

DOCKET NUMBER

PETITION RULE PRM 20-26

(70 FR 34699)



NUCLEAR ENERGY INSTITUTE

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August 26, 2005

Ms. Annette Vietti-Cook  
Secretary  
Attention: Rulemakings and Adjudications Staff  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

DOCKETED  
USNRC

August 31, 2005 (3:20pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Dear Ms. Vietti-Cook:

**REFERENCE: Comments on Petition for Rulemaking PRM-20-26**

The Nuclear Energy Institute<sup>1</sup> on behalf of its industry members submits the following comments on Petition for Rulemaking PRM-20-26. The petitioner seeks to revise the 10 CFR Part 20 occupational limits for uranium exposure, particularly for military personnel who could be exposed to munitions manufactured from depleted uranium.

While acknowledging the potential toxicity of uranium from shrapnel that becomes embedded and remains in a human body, toxicological studies show that the body is very efficient at ridding itself of this element. Contrary to what the petitioner claims, there are currently inadequate data on the human reproductive toxicity of uranium at current permissible exposure levels to warrant changes to Part 20. Additionally, the responsibility for addressing uranium toxicity better lies with the US Environmental Protection Agency rather than with the Nuclear Regulatory Commission (NRC).

Exposure impacts of depleted uranium are not a safety issue of pressing concern to the fuel cycle industry. Soluble uranyl compounds, such as uranyl nitrate, are common intermediaries in the milling of uranium ores and in the conversion of uranium to UF<sub>6</sub> for enrichment. Workers engaged in handling such uranium compounds have experienced very few, if any, adverse health impacts due to adherence to good safety practices.

NEI recommends that the NRC deny PRM-20-26. Current occupational exposure limits for uranium are protective of human health. Until our understanding of the

<sup>1</sup> NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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effects of uranium and depleted uranium on reproduction and fetal development are much better understood, and until data from supporting, rigorous toxicological studies are available, no changes to 10 CFR Part 20 are warranted.

I should be pleased to answer any questions that you may have concerning our thoughts on the merits of this PRM.

Sincerely,

A handwritten signature in cursive script that reads "Clifton W. Farrell". The signature is written in black ink and is positioned above the typed name.

Dr. Clifton W. Farrell

**From:** Carol Gallagher  
**To:** Evangeline Ngbea  
**Date:** Wed, Aug 31, 2005 1:34 PM  
**Subject:** Comment letter on PRM-20-26

Attached for docketing is a comment letter on the above noted PRM from Clifton Farrell, NEI, that I received via the Rulemaking website on 8/31/05.

Carol

**Mail Envelope Properties (4315EA16.21D : 3 : 886)**

**Subject:** Comment letter on PRM-20-26  
**Creation Date:** 8/31/05 1:34PM  
**From:** Carol Gallagher

**Created By:** CAG@nrc.gov

**Recipients**

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