepted. We spent a lot of time and energy on an IH guide and thought we had it worked out with all levels, but it got dropped at the next level. Grasso said you need the upper level commitment to what you are doing. We agreed to be a separate committee with our own structure and framework. The Chairman would attend the ES&H Council and report on our activities. We would like the ES&H Council to see us as a resource to address issues for DOE and hopefully bring about a program and field level perspective as well as the HQ perspective.

We would like for members of the IHCC to work on ad-hoc committees which require technical background, Grasso said. Basically we present ourselves as an ally of the ES&H Council. We did not ask them to sponsor or charter us. That was the consensus of this morning's IHCC meeting. We had a small meeting this morning because of the problem with funding. There were only six members in attendance. The entire group includes all office elements, fossil energy offices and program offices. Participation is maybe 15 to 20 normally and we do quite a bit of work by conference calls, Grasso said.

The Chair said he saw the following differences:

- 1) The technical serving under the ES&H Council subgroups. I think that would be captured in our charter by "other duties as allocated by the ES&H Council."
- 2) We are being tied into the charter of the ES&H Council. That's fine as far as I can tell.

GRASSO said he was not sure how much technical assistance the ES&H Council really wants to give the IHCC. We are not juxtapositioned to you at all. The Chair said he does not know how to capture the program management issue. The Chair said the RCCC has played with some ideas, but he would need a five minute rehash to come up with words.

DP-311 suggested "support program management as needed." PAT TILSON said program management issues are having the right funding, structure, support. The Chair asked how to capture that idea and stay out of trouble with everybody?

EH-52 said "All the above elements are aimed at supporting and promoting effective management of radiological control activities." GRASSO said that rather than having a charter, the IHCC has vision and mission statements with a strategic plan to be developed by the Chairman each year. RFFO said the Chair will facilitate in a sensitive manner.

EH-3/ED said his original thought was how we manage radiological work within radiological controls. That is a transitional manager function, he said, traditionally for line organizations within DOE. EH-3/ED asked how do you integrate work within radiological controls? EH-52 said then it is "integration of radiological controls into work."

The Chair asked for any more items. PAT TILSON asked what the driver was for the IHCC getting together. Grasso asked EH-52, "Wasn't it Pettingill?" EH-52 said it was me. We had the RCCC. We had two divisions and I asked Dave to set up an IHCC just like the RCCC. It was the purpose of again establishing a forum for professionals.

DP-311 asked Grasso how the IHCC did their meeting minutes. Grasso said they have not done meetings yet. They said they did not care about meeting minutes, Grasso said.

### **Bioassay Issue**

EH-52 said he had given a draft of a bioassay package to all the field managers. EH-52 said they asked them to staff and provide comments on the package. Does anybody have any comments? The Chair chuckled.

EH-52 said that based on the situation at Mound, we went to the field office managers. The Mound managers gave a lessons learned presentation. EH-52 asked, "Is it an issue?"

Also, EH-52 asked that with the change of mission in the department, "Do you know the scope and do you have the capacity to accommodate the increased workload?" EH-52 said that prior to the meeting EH and EM prepared a package. There was a cover letter saying bioassay may be a problem. EH-52 said they have given some attachments to help assessing bioassay programs. They also asked for a determination of current and future bioassay needs. There is a memo with four attachments and the two-page cover letter. If additional action is necessary, is this package the right action? Also, the Department wants to know if you think you have capacity. The idea was to get responses at the RCCC in Denver.

The Chair said he received a preliminary request before the briefing by Ohio. EH-52 said there are many spin-offs. EH-52 said are there future bioassay program needs and needs to know if there are any problems.

EH-52 said he worked with the ANSI N13.30 Committee and have worked with them to finalize ANSI 1330. We believe, hopefully EH-52 said, it is on the fast track and hopefully will be approved by the end of the calendar year. Basically all we ask is to please adopt the ANSI N13.30 program. EH-52 said we broached this subject with the Program Managers. We took it to conclusion over the last nine months. Some folks saw this as more work, others thought we have nothing to demonstrate this and it might be useful.

EH-52 said part of the evaluation process for looking at the bioassay program is that DOE is doing this on many, many more people than we need to. EH-52 said he does need input on this package as to what your organization is going to support on bioassay.

The Chair said the RCCC can get you something by the end of the week. EH-52 said that was fine and asked, "Do you have the QA/QC program to back it up?" The Chair asked if anybody knew the current status of CEP.

EH-52 said he was told by a source from the IG's office that they imposed a \$500,000 fine on CEP and incremental steps past the date. The Chair said that recently he had put in the minutes the position that the IG investigation was still going. The Chair received a phone call from the IG office asking for that statement to be removed. EH-3/HOWARD suggested that EH-52 look at the proposal within the requirements of 10 CFR 835.402.

EH-52 said that DP-311 brought up a good point. The Department was contacted about what they are doing. DP-311 said they are looking at monitoring and contamination. EH-52 said he spent 30 minutes with their team and told them everything is in place. Apparently they had some experience at RFFO which raised suspicions in their minds, EH-52 said. The IG has a listing of the RCCC members.

EH-3/ED said is bioassay the end result problem, or is dose assessment from exposures the main issue in terms of air monitoring. EH-52 said it is in terms of bioassay. There is no program in bioassay. EH-3/ED said that does not mean there is no program. We have got the best scientists in the world available, he said.

EH-52 said it is not as formal a program as the other programs are. I think it is the biggest problem area I can see. EH-3/ED said, "Do you mean sins of the past or current things. For example are these things at Mound based on what's happening?" EH-52 said they are current programs. Are you checking out this issue?

The Chair indicated that came from a Dr. Tara O'Toole's request. EH-52 said he desperately was looking for the review summaries. SR said that in the December RCCC minutes, we all reported back verbally on where we were on that problem. EH-52 said he was involved in some of that. EM-25 said the information was so variable as far as reliability. It was an impossibility to put the total picture together.

EH-3/HOWARD said everybody is committed to having their bioassay program fully implemented by the end of the year 10 CFR 835. I would think that would be a good point

SR said to look at how we do things over the department. EH-52 said DOE owns most of the bioassay in the world right now. MAISLER said the NRC didn't see the need, therefore it never got pursued. SR said that is a small part of what they do. EH-3/HOWARD said if people are not complying with requirements, those are the matters we should be talking about.

RFFO gave the recording secretary **Attachment 11** and the Radiation Protection Workshop Agenda distributed.

The RCCC adjourned at 4:15 p.m. RFFO gave the recording secretary **Attachment 12**. Those are the RFFO status reports for August and September of 1995.

### **Meeting with Dr. Tara O'Toole**

An informal discussion convened at 3 p.m. on Tuesday, November 14, 1995.

Dr. Tara O'Toole, Rick Jones, Harvey Grasso and Gene Runkle discussed the future of the RCCC and how the RCCC will be a standing Committee to the ES&H Council with Dr. O'Toole as sponsor.

Runkle discussed the previous day's RCCC Meeting and the November 8, 1995, telephone conference. Kathy Shingleton, Lawrence Livermore, had suggested contractors become members of the RCCC. Runkle said that possibly EFCOG could name one person to be a member and facilitate the contractor interface process.

Grasso discussed significant actions of the IHCC. Their function/need to assure level application of IH concepts. The IHCC also wants to remain as a standing committee, report at ES&H Council Meetings and also work with other committees through the ES&H Council (through ad hoc working groups). In the past three years the IHCC was not successful in getting a sponsor and having the sponsoring group approve the IHCC Charter; therefore, they have a vision and mission statement along with a strategic plan.

Dr. O'Toole said having the RCCC and IHCC as standing committees to the ES&H Council was constructive and worthwhile. Communication is the key item that needs to be improved.

The scheduled ES&H Council Meeting, which was postponed at Denver, was to draw disparate pieces of DOE together, O'Toole said. The Technical, line managers, and workers would develop a plan for the coming year. What drove the concept of the ES&H Conference in Denver was the recognition of having to do more with less. The 1997 budget cuts are really dramatic, O'Toole said. She hopes by Spring to hold the conference to develop the roadmap for ES&H priorities.

Because of the different way of doing business, these were the major changes Dr. O'Toole discussed:

- 1) Make productivity and safety go hand in hand. (Idea of prevention pays)
- 2) Work planning, hazard analysis and environment control.
  - How we do work planning is not something ES&H professionals have been involved with from the beginning. (Pursue the common good)
- 3) Get ES&H Professionals involved in contract reform at the beginning
  - Defining work
  - Defining Management Systems
  - Defining Performance Measures
  - Reviewing Health and Safety plans (which should be detailed)
- 4) Assessment in the Line (stop checking the checker)
  - Find an efficient and effective way to do assessments.
  - With the most efficient use of our resources.
- 5) Identify Risks and Priorities
  - Oncoming items/how to deploy or apply things (ex: Necessary & Sufficient)
  - Go to the heart of Management

6) Strategic Alignment

- Out to the local level. Who will do this?

7) Training

- Keep skills moving forward w/scarce resources.

Dr. O'Toole said DOE has to act more "corporately" than in the past. Multi-disciplinary problems need to be addressed to get good solid response to the problems.

A question and answer session was held.

Bruce Wallin, RFFO, asked if when a model is built, it is difficult to make the model "one fits all." Wallin said 835 was done intelligently. Dr. O'Toole said DOE is improving in this area. The Departmental Standards Committee thinks "one size fits all" idea is not the way to manage efficiently. There has to be a much more sophisticated way to work regarding contracts. Necessary and Sufficient pilots are showing better management systems are needed for ES&H. The most critical piece - maintenance control - was left out inadvertently in the DSC survey. Getting this idea into the contracts is very important. We need to analyze safety issues "up front." This would put the burden on ES&H professionals.

The second question was wouldn't some risk guidance be required. Dr. O'Toole said no accidents, no exposures is the acceptable risk. "Managing DOE into the future is less managing nuclear reactors than identifying sick patients," O'Toole said. The idea is to have management systems developed to anticipate health and safety issues. Performance measures will be useful, but we need to think our way through a contract. The key is knowing all that needs to be done. The force behind these changes will be the budget clip. Headquarters can provide consistency and information processes. Headquarters provides high-level guidance. Brainwork from everyone is needed.

The third question was, "Do IH people review contracts at DOE?" Dr. O'Toole said no, this has to change. Grasso said some, but not many, are reviewing contracts.

Dr. O'Toole concluded by saying communication is the key question.

- Is work value-added
- ES&H assists in getting the work done safely.
- ES&H Professionals need to become "squeaky wheels"
- The operating paradigm is, "How can I add more value."
- Need to get serious about improving communication.

The informal meeting adjourned at 3:35 p.m.