

July 7, 2005

MEMORANDUM TO: Farouk Eltawila, Director
Division of Systems Analysis
and Regulatory Effectiveness
Office of Nuclear Regulatory Research

FROM: Larry Camper, Director */RA/*
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety and Safeguards

SUBJECT: REQUEST FOR COMMENTS ON DRAFT WORKING GROUP
CHARTER - PROPOSED UPDATE OF REGULATORY GUIDES ON
LIGHT WATER REACTOR RADIOLOGICAL EFFLUENTS

This is in response to your June 1, 2005, memorandum requesting review and comments on the draft U.S. Nuclear Regulatory Commission (NRC), Office of Nuclear Regulatory Research (RES) document entitled: "Working Group Charter - Proposed Update of Regulatory Guides on Light Water Reactor Radiological Effluents."

In response to your request, we coordinated a review of the above document across the concerned divisions of the Office of Nuclear Material Safety and Safeguards (NMSS). NMSS staff comments are attached.

In summary, NMSS staff agrees with the RES proposal of updating the NRC Regulatory Guides in support of the implementation of 10 CFR Parts 50.34a and 50.36a and Appendix I to Part 50, controlling radiological effluents from light water reactors. NMSS staff would support establishing a working group and a "Charter" to define the scope, roles and responsibilities, specific tasks, resources, budget, and an implementation time schedule of the proposed activity.

Sami Sherbini, Health Physics Senior Level Service, will be the primary NMSS contact and a member of the working group. In addition to nominating Mr. Sherbini as the key contact for this activity, we also nominate Bobby Abu-Eid, Division of Waste Management and Environmental Protection, and Steven Baggett, Spent Fuel Project Office, as secondary contacts.

Attachment: as stated

CONTACT: Bobby Eid, DWMEP/NMSS
(301) 415-5811

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*See previous concurrence.

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NMSS Comments on RES Draft Working Group Charter - Proposed Update of Regulatory Guides on

1. The proposed working group should be coordinated through the Radiation Protection Steering Committee, since it specifically involves updating of regulatory guides for radiation protection for the next generation of reactors.
2. While there might be a need for interim positions, this revision of guidance should be coordinated with, and reflect future U.S. Nuclear Regulatory Commission (NRC) decisions on revisions of 10 CFR Part 20 and updates of International Commission on Radiological Protection (ICRP) Recommendations, as much as possible.
3. The proposal is unclear with regard to its scope and intended products. In one respect, the requested working group appears to become engaged only in developing the plan of work for the revisions. Yet the products identified included the updated regulatory guides.
4. The path recommended in the proposal needs more detail. The proposal makes a reference to Part 20 and ICRP-26/30 with no reference to other possible revisions based on advanced ICRP models. We recommend that these issues be left open for discussion within the working group. We understand the working group will keep NRC's Office of Nuclear Regulatory Research, Office of Nuclear Reactor Regulation, Office of the General Counsel, and Office of Nuclear Material Safety and Safeguards key management informed of significant proposals that might have significant impact on regulations or current acceptable practices.
5. The working group may address the benefits of reviewing the methods used by the international community in this area, particularly any recommendations and guidance provided by International Atomic Energy Agency. The working group may address the pros and cons of being in harmony with the international protocols assuming that no inconsistencies would arise with NRC's or other federal agencies regulations when applying such protocols.
6. The work plan should include the necessary time to allow for seeking or resolving public comments.