

December 23, 2004

Mr. Sander C. Perle  
Senior Vice President, Technical Operations  
Global Dosimetry Solutions, Inc.  
2652 McGaw Avenue  
Irvine, CA 92614

Dear Mr. Perle:

I am responding to the petition for rulemaking dated March 19, 2003, that you submitted to the U.S. Nuclear Regulatory Commission (NRC) on behalf of ICN Worldwide Dosimetry Service (now Global Dosimetry Solutions, Inc.). Your petition was docketed as PRM-20-25 and requested that NRC amend its regulations to require that any dosimeter, without exception, that is used to report dose of record and demonstrate compliance with the dose limits specified in the Commission's regulations be processed and evaluated by a dosimetry processor holding accreditation from the National Voluntary Laboratory Accreditation Program (NVLAP) of the National Institute of Standards and Technology. You also requested that the definition of "Individual monitoring devices" be revised to mean any device used by licensees to show compliance with 10 CFR 20.1201, as well as add "electronic dosimeters and optically stimulated dosimeters" as additional examples of these devices.

The notice of receipt of the petition was published in the *Federal Register* on May 5, 2003 (68 FR 23618). The comment period closed on July 21, 2003. NRC received 9 comment letters from utilities, industry, the public, and a State radiation control program, in addition to the three comments you submitted responding to other comments that NRC received on the petition. Six commenters recommended that NRC deny the petition and three commenters supported the petition but with substantial changes.

The NRC has reviewed the petition and the public comments. For the reasons provided in the enclosed *Federal Register* notice, your petition is being denied. In summary, NRC is denying the petition because there is insufficient evidence that it solves a regulatory problem or improves health and safety. With the revisions proposed in the petition, NVLAP accreditation would be required of processors for essentially all types of dosimetry, beyond just the electronic dosimetry that you referenced in your petition. The additional requirements would be an increase in burden for licensees, without a commensurate benefit from increased worker health and safety.

The petition, if granted, would remove the current exception for NVLAP accreditation for processors of extremity dosimeters in 10 CFR 20.1501(c). The NRC agrees, in principle, that it is a good idea to require processors of extremity dosimetry to undergo NVLAP accreditation. However, the American National Standards Institute (ANSI) and Health Physics Society (HPS) standard for extremity dosimeters, ANSI/HPS N13.32-1995, "Performance Testing of Extremity Dosimeters," is undergoing a major revision. Consequently, NRC believes that it is premature to remove this regulatory exception. You did not provide any evidence with your petition that

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indicates that there is a current health and safety problem and much of the industry is voluntarily obtaining NVLAP accreditation for processing of extremity dosimetry. Therefore, NRC is not taking any regulatory action on this issue.

The *Federal Register* notice denying the petition is being transmitted to the Office of the Federal Register for publication.

Sincerely,

***/RA Ellis W. Merschoff Acting For/***

Luis A. Reyes  
Executive Director  
for Operations

Enclosure: *Federal Register* Notice  
Denying Petition

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voluntarily obtaining NVLAP accreditation for processing of extremity dosimetry. Therefore, NRC is not taking any regulatory action on this issue.

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\*see previous concurrence

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