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April 5, 1994

Docket Nos. 50-213
50-245
50-336
50-423
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DOCKET NUMBER
PROPOSED RULE PR 19, 20
(59FR 5132)

U.S. Nuclear Regulatory Commission
Attention: Docketing and Service Branch
Washington, DC 20555

Haddam Neck Plant
Millstone Nuclear Power Station, Unit Nos. 1, 2, and 3
Comments on Proposed Revision to 10CFR Parts 19 and 20
Amended Definitions and Criteria

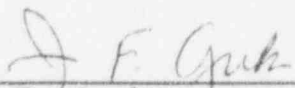
On February 3, 1994,⁽¹⁾ the NRC published in the Federal Register a proposed revision to 10CFR Parts 19 and 20 that would revise the regulations concerning radiation protection requirements by amending certain definitions and criteria.

Connecticut Yankee Atomic Power Company (CYAPCO), on behalf of the Haddam Neck Plant, and Northeast Nuclear Energy Company (NNECO), on behalf of Millstone Unit Nos. 1, 2, and 3, have reviewed the proposed revision to 10CFR Parts 19 and 20. Enclosed as Attachment 1 are CYAPCO and NNECO's comments.

We hope you find these comments helpful in finalizing the proposed rule, and we appreciate the opportunity to participate in this process.

Very truly yours,

CONNECTICUT YANKEE ATOMIC POWER COMPANY
NORTHEAST NUCLEAR ENERGY COMPANY



J. F. Opeka
Executive Vice President

cc: See Page 2

(1) 59 Federal Register 5132, February 3, 1994.

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cc: T. T. Martin, Region I Administrator
A. B. Wang, NRC Project Manager, Haddam Neck Plant
J. W. Andersen, NRC Acting Project Manager, Millstone Unit
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G. S. Vissing, NRC Project Manager, Millstone Unit No. 2
V. L. Rooney, NRC Project Manager, Millstone Unit No. 3
D. H. Jaffe, NRC Project Manager, Millstone Station
W. J. Raymond, Senior Resident Inspector, Haddam Neck Plant
P. D. Swetland, Senior Resident Inspector, Millstone Unit
Nos. 1, 2, and 3

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Attention: Document Control Desk
Washington, DC 20555

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Attachment 1

Haddam Neck Plant
Millstone Nuclear Power Station, Unit Nos. 1, 2, and 3
Comments on Proposed Revision to 10CFR Parts 19 and 20
Amended Definitions and Criteria

April 1994

Haddam Neck Plant
Millstone Nuclear Power Station, Unit Nos. 1, 2, and 3
Comments on Proposed Revision to
10CFR Parts 19 and 20
Amended Definitions and Criteria

1. The proposed changes impose a new training requirement that has not and cannot be cost justified and one which would be virtually impossible to implement. This is the requirement to train all licensee and vendor employees who are assigned work in an unrestricted area.

The entire unrestricted area at any nuclear power plant will involve the potential for exposure to radiation. Whether the source for this exposure be direct dose from turbine N-16 shine at BWRs, direct dose from radwaste storage, or exposure to liquid or gaseous effluents, there will be some increased exposure due to licensed radioactivity. In unrestricted areas, this dose is expected to be much less than 100 mrem/year, and in most cases will be much less than 10 mrem/year. In most areas the increased dose will be undetectable, but will be known to exist based on calculations such as effluent dose calculations or N-16 skyshine calculations.

Therefore, all licensee and contractor employees whose assignments require them to be anywhere on site (or off site as radiation does not stop at the site boundary) are receiving occupational exposure per the proposed rule change and hence would require training. This could involve hundreds of individuals at each site. Most administrative buildings, training buildings, public information centers, etc., are located outside the restricted area and many of the employees who work in these buildings have no reason to enter the restricted area. With the current 10CFR20 requirements, these individuals are termed "members of the public" for Part 20 purposes and the annual dose in these areas is documented to be less than 100 mrem/year. No training is required or warranted because of the low risk involved and the ineffectiveness of training to reduce this risk. With the proposed changes, training of all these individuals would be required. Due to the low risk, minimal training would be required, but the administrative cost of ensuring each individual has received training would exceed any potential benefit.

It would also be very difficult to document such training for all employees, as there currently is no access control point (radiological or security) for entry into most unrestricted areas. For example, radiological protection or training staff would have no knowledge of the corporate computer expert who came on site for one day to train the administrative staff in a new code, or of the lineman who was on site for one day to repair a transmission line.

These individuals would potentially receive an insignificant or nonmeasurable dose from being assigned duties on site, but typically would not receive required training.

The need for training should depend on the potential risk and the effectiveness of training to reduce risk, not on whether or not one is employed by the licensee. Significant enough risk to warrant training does not exist unless the restricted area is entered. Hence, training should be required only if the restricted area is entered, and it should be required for anyone, whether they are members of the public or occupationally exposed.

We believe that 10CFR19.12 should remain unchanged.

2. The proposed changes are interrelated to the draft generic letter on recommended technical specification changes to implement the revised 10CFR20.⁽¹⁾ Overall consistency must be maintained. In a letter dated February 7, 1994⁽²⁾, we provided detailed comments on the draft generic letter. Most of the comments related to the definition of a member of the public. Our basic comment continues to apply, that is, the "member of the public" for 10CFR20 compliance is not the same "member of the public" for 10CFR50, Appendix I or 40 CFR 190 compliance. Any attempt to make the definitions in 10CFR20 apply to these other regulations will result in confusion, conflicts, and the need for a backfit evaluation. As we recommended in our January 28, 1994, letter, the necessary detail in defining various "members of the public" should be provided in the technical specification definitions.

(1) 58 Federal Register 68170, December 23, 1993.

(2) J. F. Opeka letter to the Chief, Rules Review and Directives Branch, "Haddam Neck Plant, Millstone Nuclear Power Station, Unit Nos. 1, 2, and 3 comments on Draft Generic Letter: Guidance for Modification of Technical Specifications," dated February 7, 1994.