

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON, D. C.

APR 21 1954

The Honorable Arthur S. Fleming,
Chairman
Federal Radiation Council
Executive Office Building
Washington 25, D. C.

Dear Mr. Fleming:

In accordance with your request of April 20, 1954, the Department of Labor has reviewed Radiation Protection, Draft Report to the Federal Radiation Council and examined the basic assumptions, definitions and recommendations contained in the report insofar as they might affect our operation.

In general, we find this draft to be an excellent summary of the background history and theory of protection in the field of radiation protection. In addition, we find the recommendations to be satisfactory and do not foresee, with one possible exception, any difficulty in implementing the report in our program.

We have two comments on the report we would like to make. First of all, we note that the mandate to the Federal Radiation Council places the responsibility to advise Federal agencies in formulation of health standards and also "in the establishment and execution of programs of cooperation with States". The report does not make reference to Federal-State relationship. It is our belief that it would be desirable that the recommendations of the Federal Radiation Council be accepted by other governmental levels in addition to the Federal agencies in view of the extensive use of radiation in the subject of Federal health. The Department of Labor has always endeavored to promote Federal-State cooperation in matters of mutual concern and this, in particular, has brought to the attention of the public the need for close Federal-State cooperation by all levels of government. We suggest that the following along the following lines be adopted in the recommendations:

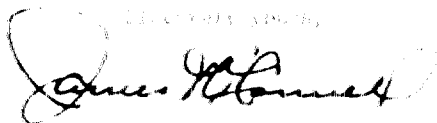
Beneficial use of radiation depends not only on the mature application and control of the Federal agencies but also by States and localities and other public and private groups. Federal agencies should have responsibility for the control of all matters of Federal health protection.

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developed in this staff report to be fully implemented. It is desirable that other levels of government and private groups consider them in the development of their programs, so that as a nation we may progress with reasonable consistency in the beneficial development of this industry. It is recommended, therefore, that the principles and conclusions in this report be considered for guidance by the general agencies and the States where joint programs are being developed. Furthermore, the Council is prepared through its member agencies to assist all levels of government in developing their programs and the private industry to assist with tasks recommended in this study.

One other situation which concerns us, particularly with respect to our operating responsibilities under the Walsh-Healey Public Contracts Act, relates to Sections 6.20 and 6.21 dealing with atmospheric contamination in uranium mines. The whole report is based on the theory that benefits must be judged against the risks anticipated. The report indicates that no in-depth review of particular risks was made but the risks were considered minimal for the standards recommended. However, in Section 6.21, it is indicated that the levels recommended by the NCRP and ASA for uranium mines are exceeded. While stating that close attention should be given this problem, no recommendation or reservation is made at this time. It is further stated that while for many of the persons involved, they probably suffer major impairment, the margin of safety, if any, is small. We do not believe that the relative number involved is a determining factor authorizing an apparent exception to recommended standards. A full consideration has been given to whether the benefits in place justify the added risks. It is not our understanding that the Council has considered this point. The question of atmospheric contamination in uranium mines must be faced directly at some time. Under the Walsh-Healey Public Contracts Act, this Department has a responsibility regarding health and safety codes on public contracts and is particularly concerned at this point.

We appreciate the opportunity to be heard on this subject.

Director, OSHA


James H. Brown
Director, OSHA