



REQUEST REPLY BY 2/14/00

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

COMSECY-00-0009

January 31, 2000

MEMORANDUM TO: Chairman Meserve  
Commissioner Dickus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield

RELEASED TO THE PDR

3/16/00 DKW  
date initials

*Approved, subject to attached comments*  
*Ed Griffin Jr*  
3/1/00

FROM: William D. Travers  
Executive Director for Operations

*William Travers*

SUBJECT: RULEMAKING ON DISCRETE RADIOACTIVE PARTICLE DOSE CONSTRAINT

In a memorandum on this subject to the Commission dated October 27, 1999, (Attachment), the staff informed the Commission of a change in direction on this rulemaking necessitated by the receipt of new technical information. The staff also committed to provide the Commission with a revised schedule for completing the technical work and developing the rulemaking. The purpose of this memorandum is to discuss the staff's plans and schedules for completing the technical work and rulemaking.

Since the Commission's approval in December 1998 to develop the Discrete Radioactive Particle (DRP) dose constraint rule, it has become apparent that there is a more desirable course of action that would provide relief from the financial and dose burden associated with frequent monitoring of workers during work shifts. This monitoring is claimed by the nuclear industry to result in as much as 5 person-rem of additional external dose in the industry per plant outage (at \$20K per person-rem, this is a burden of approximately \$5 million per year). The course of action proposed in the staff's rulemaking plan (SECY-98-245) and approved by the Commission was to develop a rule to implement the draft National Council on Radiation Protection and Measurements (NCRP) recommended dose limit for DRPs. This approach which has already been reviewed by the States and other stakeholders, could result in a proposed rule to the Commission within about six months. The problem with this approach is that it establishes a new dose limit for a very special case of irradiation of the skin.

The staff's alternative approach, informally advocated by the NCRP, is to establish a single, unified skin dose limit that would apply to any shallow dose equivalent to the skin regardless of the source or geometry of the irradiation. This unified limit would serve as a limit to dose from DRPs on or off the skin, small areas (less than 1 square centimeter) of skin contamination, large area skin contaminations, and shallow dose equivalent that might result from any other external source.

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**Commissioner McGaffigan's Comments on COMSECY-00-0009**

I approve the staff recommendation to modify 10 CFR Part 20 to establish a single, unified skin dose limit that would apply to any shallow dose equivalent to the skin regardless of the source or geometry of the irradiation. I agree with Chairman Meserve and Commissioner Dicus that: 1) a contract, rather than a grant, should probably be used with the National Council on Radiation Protection and Measurements (NCRP); 2) the contract should specify milestones and a time line to ensure that this work is accomplished in a timely manner (e.g., within six months); and 3) the staff be directed to immediately proceed with developing a proposed rule in parallel with the NCRP effort so as not to further delay NRC's rulemaking on this issue. I also agree with Chairman Meserve that the Agreement States need to be engaged early in this rulemaking since they will not have had the benefit of reviewing a rulemaking plan. The staff should consider discussing its rulemaking plans with State representatives at the May 2000 meeting of the Conference of Radiation Control Program Directors.

*EMG*