



NUCLEAR ENERGY INSTITUTE

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NUCLEAR GENERATION DIVISION

March 5, 2010

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Mr. Michael T. Lesar  
Chief  
Rulemaking and Directives Branch (RDB)  
Division of Administrative Services  
Office of Administration  
Washington, DC 20555-0001

12/14/09

74FR 66163

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RULES AND DIRECTIVES  
BRANCH  
UNENRC

**Subject:** Industry Comments to Draft Regulatory Guide DG-8032, "Planned Special Exposure".

**Project Number: 689**

Dear Mr. Lesar:

On December 14, 2009, the U.S. Nuclear Regulatory Commission (NRC) issued a *Federal Register* Notice (74 FR 66163) soliciting public comment on the draft regulatory guide, "Planned Special Exposure." DG-8032 provides guidance on the conditions and prerequisites for permitting planned special exposure(s) (PSE(s)), as allowed by Title 10 *Code of Federal Regulations* Part 20 (10 CFR 20), including the associated specific monitoring and reporting requirements, and provides examples of acceptable means of satisfying these requirements.

The Nuclear Energy Institute (NEI)<sup>1</sup> provides the enclosed comments on behalf of the nuclear energy industry on the subject draft regulatory guide. To our knowledge, Regulatory Guide 8.35 has never been used in the commercial nuclear industry, and to that end, we suggest that you consider withdrawing this regulatory guide.

<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.

SUPSI Review Complete

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Mr. Michael T. Lesar

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Thank you for the opportunity to comment on the document, and we look forward to reviewing the final version. If you have any questions concerning these comments, please contact me at 202-739-8043; [exa@nei.org](mailto:exa@nei.org).

Sincerely,

A handwritten signature in cursive script that reads "Ellen P. Anderson". The signature is written in black ink and is positioned below the word "Sincerely,".

Ellen P. Anderson

Enclosure

## Industry Comments to DG-8032

	Issue	Citation	Comment
1	Need for revising this regulatory guide at this time		<p>We question the need to revise 8.35 at this time. Based on review of SECY-08-0197 "Options to Revise Radiation Protection Regulations" and Guidance with respect to the 2007 Recommendations of the International Commission on Radiological Protection (ICRP), will changing Regulatory Guide 8.35 be required if the recommendations of ICRP Publication 103 recommendations are adopted?</p> <p>To our knowledge, Regulatory Guide 8.35 has never been used in the commercial nuclear power industry. Why would you revise a regulatory guide that has never been used when you could better use NRC's resources to revise/improve regulatory guides that are in use today?</p>
2	Editorial	Page 1, second paragraph	The second paragraph in the Introduction starts off by talking about the "revised" Part 20. It has been 17 years since the latest revision. Suggest dropping the "revised" wording.
3	Radiography example	Page 3, Section 2.1(b)(1)	This radiography example is reasonable; however, it does have some nuance since Agreement State licensees would not have to report PSEs to the NRC.

	Issue	Citation	Comment
4	Editorial	Page 4, section 2.2(c)	Add a space between 2.2(c) and 2.3.
5	Determination of prior dose	Page 5 section 2.4 (a) and (b)	These sections could be problematic since we are no longer required to obtain lifetime exposure information from workers. It could be very difficult to obtain the required history for contract workers or plant staff that has changed companies a few times. Even if the information can be obtained, it probably could not be collected in time to support the proposed PSE task.
6	Determination of future occupational dose based on lifetime dose accounting	Page 6, Section 2.6(b)	Since lifetime dose accounting is no longer required, how can section 2.6(b) be accomplished?
7	Dose information requested from REIRS does not include Agreement States	Reg Guide 8.6	Regulatory Guide 8.7 also says that lifetime dose information can be requested from REIRS, but this would only provide dose information supplied by NRC licenses, not Agreement States.