

Mendiola, Doris

Subject: FW: NEI comments on Draft Regulatory Guide DG-8033; Docket ID NRC-2015-0286

Attachments: 02-22-16_NRC_Industry Comments on Draft RG DG-8033.pdf

From: ASHKEBOUSSI, Nima [mailto:nxa@nei.org]

Sent: Monday, February 22, 2016 3:26 PM

Subject: [External_Sender] NEI comments on Draft Regulatory Guide DG-8033; Docket ID NRC-2015-0286

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Ms. Cindy K. Bladey
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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Subject: NEI comments on Draft Regulatory Guide DG-8033; Docket ID NRC-2015-0286

Project Number: 689

Dear Ms. Bladey:

On behalf of the nuclear energy industry, the Nuclear Energy Institute (NEI)^[1] appreciates the opportunity to provide comments on Draft Regulatory Guide (DG) DG-8033; "Operating Philosophy for Maintaining Occupational Radiation Exposures as Low as is Reasonably Achievable" (Docket ID NRC-2015-0286). The purpose of DG-8033, a revision to Regulatory Guide (RG) 8.10, is to provide licensees with a methodology that the Nuclear Regulatory Commission (NRC) considers acceptable for maintaining radiation exposures to employees and the public as low as is reasonably achievable (ALARA). This version addresses revisions to Part 20 and advances in ALARA practices and programs made over the last 40 years. It's important to note that industry continues to successfully implement ALARA principles as demonstrated by decades of good to excellent performance regarding exposure history.

Comments:

We offer the following comments based on our review of DG-8033. We appreciate your consideration of these comments and look forward to seeing how they are resolved.

1. On Page 4, the Section titled "Harmonization with International Standards" lists seven International Commission on Radiological Protection and International Atomic Energy Agency standards. The NRC states that they "... encourage licensees to consult these international

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H. Karagiannis (HXK)

documents and implement the best practices, where applicable." The same Section goes on to state "... that some of the recommendations issued by these international organizations do not correspond to the requirements specified in NRC regulations. In such cases, NRC requirements take precedence." These publications, among other recommendations, endorse the lower annual dose limit of 10 rem in 5 years. These two statements appear contradictory and could create confusion if licensees, per the encouragement of DG-8033, unknowingly adopted international standards that are not as conservative as NRC regulations. Furthermore, NRC staff has recommended that the Commission terminate the current rulemaking activity to change 10 CFR Part 20, "Standards for Protection Against Radiation," that intend to align it with the methodology and terminology for dose assessment contained in international recommendations. Inclusion of a Section on "Harmonization with International Standards" could create confusion on the status of Part 20 changes. We suggest that the entire Section be deleted. If the Section remains, we recommend that the sentence "The NRC encourages licensees to consult these international documents and implement the best practices, where applicable" be deleted.

2. On Page 5, Section C.1. "Management Commitment", the sixth bullet significantly changes the current Regulatory Guide 8.10 Section 1(b) requirement that management periodically perform a formal audit to determine how exposures might be lowered. There is no Part 20 regulatory requirement for a "formal audit to determine how exposures might be lowered", let alone a regulatory requirement that the auditor is independent. The closest existing requirement is 10 CFR 20.1101(c) that requires licensees to conduct annual reviews of the radiation protection program content and implementation. This regulation appears to be described in the Section 2 "Radiation Program Manager" on Page 6, fourth bullet. The added requirement for an independent formal audit by personnel not directly responsible for directing the facility's radiation protection program would create an additional burdensome process with no demonstrated need. We recommend that the Section C.1. sixth bullet be deleted.
3. On Page 6, Section C.2, the fourth bullet "Requires an annual review of a portion of the radiation protection program so that all phases of the radiation protection program will be reviewed on a 2-3 year review cycle." 10 CFR 20.1101(c) requires an annual program review. Does the guidance change the regulations to 2-3 years to complete the program review?
4. On Page 7, Section C.3, the first bullet, the words "Be responsible for being" is redundant. We suggest deleting the word "Be".
5. On Page 7, Section C.3, third bullet, replace "practicable" with "practical."

Please contact me if you have any questions.

Sincerely,

Nima Ashkeboussi
Sr. Project Manager, Materials Safety

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¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

Ms. Cindy K. Bladey

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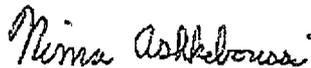
Page 2

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Nima Ashkeboussi

c: Mr. Casper Sun, RES/DSA/RPB, NRC
Ms. Harriet Karagiannis, RES/DE/RGGIB, NRC