

PDR  
AE 80-1

MEMORANDUM FOR: James M. Taylor  
Executive Director for Operations

FROM: Eric S. Beckjord, Director  
Office of Nuclear Regulatory Research

SUBJECT: INITIATION OF RULEMAKING - AMENDMENTS TO 10 CFR PARTS 19 AND 20 TO DELETE CONTROLLED AREA, TO APPLY OCCUPATIONAL DOSE LIMITS TO WORKERS, AND TO REVISE CRITERIA ON WHEN RADIATION PROTECTION TRAINING IS REQUIRED

The revised 10 CFR Part 20, Standards for Protection Against Radiation, was published on May 21, 1991, with mandatory compliance by January 1, 1994. The revised Part 20 defines a "controlled area" as an area, access to which could be limited for any reason. In addition, "occupational dose" is defined as the dose received in a restricted area or in the course of employment in which the individual's assigned duties involve exposure to radiation and radioactive materials. The staff has become aware through discussions among RES, NRR, NMSS, regional staff, Agreement States, and licensees that these definitions have led to some confusion.

Some licensees have interpreted the revised Part 20 to permit the use of the term "controlled area" to designate areas controlled for radiation protection purposes, but not treat these areas as "restricted areas." This is not the intent of the rule. The intent of the revised Part 20 is that any area to which access is controlled for radiation protection is, by definition, a "restricted area." The term "controlled area" was added to acknowledge that licensees might choose to restrict access to an area for reasons other than radiation protection although it is not a requirement. Numerous staff Q and A's have been devoted to this issue, and questions regarding implementation continue to arise.

Under the current Part 19 and 20 provisions, an individual who is occupationally exposed, yet never enters a restricted area, requires no training in radiation protection, risk or ALARA. Some licensees have interpreted the definition of occupational dose to mean that an individual is occupationally exposed when in a restricted area or performing assigned tasks (such as surveys), but not occupationally exposed when doing other functions of their occupations, such as transporting a source through a controlled or unrestricted area. This, too, was not the intent of the rule. While not unique to the revised rule, the problem has come to light now because of the focus by licensees on compliance with new requirements. By eliminating the phrase "in a restricted area or" from the definition of occupational dose, this confusion can be eliminated. In addition, "radiation and/or radioactive material" should replace "radiation and radioactive material" to correct a technical error in the rule text. With these changes, occupational dose would become dose received as a result of an individual's employment which involves

exposure to radiation and/or radioactive material, as was intended by the revised rule. These changes would also make it clear that the dose received by a member of the public cannot be permitted to exceed the public dose limit just because he or she enters a restricted area.

Subject to your approval, I plan to initiate a high priority rulemaking to delete the definition of "controlled area" and make appropriate conforming revisions where the term is used in the revised Part 20. The statement of considerations will make it clear that licensees have the option of establishing controlled areas, access to which is controlled for reasons other than radiological. In addition, the rulemaking would revise the definition of "occupational dose" to delete reference to the "restricted area" so that the occupational dose limit and its associated provisions, such as training and badging requirements, would apply to an individual who was engaged at any time in activities that are licensed by the Commission, controlled by the licensee, and involve exposure to radiation and/or to radioactive material. Section 19.12, "Instruction to Workers," will be revised so that training commensurate with the hazards present will be provided to all persons who will be occupationally exposed rather than just to individuals who will be working in or frequenting any portion of a restricted area.

I believe that these changes will remedy considerable confusion associated with the revised Part 20 and will not have an adverse impact on the health and safety of workers or the public. Removing the implied requirement to establish controlled areas, and simplifying the definition and administration of occupational dose is considered to be a reduction of burden, will require no new procedures, and is thus not a backfit subject to the backfit rule. The proposed rule statement of considerations would make it clear that licensees have the option to use controlled areas for reasons other than radiological, which was the intent. Licensees who have already written procedures including the correct provision for controlled areas, would require no changes in those procedures. Licensees who may have included controlled areas for radiation protection purposes have, in the staff's view, incorrectly interpreted the rules and would need to change their procedures in any case.

I believe that this rule would be most useful if it is published in final form prior to January 1, 1994, which is the date when all licensees must implement the revised 10 CFR Part 20. I also believe that this action falls within the EDO's jurisdiction to authorize publication. The enclosed schedule reflects these assumptions.

ORIGINAL SIGNED BY

Eric S. Beckjord, Director  
Office of Nuclear Regulatory Research

Enclosures:

1. Justification for Rulemaking
2. Regulatory Agenda Entry

JUN 14 1993

\*SEE PREVIOUS CONCURRENCES

For distribution see next page.

Offc: RPHEB:DRA	RPHEB:DRA	RPHEB:DRA	DD:DRA:RES	D:NMSS:IMNS	D:NRR:DRSSF
Name: *Roecklein	*CRaddatz	*DACool	*FCostanzi	*RCunningham	*FCongel
Date: 2/09/93	2/10/93	4/28/93	2/10/93	5/2/93	5/2/93

(per				
Offc: OGC memo)	D:DRA:RES	DD:GIR:RES	D:RES	
Name: *STreby	*BMorris	*CJHeltemes	EBeckjord	
Date: / /93	3/10/93	3/10/93	6/14/93	

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James M. Taylor

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JUN 14 1993

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PDR  
AES0-1

ENCLOSURE 1  
JUSTIFICATION FOR RULEMAKING

PDR  
AESO-1

JUSTIFICATION FOR RULEMAKING

AMENDMENTS TO 10 CFR PARTS 19 AND 20 (§ 20.1001 - § 20.2401) TO DELETE CONCEPT OF CONTROLLED AREA AND TO APPLY OCCUPATIONAL DOSE LIMITS ONLY WHEN REQUIRED BY CONDITIONS OF EMPLOYMENT AND REVISE CRITERIA ON WHEN TRAINING IN RADIATION PROTECTION IS REQUIRED

1. The issues to be addressed by rulemaking:

The revised 10 CFR Part 20, Standards for Protection Against Radiation, was published on May 21, 1991, with mandatory compliance by January 1, 1994. The revised Part 20 defines a "controlled area" as an area, access to which could be limited for any reason. In addition, "occupational dose" is defined as the dose received in a restricted area or in the course of employment in which the individuals assigned duties involve exposure to radiation and radioactive materials. The staff has become aware through discussions among RES, NRR, NMSS, regional staff, Agreement States, and licensees that these definitions have led to some confusion.

As a consequence of the present definition of controlled area, some licensees have interpreted the rule to permit control of access to certain areas for purposes of radiation protection, where dose rates might exceed 2 mrem in any one hour, without designating these areas as restricted areas under the requirements of Part 20. In particular, some licensees are discussing the use of a controlled area for an area when doses are in excess of 2 mrem in an hour, but less than the 5 mrem in an hour which requires posting as a radiation area. Under Part 20, any area for which access is controlled for radiation protection is, by definition, a "restricted area." The term "controlled area" was added to acknowledge that licensees might choose to restrict access to an area for reasons other than radiation



protection, although to do so is not a requirement. In any case, any area to which access is controlled for radiation protection must be considered a "restricted area" and subject to all the attendant Part 20 requirements.

Under the current Part 19 and 20 provisions, an individual who is occupationally exposed yet never enters a restricted area, requires no training concerning radiation protection. Some licensees have interpreted the definition of occupational dose to mean that an individual is occupationally exposed only when in a restricted area. This, too, was not the intent of the rule. While not unique to the revised rule, this problem has come to light now because of the focus by licensees on compliance with new requirements. By eliminating the phrase "in a restricted area" from the definition of occupational dose, this confusion can be eliminated. In addition, "radiation and/or radioactive material" should replace "radiation and radioactive material" to correct a technical error in the rule text. With these changes, occupational dose would then become dose received as a result of an individual's employment in which an individual's assigned duties involve exposure to radiation and/or radioactive material, as was intended by the revised rule.

These changes would also make it clear that the dose to a member of the public cannot be permitted to exceed the public dose limit just because he or she enters a restricted area.

2. The necessity and urgency of addressing the issue:

Licensees, headquarters staff, regional staff, and Agreement States have advised the staff that these definitions are misleading. Conflicting definitions need to be addressed before the mandatory implementation date of the revised Part 20 (January 1, 1994) in order to facilitate its smooth and efficient implementation. The proposed changes will have no adverse impact on health and safety of workers or the public.

3. Alternatives to rulemaking:

One source of confusion is the apparent ambiguity of the new definition of controlled area in the revised Part 20. Were the matter one of interpretation or complexity, a regulatory guide could be an appropriate remedy. Moreover, were the matter one of individual licensee implementation, case-by-case exemptions from the requirement might be appropriate. However, in that the difficulty is in the rule itself, and all licensees are affected by the provision, the appropriate remedy is rulemaking.

4. How the issue will be addressed through rulemaking:

In Section 20.1003, the definition of a "controlled area" will be deleted from the rule. The statement of considerations will make it clear that a licensee has the option of establishing controlled areas, access to which is controlled for reasons other than radiological. Likewise, the definition of "occupational dose" will be changed to delete references to assigned duties and the "restricted area." The staff believes that the



definition of "restricted area" is sufficient to limit access for purposes of radiation protection and that "occupational dose" can be received outside "restricted areas."

The definition of "occupational dose" would be changed to delete reference to restricted area and make it clear that an individual is occupationally exposed if engaged in activities licensed by the Commission that involve exposure to radiation and/or to radioactive material.

Conforming changes will be necessary in the definitions of "Member of the public" and "Public dose." Sections 20.1301(2)(b), 20.1302(a), 20.1801 and 20.1802 will require minor conforming amendments.

A conforming change will be made to Section 19.12 so that training commensurate with the hazards present will be provided to all individuals who are occupationally exposed, rather than just those working in or frequenting a restricted area.

The effect of these amendments would be to make clear that

- (1) individuals in the employ of a licensee, including contractors, would be subject to occupational dose limits and associated protection requirements and
- (2) members of the public would be limited to the public dose limit, irrespective of their location within the licensee's facility. In addition, the confusion over the establishment of a "controlled area" would be eliminated, and the present system of restricted and unrestricted areas retained. Licensees would be free to establish control of access to certain

areas for reasons other than radiological protection if they choose, but these areas would not be defined in the regulations.

5. How the public, industry, and NRC will be affected by the rulemaking, including costs, benefits, occupational exposure, and resources:

Smooth and efficient implementation of the revised Part 20 will be facilitated by these changes. Removing the implied requirement to establish controlled areas, and simplifying the definition and administration of occupational dose is considered to be a reduction of burden, will require no new procedure, and is thus not subject to the backfit rule.

The proposed rule statement of considerations would make it clear that licensees have the option to use controlled areas for reasons other than radiological, which was the intent, and licensees who have already written procedures including the correct provision for controlled areas would require no changes in those procedures. Licensees who may have included controlled areas for radiation protection purposes, have incorrectly interpreted the rules and would need to change their procedures in any case.

6. NRC resources and timetable for the rulemaking:

It is estimated that 0.4 staff years of effort by RES and other offices will be expended over the next 8 months to complete this rulemaking.

Timetable

Division Review and Office Concurrence on Proposed Rule	July 30, 1993
Proposed Rule to EDO	August 20, 1993*
75-Day Public Comment Period	Sept 1 - Dec 22, 1993

\*This schedule is based on an assumption that CRGR and ACRS will agree to defer review until after public comment.

PDR  
AE30-1

ENCLOSURE 2  
REGULATORY AGENDA ENTRY

PDR  
AESO-1

REGULATORY AGENDA ENTRY

TITLE: AMENDMENTS TO 10 CFR PARTS 19 AND 20: DELETE CONTROLLED AREA  
APPLY OCCUPATIONAL DOSE LIMITS ONLY TO WORKERS AND  
REVISE CRITERIA ON WHEN RADIATION PROTECTION TRAINING  
IS REQUIRED

CFR CITATION: 10 CFR PART 19 AND 20 (§ 20.1001 - § 20.2401)

The revised 10 CFR Part 20, Standards for Protection Against Radiation, was published on May 21, 1991, with mandatory compliance by January 1, 1994. The revised Part 20 defines a "controlled area" as an area, access to which could be limited for any reason. In addition, "Occupational does" is defined as the dose received in a restricted area or in the course of employment in which the individuals assigned duties involve exposure to radiation and radioactive materials. The staff has become aware through discussions among RES, NRR, NMSS, regional staff, Agreement States, and licensees that these definitions have led to some confusion.

As a consequence of the present definition of controlled area, some licensees have interpreted the rule to permit control of access to certain areas for purposes of radiation protection, without considering these areas as restricted areas under the requirements of Part 20. Under Part 20, any area for which access is controlled for radiation protection is, by definition, a "restricted area." The term "controlled area" was added to acknowledge that licensees might choose to restrict access to an area for reasons other than radiation protection, although to do so is not a requirement. In any case,

any area to which access is controlled for radiation protection must be considered a "restricted area" and subject to all the attendant Part 20 requirements.

Under the current Part 20 definition, an individual who is occupationally exposed yet never enters a restricted area, requires no training concerning radiation protection. Some licensees have interpreted the definition of occupational dose to mean that an individual is occupationally exposed only when in a restricted area. This, too, was not the intent of the rule. While not unique to the revised rule, this problem has come to light now because of the focus by licensees on compliance with new requirements. By eliminating the phrase "in a restricted area" from the definition of occupational dose, this confusion can be eliminated. In addition, "radiation and/or radioactive material" should replace "radiation and radioactive material" to correct a technical error in the rule text. With these changes, occupational dose would then become dose received as a result of an individual's employment in which the individual's assigned duties involve exposure to radiation and/or radioactive material, as was intended by the revised rule.

The proposed deletion of the term "controlled area" and change to the definition of occupational dose will have no adverse impact on health and safety of workers or the public.



Timetable:

Division Review and Office Concurrence on Proposed Rule	July 30, 1993
Proposed Rule to EDO	August 20, 1993*
75-Day Public Comment Period	Sept 1 - Dec 22, 1993

\* This schedule is based on an assumption that CRGR and ACRS will agree to defer review until after public comment.

LEGAL AUTHORITY:

The Atomic Energy Act of 1954, the Energy Reorganization Act of 1974, and the Administration Procedures Act.

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES:

Expected to facilitate smooth and efficient implementation of revised Part 20 by all licensees, with no impact on health and safety of workers or public.

AGENCY CONTACT:

Alan K. Roecklein  
Office of Nuclear Regulatory Research



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555-0001

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MEMORANDUM FOR: James M. Taylor  
Executive Director for Operations

FROM: Eric S. Beckjord, Director  
Office of Nuclear Regulatory Research

SUBJECT: INITIATION OF RULEMAKING - AMENDMENTS TO 10 CFR PARTS 19 AND 20 TO DELETE CONTROLLED AREA, TO APPLY OCCUPATIONAL DOSE LIMITS TO WORKERS, AND TO REVISE CRITERIA ON WHEN RADIATION PROTECTION TRAINING IS REQUIRED

The revised 10 CFR Part 20, Standards for Protection Against Radiation, was published on May 21, 1991, with mandatory compliance by January 1, 1994. The revised Part 20 defines a "Controlled area" as an area, access to which could be limited for any reason. In addition, "Occupational dose" is defined as the dose received in a restricted area or in the course of employment in which the individuals assigned duties involve exposure to radiation and radioactive materials. The staff has become aware through its discussions between RES, NRR, NMSS, regional staff, Agreement States, and licensees that these definitions have led to some confusion.

Some licensees have interpreted the revised Part 20 to permit the use of the term "Controlled area" for controlling access for any purpose, including radiation protection. This is not the intent of the rule. The intent of the revised Part 20 is that any area for which access is controlled for radiation protection is, by definition, a "Restricted area." The term "Controlled area" was added to acknowledge that licensees might choose to restrict access to an area for reasons other than radiation protection although it is not a requirement. Numerous staff Q and A's have been devoted to this issue, and questions regarding implementation continue to arise.

Under the current Part 19 and 20 provisions, an individual who is occupationally exposed, yet never enters a restricted area, requires no training in radiation protection, risk or ALARA. Some licensees have interpreted the definition of occupational dose to mean that an individual is occupationally exposed when in a restricted area or performing assigned tasks (such as surveys), but not occupationally exposed when doing other functions of their occupations, such as transporting a source through a controlled or unrestricted area. This, too, was not the intent of the rule. While not unique to the revised rule, the problem has come to light now because of the focus by licensees on compliance with new requirements. By eliminating the phrase "in a restricted area or" from the definition of occupational dose, this confusion can be eliminated. In addition, "radiation and/or radioactive material" should replace "radiation and radioactive material" to correct a technical error in the rule text. With these changes, occupational dose would become dose received as a result of an individual's employment which involves exposure to radiation and/or radioactive material, as was intended by the

revised rule. These changes would also make it clear that a member of the public cannot be permitted to exceed the public dose limit just by entering a restricted area.

Subject to your approval, I plan to initiate a high priority rulemaking to delete the definition of "controlled area" and make appropriate conforming revisions where the term is used in the revised Part 20. The statement of considerations will make it clear that licensees have the option of establishing controlled areas, access to which is controlled for reasons other than radiological. In addition, the rulemaking would revise the definition of "occupational dose" to delete reference to the "restricted area" so that the occupational dose limit and its associated provisions, such as training and badging requirements, would apply to an individual who was engaged at any time in activities that are licensed by the Commission, controlled by the licensee, and involve exposure to radiation and/or to radioactive material. Section 19.12, "Instruction to Workers," will be revised so that training commensurate with the hazards present will be provided to all persons who will be occupationally exposed rather than just to individuals who will be working in or frequenting any portion of a restricted area.

I believe that these changes will remedy considerable confusion associated with the revised Part 20 and will not have an adverse impact on the health and safety of workers or the public. Removing the implied requirement to establish Controlled areas, and simplifying the definition and administration of occupational dose is considered to be a reduction of burden, will require no new procedures, and is thus not a backfit subject to the backfit rule. The proposed rule statement of considerations would make it clear that licensees have the option to use controlled areas for reasons other than radiological, which was the intent. Licensees who have already written procedures including the correct provision for controlled areas, would require no changes in those procedures. Licensees who may have included controlled areas for radiation protection purposes have, in the staff's view, incorrectly interpreted the rules and would need to change their procedures in any case.

I believe that this rule would be most useful if it is published in final form prior to January 1, 1994, which is the date when all licensees must implement the revised 10 CFR Part 20. I also believe that this action falls within the EDO's jurisdiction to authorize publication. The enclosed schedule reflects these assumptions.

Eric S. Beckjord, Director  
Office of Nuclear Regulatory Research

Enclosures:

1. Justification for Rulemaking
2. Regulatory Agenda Entry

\*SEE PREVIOUS CONCURRENCES

For distribution see next page.

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Date:	2/09/93	2/10/93	4/28/93	2/10/93	/ /93	/ /93

	(per					
Offc:	OGC memo)	D:DRA:RES	DD:GIR:RES	D:RES		
Name:	*STreby	*BMorris	*CJHeltemes	EBeckjord		
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JUSTIFICATION FOR RULEMAKING

AMENDMENTS TO 10 CFR PARTS 19 AND 20 (§ 20.1001 - § 20.2401) TO DELETE CONCEPT OF CONTROLLED AREA AND TO APPLY OCCUPATIONAL DOSE LIMITS ONLY WHEN REQUIRED BY CONDITIONS OF EMPLOYMENT AND REVISE CRITERIA ON WHEN TRAINING IN RADIATION PROTECTION IS REQUIRED

1. The issues to be addressed by rulemaking:

The revised 10 CFR Part 20, Standards for Protection Against Radiation, was published on May 21, 1991, with mandatory compliance by January 1, 1994. The revised Part 20 defines a "Controlled area" as an area, access to which could be limited for any reason. In addition, "Occupational dose" is defined as the dose received in a restricted area or in the course of employment in which the individuals assigned duties involve exposure to radiation and radioactive materials. The staff has become aware through its discussions between RES, NRR, NMSS, regional staff, Agreement States, and licensees that these definitions have led to some confusion.

As a consequence of the present definition of controlled area, some licensees have interpreted the rule to permit control of access to certain areas for purposes of radiation protection, where dose rates might exceed 2 mrem in any one hour, without designating these areas as restricted areas under the requirements of Part 20. In particular, some licensees are discussing the use of a controlled area for an area when doses are in excess of 2 mrem in an hour, but less than the 5 mrem in an hour which requires posting as a radiation area. Under Part 20, any area for which access is controlled for radiation protection is, by definition, a "Restricted area." The term "Controlled area" was added to acknowledge that licensees might choose to restrict access to an area for reasons other than radiation



protection, although to do so is not a requirement. In any case, any area to which access is controlled for radiation protection must be considered a "Restricted area" and subject to all the attendant Part 20 requirements.

Under the current Part 19 and 20 provisions, an individual who is occupationally exposed yet never enters a restricted area, requires no training concerning radiation protection. Some licensees have interpreted the definition of occupational dose to mean that an individual is occupationally exposed only when in a restricted area. This, too, was not the intent of the rule. While not unique to the revised rule, this problem has come to light now because of the focus by licensees on compliance with new requirements. By eliminating the phrase "in a restricted area" from the definition of occupational dose, this confusion can be eliminated. In addition, "radiation and/or radioactive material" should replace "radiation and radioactive material" to correct a technical error in the rule text. With these changes, occupational dose would then become dose received as a result of an individual's employment in which an individual's assigned duties involve exposure to radiation and/or radioactive material, as was intended by the revised rule.

These changes would also make it clear that a member of the public cannot be permitted to exceed the public dose limit just by entering a restricted area.

2. The necessity and urgency of addressing the issue:

Licensees, headquarters staff, regional staff, and Agreement States have advised the staff that these definitions are misleading. Conflicting definitions need to be addressed before the mandatory implementation date of the revised Part 20 (January 1, 1994) in order to facilitate its smooth and efficient implementation. The proposed changes will have no adverse impact on health and safety of workers or the public.

3. Alternatives to rulemaking:

One source of confusion is the new definition of controlled area in the revised Part 20. Were the matter one of interpretation or complexity, a regulatory guide could be an appropriate remedy. Moreover, were the matter one of an implement, case-by-case exemptions from the requirement might be appropriate. However, in that the difficulty is in the rule itself, and all licensees are affected by the provision, the appropriate remedy is rulemaking.

4. How the issue will be addressed through rulemaking:

In Section 20.1003, the definition of a "Controlled area" will be deleted from the rule. The statement of considerations will make it clear that a licensee has the option of establishing controlled areas, access to which is controlled for reasons other than radiological. Likewise, the definition of "Occupational dose" will be changed to delete references to assigned duties and the Restricted area. The staff believes that the

definition of "Restricted area" is sufficient to limit access for purposes of radiation protection and that "Occupational dose" can be received outside "Restricted areas."

The definition of "Occupational dose" would be changed to delete reference to restricted area and make it clear that an individual is occupationally exposed if engaged in activities licensed by the Commission that involve exposure to radiation and/or to radioactive material.

Conforming changes will be necessary in the definitions of "Member of the public" and "Public dose." Sections 20.1301(2)(b), 20.1302(a), 20.1801 and 20.1802 will require minor conforming amendments.

A conforming change will be made to Section 19.12 so that training commensurate with the hazards present will be provided to all individuals who are occupationally exposed, rather than just those working in or frequenting a restricted area.

The effect of these amendments would be to make clear that

- (1) individuals in the employ of a licensee, including contractors, would be subject to occupational dose limits and associated protection requirements and
- (2) members of the public would be limited to the public dose limit, irrespective of their location within the licensee's facility. In addition, the confusion over the establishment of a "Controlled area" would be eliminated, and the present system of restricted and unrestricted areas retained. Licensees would be free to establish control of access to certain

areas for reasons other than radiological protection if they choose, but these areas would not be defined in the regulations.

5. How the public, industry, and NRC will be affected by the rulemaking, including costs, benefits, occupational exposure, and resources:

Smooth and efficient implementation of the revised Part 20 will be facilitated by these changes. Removing the implied requirement to establish Controlled areas, and simplifying the definition and administration of occupational dose is considered to be a reduction of burden, will require no new procedure, and is thus not subject to the backfit rule.

The proposed rule statement of considerations would make it clear that licensees have the option to use controlled areas for reasons other than radiological, which was the intent, and licensees who have already written procedures including the correct provision for controlled areas would require no changes in those procedures. Licensees who may have included controlled areas for radiation protection purposes, have incorrectly interpreted the rules and would need to change their procedures in any case.

6. NRC resources and timetable for the rulemaking:

It is estimated that 0.4 staff years of effort by RES and other offices will be expended over the next 8 months to complete this rulemaking.

Timetable

Division Review and Office Concurrence on Proposed Rule	July 30, 1993
Proposed Rule to EDO	August 20, 1993*
75-Day Public Comment Period	Sept 1 - Dec 22, 1993

\*This schedule is based on an assumption that CRGR and ACRS will agree to defer review until after public comment.

PDR  
AE 30-1

REGULATORY AGENDA ENTRY

TITLE: AMENDMENTS TO 10 CFR PARTS 19 AND 20: DELETE CONTROLLED AREA  
APPLY OCCUPATIONAL DOSE LIMITS ONLY TO WORKERS AND  
REVISE CRITERIA ON WHEN RADIATION PROTECTION TRAINING  
IS REQUIRED

CFR CITATION: 10 CFR PART 19 AND 20 (§ 20.1001 - § 20.2401)

The revised 10 CFR Part 20, Standards for Protection Against Radiation, was published on May 21, 1991, with mandatory compliance by January 1, 1994. The revised Part 20 defines a "Controlled area" as an area, access to which could be limited for any reason. In addition, "Occupational does" is defined as the dose received in a restricted area or in the course of employment in which the individuals assigned duties involve exposure to radiation and radioactive materials. The staff has become aware through its discussions between RES, NRR, NMSS, regional staff, Agreement States, and licensees that these definitions have led to some confusion.

As a consequence of the present definition of controlled area, some licensees have interpreted the rule to permit control of access to certain areas for purposes of radiation protection, without considering these areas as restricted areas under the requirements of Part 20. Under Part 20, any area for which access is controlled for radiation protection is, by definition, a "Restricted area." The term "Controlled area" was added to acknowledge that licensees might choose to restrict access to an area for reasons other than radiation protection, although to do so is not a requirement. In any case,



any area to which access is controlled for radiation protection must be considered a "Restricted area" and subject to all the attendant Part 20 requirements.

Under the current Part 20 definition, an individual who is occupationally exposed yet never enters a restricted area, requires no training concerning radiation protection. Some licensees have interpreted the definition of occupational dose to mean that an individual is occupationally exposed only when in a restricted area. This, too, was not the intent of the rule. While not unique to the revised rule, this problem has come to light now because of the focus by licensees on compliance with new requirements. By eliminating the phrase "in a restricted area" from the definition of occupational dose, this confusion can be eliminated. In addition, "radiation and/or radioactive material" should replace "radiation and radioactive material" to correct a technical error in the rule text. With these changes, occupational dose would then become dose received as a result of an individual's employment in which the individual's assigned duties involve exposure to radiation and/or radioactive material, as was intended by the revised rule.

The proposed deletion of the term "Controlled area" and change to the definition of occupational dose will have no adverse impact on health and safety of workers or the public.

timetable:

Division Review and Office Concurrence on Proposed Rule	July 30, 1993
Proposed Rule to EDO	August 20, 1993*
75-Day Public Comment Period	Sept 1 - Dec 22, 1993

\* This schedule is based on an assumption that CRGR and ACRS will agree to defer review until after public comment.

LEGAL AUTHORITY:

The Atomic Energy Act of 1954, the Energy Reorganization Act of 1974, and the Administration Procedures Act.

EFFECTS ON SMALL BUSINESS AND OTHER ENTITIES:

Expected to facilitate smooth and efficient implementation of revised Part 20 by all licensees, with no impact on health and safety of workers or public.

AGENCY CONTACT:

Alan K. Roecklein  
Office of Nuclear Regulatory Research

DOCUMENT NAME: INITIATION OF RULEMAKING-AMENDMENTS TO 10 CFR PARTS 19 AND 20 TO DELETE CONTROLLED AREA AND TO APPLY OCCUPATIONAL DOSE LIMITS ONLY WHEN REQUIRED BY CONDITIONS OF EMPLOYMENT

AUTHOR'S NAME: A. Roecklein

REQUESTER'S ID: RGordon

FILE NAME: RULEMAK.CTR

DATE: April 14, 1993

Reviewers:

ARoecklein \_\_\_\_\_

CRaddatz \_\_\_\_\_

DCool \_\_\_\_\_

DCostanzi \_\_\_\_\_

RCunningham \_\_\_\_\_

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STreby \_\_\_\_\_

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