

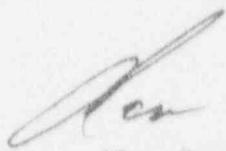
PDR
AE 30-1

9/22/93

NOTE TO:	Jay Cunningham,	OWFN	1004
	Cindy Jones,	OWFN	6H3
	Dennis Sollenberger,	OWFN	3D23
	Brenda Shelton,	MNBB	7714
	Patricia Santiago	OWFN	7H5
	Mike Lesar	PHIL	223
	William Reamer	OWFN	15B18

FROM: Alan Roecklein

I am providing you with an advanced copy of a request for office review and concurrence on the Part 20 proposed rule. This second round of office review is needed since we have added an additional proposed requirement to Part 20. This new provision is recommended by OE and would continue notification of individuals who are involved in incidents that require notifying the Commission.



Alan Roecklein



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

PDR
AESO-1

MEMORANDUM TO: John T. Larkins, Executive Director, Advisory Committee on
Reactor Safeguards

FROM: C. J. Heltames, Jr., Deputy Director for Generic Issues and
Rulemaking, Office of Nuclear Regulatory Research

SUBJECT: ACRS REVIEW OF PROPOSED AMENDMENTS TO 10 CFR PARTS 19 AND
20: CONTROLLED AREA, OCCUPATIONAL DOSE, AND TRAINING
CRITERIA

The enclosed rule package proposes changes in 10 CFR Parts 19 and 20, which would: 1) delete the definition of "Controlled area" while making it clear that licensees continue to have the option of establishing such areas for reasons other than radiation protection, 2) revise the definition of "Occupational dose" to delete reference to the "Restricted area" so that the occupational dose limit and associated protective provisions such as training and badging requirements apply to workers engaged in licensed activities irrespective of their locations, and 3) revise § 19.12, "Instructions to Workers," so that training commensurate with the hazards present will be provided to persons occupationally exposed not just individuals who will be working in or frequenting any portion of a restricted area. The staff believes that these proposed changes will have no impact on health and safety of workers or the public, and will facilitate the implementation of the new rules.

The EDO has directed that these amendments be published final prior to January 1, 1994, the date on which compliance with the new Part 20 becomes mandatory. In order to meet this schedule, the normal review procedure must be severely curtailed.

In particular, I am requesting that the ACRS review the enclosed documents, provide written comments if any during the public comment period, and waive the need for a formal briefing. Any questions regarding the enclosed rules, can be addressed to Alan K. Roeklein or Kitty S. Dragonette of my staff.



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John T. Larkins

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Your comments are needed by October 22, 1993. If any changes are needed in the proposed rule as a result of public comments, the changes will be discussed with the ACRS.

Thank you very much for your cooperation on this matter.

C. J. Heltemes, Jr., Deputy Director
for Generic Issues and Rulemaking
Office of Nuclear Regulatory Research

Enclosures:

1. FRN
2. Regulatory Analysis
3. Environmental Assessment

PDR
AE 80-1

Potential Problems with Part 20 After the Rule Change to Delete "Controlled area" from 10 CFR Part 20

The current draft rule change package for the two changes to Part 20, which includes the deletion of the term "controlled area", and the change to 10 CFR 19.12 leaves the definitions of "restricted area" and "unrestricted area" unchanged. Those definitions are:

"*Unrestricted area* means an area, access to which is neither limited nor controlled by the licensee", and

"*Restricted area* means an area access to which is limited by the licensee for the purpose for the purpose of protecting individuals against undue risks from exposure to radiation and radioactive materials...."

These two definitions leave undefined and unnamed any area that is limited or controlled by the licensee for any reason other than "...for the purpose of protecting individuals against undue risks from exposure to radiation and radioactive materials..." (the area that had been called a "controlled area"); i.e., there can be an area that is not a "restricted area" and is not an "unrestricted area".

After the proposed changes to Part 20, this unnamed area, which is now called a "controlled area", will not be included within the following requirements:

10 CFR 20.1301(b), which limits the dose in any unrestricted area (only) to 2 mrem in any one hour. (This is also the case before the proposed change; the 2 mrem in an hour limit does not apply to "controlled areas".)

10 CFR 20.1302(a), which requires surveys in unrestricted areas (only) to demonstrate compliance with the public dose limits.

The option of 10 CFR 20.1302(b)(2) for demonstrating compliance with the annual dose limit for members of the public, which requires consideration of unrestricted areas only. (This is also the case before the proposed change; "controlled areas" are not required to be considered under this option.)

The requirement of 10 CFR 20.1801 that requires the licensee to secure from unauthorized removal or access licensed materials that are stored in unrestr'cted areas (only).

The requirement of 10 CFR 20.1802 that requires the licensee to control and maintain constant surveillance of licensed material that is in an unrestricted area (only).

It will be difficult to explain why the unnamed area is not included within the requirements above. Except for the problems relating to the public dose limits (which after the change will apply to members of the public in restricted areas), these potential problems could be avoided either by replacing "unrestricted area" with "outside a restricted area" or by revising

the definition of "unrestricted area" to be similar to the definition in "old" Part 20, i.e., "Unrestricted area means any area access to which is not controlled by the licensee for the purposes of protection of individuals from exposure to radiation and radioactive materials, and any area used for residential quarters." These are two options; there may be others.

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Possibly the solution is to modify the definition of "controlled area" rather than eliminate it. E.g., "Controlled area means...for any reason other than radiation protection." Then make conforming changes to §§20.1302 and 1308 to require surveys and surveillance if dose rate exceeds 2mr/hr and/or material is present, to assure that any individual in the "CA" does not receive doses exceeding the limit, and that material does not develop "legs".