



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

19, 20, 21 et al
(59 FR 6792)

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BRANCH

Mr. Samuel J. Chilk
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attention: Docketing and Service Branch

Dear Mr. Chilk:

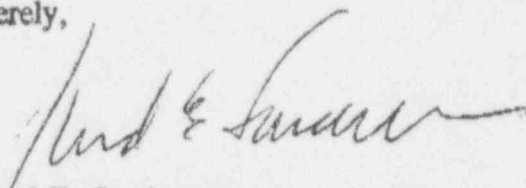
In accordance with Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Nuclear Regulatory Commission's (NRC) proposed rule for 10 CFR Parts 19, 20, 21, 26, 51, 70, 71, 73, 74, 76, and 95, Certification of Gaseous Diffusion Plants, published in the Federal Register on February 11, 1994. EPA provides the following general comments for your consideration.

The facilities of the U. S. Enrichment Corporation (Corporation) are part of the uranium fuel cycle and are therefore subject to EPA's uranium fuel cycle standard (40 CFR Part 190). In paragraph 76.60(d) of the proposed rule, it states that the Corporation shall demonstrate compliance with the applicable provisions of 10 CFR Part 20. Provisions in 10 CFR Part 20 do incorporate the requirements of 40 CFR Part 190, however, there is no discussion in the preamble about the applicability of Part 190, or what the actual dose limit for members of the public is. To clarify the standards for radiation protection of the public, we recommend that the preamble discuss these issues.

Proposed paragraph 76.85 sets forth the requirements for the assessment of accidents. The preamble explains that the NRC intends to use a radiation dose level of 25 roentgens equivalent man (rems) in assessing the level of protection provided by the Corporation in the safety analysis. The preamble justifies the use of 25 rems partially because it is used in 10 CFR Part 100 for siting reactors. This seems inappropriate because in evaluating the safety analysis, the Commission is not making a siting decision. The Commission should consider using a level of 1 - 5 rems, the level recommended in EPA's Protective Action Guides for the Emergency Phase. Whatever level is used, it should be specified in the regulation. Proposed paragraph 76.85 only requires the submission of a safety analysis without specifying the level of protection by which it will be judged.

Thank you for the opportunity to comment. Should you have further need to contact EPA regarding this action, please have your staff contact Ms. Susan Offerdal of my staff at (202) 260-5059.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard E. Sanderson".

Richard E. Sanderson
Director
Office of Federal Activities