

Resolution of Public Comments Received on Draft Regulatory Guide (DG)-8032, “Planned Special Exposure.”

During the public comment period for Draft Regulatory Guide DG-8032, which ended on March 11, 2010, the Nuclear Regulatory Commission (NRC) received comments from the Nuclear Energy Institute (NEI). The NRC staff has carefully reviewed the draft and addressed the comments as appropriate. The following table summarizes the comments and staff’s response to them.

Comments were received from:
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No.	Issue	Citation	Comment	Response
1	Usefulness		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.	The staff disagrees. It is fortunate that the use of Regulatory Guide 8.35 has never been required for a PSE in the commercial nuclear industry. However, if needed as an option, it is anticipated that it would be under circumstances responding to accident (or unusual) conditions. A reference document would be valuable as a resource during planning for such an infrequent, unique event.
2	Need for revising this regulatory guide at this time		We question the need to revise 8.35 at this time. Based on time 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 changes to Regulatory Guide 8.35 be	In this case the guide is approximately 17 years behind revisions already made to 10 CFR Part 20. This update makes use of resources the NRC has in place to develop new guidance and revise outdated guidance. The guide is being processed as

			<p>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>	<p>time becomes available and has not required significant resources.</p> <p>It will likely take several years to make changes to 10 CFR Part 20 regulations based on the recent ICRP 103 recommendations. However, this update will be helpful in preparation for the next update, and fewer changes will need to be made at that time as a result. Therefore, the minimal resources spent on this guide are considered to be prudent.</p>
3	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.	NRC staff agreed and dropped 'revised.'
4	Radiography example	Page 3,	This radiography example is reasonable; however, it does have some nuance since Agreement State licensees would not have to report PSEs to the NRC.	<p>Agreement state licensees would have to meet the requirements of their state.</p> <p>Another example may be considered in the next revision to the guide.</p>
5	Editorial	Section 2.2(c)	Add a space between 2.2(c) and 2.3.	Corrected.
6	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 (a) and (b) 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.	NRC staff understands that this is not easy task to accomplish but this is a requirement of 10 CFR 20.2104 (b). Potential changes to the regulation may be proposed through the rulemaking process, to facilitate the potential for use at an NRC licensed facility.

7	Determination of future occupational dose based on lifetime dose accounting	Page 6, section 2.6(b)	These sections could be problematic since we are no longer required to obtain lifetime exposure information from (a) and (b) 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.	Same answer as 5.
8	Dose information requested from REIRS does not include Agreement States	Reg. Guide 8.7	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.	Same answer as 5.