

From: "BELL, Denise" <dxh@nei.org>
Date: Tue, Jul 12, 2005 3:09 PM
Subject: Comments on draft Revision 2 of Regulatory Guide 8.7

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The following includes the first paragraph of the letter sent by Ralph L. Andersen.

July 12, 2005

Chief, Rules and Directives Branch

Office of Administration

U. S. Nuclear Regulatory Commission

Washington, DC 20555-0001

SUBJECT: Comments on draft Revision 2 of Regulatory Guide 8.7,
"Instructions for Recording and Reporting

Occupational Radiation Dose" (Reference: 70 Fed.
Reg. 25865, dated May 16, 2005)

This letter provides comments (enclosed) of the Nuclear Energy Institute (NEI), on behalf of the nuclear energy industry, on the subject draft regulatory guide.

We understand that the proposed changes to the regulatory guide are intended to reflect current requirements in 10 CFR 20. However, we call to your attention draft rule language noticed for comment in February 2004[1] <outbind://113/#_ftn1> containing possible changes to 10 CFR 20 that would affect the content of the subject regulatory guide, necessitating a further revision with substantive changes. The proposed changes are of particular importance to the nuclear industry because the changes would have the effect of reducing unnecessary regulatory burden on licensees.

[1] <outbind://113/#_ftnref1> "Collection, Reporting, or Posting of

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Information; Availability of Draft Rule Language," published at 69 Fed. Reg. 8350, dated February 24, 2004.

Ralph L. Andersen

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July 12, 2005

Ralph L. Andersen, CHP
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NUCLEAR GENERATION

Chief, Rules and Directives Branch
Office of Administration
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Comments on draft Revision 2 of Regulatory Guide 8.7, "Instructions for Recording and Reporting Occupational Radiation Dose"
(Reference: 70 Fed. Reg. 25865, dated May 16, 2005)

This letter provides comments (enclosed) of the Nuclear Energy Institute (NEI), on behalf of the nuclear energy industry, on the subject draft regulatory guide.

We understand that the proposed changes to the regulatory guide are intended to reflect current requirements in 10 CFR 20. However, we call to your attention draft rule language noticed for comment in February 2004¹ containing possible changes to 10 CFR 20 that would affect the content of the subject regulatory guide, necessitating a further revision with substantive changes. The proposed changes are of particular importance to the nuclear industry because the changes would have the effect of reducing unnecessary regulatory burden on licensees.

We encourage the staff to consider withholding the subject draft regulatory guide for updating and re-issuance for comment in conjunction with completion of the rulemaking to 10 CFR 20 contemplated in the February 2004 notice. In our view, the changes contained in the present draft revision of the subject regulatory guide are important, but not urgent, and therefore a more efficient use of staff resources may be accomplished by coordinating the two efforts. In any case, we wish to emphasize our interest in seeing the rulemaking brought to conclusion, including corresponding changes to the subject regulatory guide.

Thank you for the opportunity to provide our comments on the draft regulatory guide. If you have any questions regarding our comments, please contact me at 202.739.8111.

Sincerely,

Ralph L. Andersen

Enclosure

¹ "Collection, Reporting, or Posting of Information; Availability of Draft Rule Language," published at 69 Fed. Reg. 8350, dated February 24, 2004.

**Nuclear Energy Institute (NEI) Comments on Draft Revision 2 to
Nuclear Regulatory Commission (NRC) Regulatory Guide 8.7,
"Instructions for Recording and Reporting Occupational Radiation Dose
Data," (Reference: 70 Fed. Reg. 25865, dated May 16, 2005)**

1. [Section C.1, *Determining the Need to Monitor*] The referenced regulation (10 CFR 20.1502) also requires monitoring "for individuals entering a high or very high radiation area." We suggest that this be included in the regulatory guide for completeness.
2. [Section C.1.3, *Documentation of Prior Doses*] This section describes good health physics practices that are "not required by regulation," including additional guidance on how the good practice might be accomplished. We suggest that this text be deleted from the regulatory guide. As stated in Section D, *Implementation*, the guide "will be used in evaluating (1) submittals in connection with applications for new licensees, license renewals, and license amendments, and (2) compliance with 20.1001-20.2401." Discussion of "good practices," not required by regulation is outside the scope and purpose of the regulatory guide and may prove confusing and create unnecessary regulatory burden for existing licensees and new applicants.
3. [Section C.1.3, *Documentation of Prior Doses*] We suggest that additional guidance be provided in this section to help clarify a requirement that has been the subject of confusion for some licensees. 10 CFR 20.2104 includes requirements for determining prior occupational dose "for each individual who is likely to receive in a year, an occupational dose requiring monitoring pursuant to 10 CFR 20.1502." As noted in our Comment Number 1 (above), 10 CFR 20.1502 also requires monitoring for individuals entering a high or very high radiation area. Please provide guidance to help clarify that for such individuals, i.e., those entering a high or very high radiation area, determination of prior occupational dose is not required, unless the individual is likely to receive in a year, an occupational dose greater than 10 percent of the limits defined in 10 CFR 20.1201 or 20 percent of the limits defined in 10 CFR 20.1207 or 20.1208.
4. [Section C.1.5, *Individuals with No Social Security Number*] We suggest that the first sentence in this section be modified to state, "doses to individuals who do not have a social security number, such as citizens of foreign countries, or are unable or unwilling to provide a social security number, should be reported using another unique identifier." Such guidance will help licensees address circumstances where individuals who do, in fact, have a

social security, either cannot locate it or do not want to disclose it, e.g., due to privacy protection concerns.

5. [Section C.2, *Records of Monitoring Results for Individuals for Whom Monitoring is Required*] Additional guidance should be provided to reflect the acceptance by the NRC of effective dose equivalent (EDE), in lieu of deep dose equivalent (DDE), in demonstrating compliance with NRC regulations.² Licensees are currently using NRC-approved methods for monitoring the EDE, as well as methods for calculating the EDE, e.g., for exposure from discrete radioactive particles. Guidance should address how to report the EDE, rather than the DDE, including determination of the total effective dose equivalent (TEDE) and the total organ dose equivalent (TODE). Note that conforming changes to NRC Regulatory Guide 8.34, "Monitoring Criteria and Methods to Calculate Occupational Radiation Doses," will also be needed.
6. We suggest that NRC clarify that the NRC Forms 4 and 5 attached to Regulatory Guide 8.7 are provided for illustrative purposes only, rather than as a part of the regulatory guide. This suggestion is intended to create additional flexibility in the future for the NRC to make minor changes to the format and instructions in the forms in an expedited manner, where such changes do not affect the text of the regulatory guide.

² USNRC Regulatory Issue Summary 2003-004, "Use of the Effective Dose Equivalent in Place of the Deep Dose Equivalent in Dose Assessments."