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To: email@philrutherford.com; [Butler, Katherine@DTSC](mailto:Butler.Katherine@DTSC); "Joshua Mengers"
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Subject: RE: NRC's Proposed Rule Reforming and Modernizing the NRC's Radiation Protection Framework
Date: Tuesday, August 11, 2026 10:02:42 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Mr. Rutherford,

Thank you for your email and discussion this morning. I look forward to hearing more about your perspective on the technical issues in a future discussion.

Best,

Thanne Berg



Thanne Berg

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From: Phil Rutherford <email@philrutherford.com>

Sent: Monday, August 10, 2026 5:23 PM

To: [Butler, Katherine@DTSC](mailto:Butler.Katherine@DTSC) <Katherine.Butler@dtsc.ca.gov>; 'Joshua Mengers' <Joshua.Mengers@emcbc.doe.gov>

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Subject: NRC's Proposed Rule Reforming and Modernizing the NRC's Radiation Protection Framework

Josh and Katie,

In my [April 6, 2026 letter](#), I referred to DOE's planned elimination of the "as low as reasonably achievable (ALARA)" policy, and NRC's planned response to [Executive Order 14300](#).

In response to EO 14300, last month, the NRC issued a proposed rule, "[Reforming and Modernizing the NRC's Radiation Protection Framework](#)." In it, the NRC is likewise proposing to eliminate ALARA from its regulations. NRC's rationale for this action is to remove the unintended consequence of ALARA to reduce doses to extremely low levels, without any demonstrable benefit to public or worker health, and with unwarranted expenditure of industry and taxpayer dollars.

I submitted comments to the NRC on the [government's public comment platform](#). They are repeated at https://philrutherford.com/EO_14300/Response_to_NRC_EO14300_Proposed_Rule.pdf.

I recognize that DOE's operations at ETEC are not regulated by NRC, but NRC's actions reflect the direction in which federal regulation of radiation and radioactive materials is going. This should impact DTSC's and DOE's decision on the future of the 2010 AOC.

Sincerely,

Phil

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