October 14, 2003

MEMORANDUM TO: Cathy Haney, Program Director
Policy and Rulemaking Program
Division of Regulatory Improvement Programs, NRR

FROM: Joseph L. Birmingham, Project Manager ***/RA/***
Policy and Rulemaking Program
Division of Regulatory Improvement Programs, NRR

SUBJECT: SUMMARY OF SEPTEMBER 25, 2003, PUBLIC MEETING WITH THE NUCLEAR ENERGY INSTITUTE (NEI) TO DISCUSS OCCUPATIONAL AND PUBLIC RADIATION CORNERSTONE ISSUES

On September 25, 2003, Nuclear Regulatory Commission (NRC) staff met with a representative of NEI in a public meeting at NRC headquarters in Rockville Maryland. The meeting was for the Public and Occupational Radiation Safety Cornerstones and was primarily held to discuss items of possible regulatory burden reduction. Attachment 1 contains a list of the meeting participants. Attachment 2 contains comments by NEI on the draft public radiation safety significance determination process (SDP) (Appendix D to Manual Chapter (MC) 0609).

After introductions and a statement of the purpose for the meeting by the NRC, Ralph Andersen, of NEI, asked to submit comments on the draft public radiation safety significance determination process to be added to the meeting summary. The NRC agreed and the comments are in Attachment 2 of this memorandum. After a brief discussion of the comments, the public radiation cornerstone portion of the meeting was concluded.

The group then discussed Occupational Radiation Safety issues. Mr. Andersen noted that there were no significant issues with the SDP or the performance indicators and that industry was encouraged that the NRC was continuing to look at ways to improve the process. The discussion then turned to issues for possible burden reduction that included:

1. Possibility of combining annual radiation exposures reports for an individual, required by Regulatory Guide 1.16, as a single report particularly if the reports were from licensees owned by the same company. Currently, reports are issued by each licensee affected. In general, the group agreed that a single report would be more efficient than the current process and that the information required to be reported could be updated.

2. Possibility of shipping contaminated items between licensees and minimizing the number of surveys required to do so. This was considered to be a desirable option but several details need to be considered.

3. Possibility of a new Part 20 being developed for future plants and, if appropriate, made available to current plants.

Other issues discussed were the reformatting of MC 0609 so that the background and bases information would be separate from the “how to” portion. It was noted by the NRC that MC 0612 had already been reformatted. NEI asked the staff to look into arranging a meeting with

the Office of the General Counsel (OGC) on requirements for the process for approval of changes. The staff agreed to let OGC know of the request. There was general discussion on wording for Part 19 and Part 20 rulemaking. The group discussed concerns for interpretations of the requirement to label contaminated items in a container. As expressed by NEI, the concern was not the requirement to label the container, but the requirement to survey and identify the various nuclides in the container. There was also a concern that interpretations of what constituted a container varied. One suggestion was to add wording to the requirement to allow labeling without identifying the nuclides if the container was within a restricted area. The group agreed this was a possible area for burden reduction.

Having discussed several areas for possible burden reduction, the meeting was adjourned.

Project No. 689
Attachments: As stated
cc: w/atts: See list

List of Attendees for September 25, 2003 Meeting
Occupational and Public Radiation Safety Cornerstones

NAME	ORGANIZATION
Ralph Andersen	Nuclear Energy Institute
Roger Pedersen	NRC/DIPM/IEPB
Steve Klementowicz	NRC/DIPM/IEPB
Charles Hinson	NRC/DIPM/IEPB
Donald A. Cool	NRC/NMSS
Joseph Birmingham	NRC/DRIP/RPRP

Attachment 1

NEI Comments on the Draft Public Radiation Safety SDP (Appendix D to 0609)

Below are comments on the proposed revision to the Public Radiation Safety Significance Determination Process (SDP) submitted by NEI after the September 25, 2003 public meeting on radiation protection issues.

We have a single comment in regard to the last paragraph of the proposed revision to the SDP that addresses discrete radioactive particles.

In light of the rulemaking last year that establishes a 10 cm-2 averaging for SDE, as well as the recent issuance of Regulatory Information Summary (RIS) 2003-04, which allows the use of effective dose equivalent, we believe that particles no longer need to be treated differently then distributed contamination.

We suggest that the last paragraph (i.e., specifically regarding particles) be deleted. This suggestion is made on the assumption that NRC will proceed with the planned revision to equate findings to "a failure or performance deficiency" of the licensee's program that results in licensed material being improperly released beyond the restricted or protected area. In such cases (i.e., involving a failure or performance deficiency), a particle found outside a restricted or protected area would be a finding.

The significance of the finding would be based on the calculated total effective dose equivalent (TEDE), which can now be calculated as the effective dose equivalent (EDE) for external exposures from particles.

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cc: Via email
Mr. Ralph Andersen, Sr. Proj. Mgr
Nuclear Energy Institute
rla@nei.org

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