

NUCLEAR REGULATORY COMMISSION

[10 CFR Part 20]

Miscellaneous Clarifying Amendments

AGENCY: U.S. Nuclear Regulatory Commission

ACTION: Proposed Rule

SUMMARY: The Nuclear Regulatory Commission is proposing miscellaneous amendments to the Commission's "Standards for Protection Against Radiation." These amendments do not modify current practices or application of the regulations, but will clarify the text of several sections with the view of avoiding possible misinterpretation of these sections.

DATED: Comment period expires on ~~Mar 4 1980~~

ADDRESSES: Written comments or suggestions for consideration in connection with the proposed amendments should be submitted to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

FOR FURTHER INFORMATION CONTACT: J. M. Felton, Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492-7211.

SUPPLEMENTARY INFORMATION: The Nuclear Regulatory Commission is considering miscellaneous amendments to several sections of its "Standards for Protection Against Radiation," 10 CFR Part 20. These amendments do not modify current practices or application of the regulations, but will clarify the text of several sections with the view of avoiding possible misinterpretations of these sections.

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survey requirement in § 20.201(b) is limited to situations where the failure to survey or the performance of an inadequate survey resulted in noncompliance with some other requirement of 10 CFR Part 20. While the current language of §20.201(b) is susceptible to such a reading, the Commission over the years has given the section a broader construction. The regulation has been redrafted to clarify the intent of the survey requirement to assure that licensees are on notice that the requirement is to make appropriate surveys and that the requirement may be violated even if noncompliance with some other requirement of Part 20 does not result from the failure to survey or from the performance of an inadequate survey.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and section 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 20 is contemplated.

1. Paragraph 20.101(a) of 10 CFR Part 20 is amended by deleting the words "as to cause any individual in a restricted area" and substituting therefor "as to cause or permit any individual in a restricted area".
2. Paragraphs 20.103(a)(1) and 20.103(a)(2) are amended by deleting the words "as to permit any individual in a restricted area" and substituting therefor "as to cause or permit any individual in a restricted area".
3. Paragraphs 20.104(a) and 20.104(b) are amended by deleting the words "as to cause any individual within a restricted area" and substituting therefor "as to cause or permit any individual in a restricted area."

4. The last sentence of paragraph 20.105(a) is amended by deleting the words "proposed limits are not likely to cause any individual" and substituting therefor "proposed limits are not likely to cause or permit any individual".

5. Paragraph 20.201(b) is revised to read as follows:

§20.201 Surveys.

* * * * *

(b) Each licensee shall make or cause to be made such surveys as are reasonably called for by circumstances surrounding the use of source, byproduct, or special nuclear material.

(Secs. 53, 62, 81, 101, 103, 104 and 161b and i, Pub. L. 83-703, 68 Stat. 919 (42 U.S.C. 2073, 2092, 2111, 2131, 2133, 2134 and 2201b and i); sec. 201f, Pub. L. 93-438, 88 Stat. 1233 (42 U.S.C. 5841f)).

Dated at Bethesda, Maryland, this 22^d day of June 1980.

For the Nuclear Regulatory Commission



William J. Dircks
Acting Executive Director for Operations