



PR-19,20,30 et al
(50FR 51992)

AA 38-2
261 PDR

KANSAS GAS AND ELECTRIC COMPANY

May 12, 1986

GLENN L. KOESTER
VICE PRESIDENT - NUCLEAR



Secretary of the Commission
Docketing and Services Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FMLNRC 86-088
Re: Docket No. STN 50-482
Subj: Comments on Proposed Revision to 10 CFR 20,
Standards for Protection Against Radiation

Dear Sir:

On January 9, 1986, a proposed revision to 10 CFR 20 was published for comment (51FR1092). The Nuclear Regulatory Commission's expectation of the proposed revision is to provide improved assurance of protection and to establish a clear health protection basis for limits and other actions taken to protect the public health.

Attached are Kansas Gas and Electric's (KG&E) specific comments on the proposed legislation. KG&E believes that the proposed changes will have adverse effects on radiation protection practices. It is difficult to assess the full impact of the proposed Part 20 without knowing the manner in which this document will be implemented. It is KG&E's position that a complete set of Regulatory Guides must be developed and distributed for public comment, along with the proposed Part 20. In addition, KG&E believes it is imperative that a backfit analysis be completed and made available for public comment prior to finalizing any revisions to these regulations.

If you have any questions concerning this matter, please contact me or Mr. O. L. Maynard of my staff.

Very truly yours,

John A. Barkley
for Glenn L. Koester
Vice President - Nuclear

GLK:see

Attach

cc: PO'Connor (2)
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AA38-2

INTRODUCTION

Over the past several years the NRC has been developing a proposed revision to 10CFR20, Standards for Protection Against Radiation. It appears that the NRC's main reasons for changing Part 20 are: 1) to update the basis of exposure limits, 2) to reduce the number of workers exposed in the higher exposure categories, and 3) to reduce the industry average to 0.5 rem per year. It is both interesting and important to note that the NRC, in their own summary of the proposed rule, admits that the reductions and the number of workers exposed to higher levels may not in itself justify a part 20 revision.

Although it may be based on newer scientific research, the ability of the proposed Part 20 to protect the individual is not significantly different from the current regulation. The proposed Part 20 does not appear to improve or increase the health and safety of the worker or the public. Current practices meet or exceed the intent of the proposed changes. This is attributed in part to the increased emphasis on radiation protection, worker awareness, and the continuous process of regulatory updates and revisions. Chairman Palladino's and Commissioner Zech's comment that this is the first revision to Part 20 in over 20 years is not entirely correct. 10CFR20 has undergone a continuous process of updates and revisions. It must be noted that a complete revision is not necessary to incorporate the main ideas presented in the proposed Part 20.

Kansas Gas and Electric (KG&E) is willing to support changes which are based on sound scientific work if, and when, it can be shown that new proposals provide significant improvements from current regulation and will make significant improvements in Radiation Protection practices. In the proposed Part 20 KG&E believes that the expansion of Appendix B to include more isotopes, and the definitions of Annual Limit on Intake (ALI) and Derived Air Concentrations (DAC) are the strongest points.

Additional KG&E comments on general areas of change are discussed in Section 1 and comments to specific paragraphs which would have significant implications are discussed in Section 2.

SECTION 1

PROPOSED 5 REM PER YEAR LIMIT/PLANNED SPECIAL EXPOSURE

NUREG-D713 Volume 5 contains information which is directly related to the 5 rem annual limit (see Table 1). From 1977 to 1982 there was an annual average of 66,544 personnel in the nuclear power industry with measurable exposure. Of these workers, an average of 240 workers received greater than 5 rem in one year. This represents 0.4% of the work force. If data were available for 1983, 1984, and 1985 it is strongly believed that this low percentage would continue, and further, it is believed that the percentage of workers with exposures greater than 5 rem in one year would be even less than the 0.4% reported from 1977 to 1982. That is, a few workers in isolated cases are receiving exposures in excess of 5 rem per year. Therefore, it is readily apparent that the industry is meeting the intent of the proposed rule.

Initially, the Planned Special Exposure provision sounds like a reasonable replacement to the 5(N-18) rule. KG&E believes that the NRC's refusal to accept the 10 rem Planned Special Exposure recommended by ICRP 26 is reasonable and truly in the best interest of the individual worker (the proposed 10CFR20 revision would allow 5 rem). KG&E also agrees that this provision should not be taken lightly or used frequently. However, with the wording in 20.206(a) it is highly unlikely that Planned Special Exposures will ever be used. Phrases such as "exceptional situation(s)" and "alternatives which... are unavailable or impractical" are extremely subjective. It is difficult to envision any situation where licensees would be able to 'justify' the use of Planned Special Exposures.

Without an appropriate draft Regulatory Guide available for review and comment along with the proposed Part 20, the implementation by the licensee and enforcement by the NRC is totally uncertain. At most, the proposed Part 20 would have prevented six workers (from 1969-1983) from receiving a dose in excess of 10 rem in one year. The lack of a Regulatory Guide, in this instance and throughout Part 20, is seen as a major deficiency.

SUMMATION OF INTERNAL AND EXTERNAL EXPOSURES

Information from AIF/NESP-030, "Dosimetry and Recordkeeping Implications of the Proposed Revisions to 10CFR20", states "that fewer than 1% of the industry workers will exceed both 10% of the external limits and 30% of the internal limits". Summing of the doses will therefore be required for only a few, while records will probably be maintained for many to simply show statistically insignificant 'less than' values. The AIF report also states that the annual internal effective dose equivalent for nuclear power plant workers is 0.008 rem and 0.220 rem for fuel fabrication facility workers. The 0.008 rem is trivial when compared to the nuclear power industry average of 0.660 rem external exposure. As with the proposed elimination of the 5(N-18) rule, the summation of internal and external exposures will obviously have no significant impact upon worker exposure reduction, health, or safety. If the NRC has information that a particular licensee or class of licensees is having difficulties or problems in a particular area, then amending those licenses only, as per the current 10CFR20.502, would avoid unnecessary impact on the rest of the industry.

REDUCTION OF EXTREMITY EXPOSURE

While the exposure reduction itself may be justified, a severe penalty is paid in requiring monitoring at 10% of its annual limit (5 rem per year). Obviously, this is equal to the whole body annual dose limit. Since extremity exposures are almost guaranteed to be slightly above the whole body exposure, any worker with the potential for receiving slightly less than the annual whole body limit will be required to wear extremity dosimetry at all times. This will result in issuing, processing, and recording a large amount of additional dosimetry which at the end of the year will likely be found to have been unnecessary. Establishing a level that requires monitoring at 50% of the annual limit (25 rem per year) would allow discrimination between contact (extremity) and general area (whole body) dose rates. That is, in a non-uniform field, if the contact dose rate is greater than five times the general area dose rate, then extremity dosimetry would be required.

AAS-2

ALARA PROGRAM

KG&E supports the concept of reducing personnel exposures to levels 'as low as reasonably achievable (ALARA)'. KG&E does not support the ALARA program as described in the proposed Part 20 because its interpretation and enforcement will be extremely subjective. ALARA is a philosophy of good work practice and cannot be readily governed by regulation. A mandatory ALARA program could become an area of continuous contention between the licensee and the NRC. In most cases it is possible after-the-fact to find 'reasonable' items that were not considered before a task was undertaken. The decision as to what is 'reasonable' is highly subjective and depends on each individual's judgement. The proposed Part 20 requires "Each licensee shall ensure that the dose ... is as low as is reasonably achievable...". In some portions of the proposed Part 20, such as the definitions for Radiation Area and High Radiation Area, the rule has been clarified. However, the definition of ALARA remains ambiguous and implies that some form of cost-benefit, optimization, or other studies are performed to determine if each and every task, operation, design, ect. is ALARA. The subjectiveness and ambiguity continues in the Supplementary Information Section VIII which reads in part, "However, the Part 20 revision would not require optimization studies, in the sense described below, because of the difficulties in performing the analyses and because it is recognized that the decisions must be largely judgemental in any event." Additional regulation which by the Staff's own words is "largely judgemental" is not in the best interest of either the NRC or the utilities.

CONTROLS FOR ACCESS TO VERY HIGH RADIATION AREAS

Many of the new regulations appear to be aimed at research and development, medical, or irradiation facilities; for example, the requirement of primary controls for access to very high radiation areas. This is of particular concern for entries into the reactor containment building while at power. Entries of this nature are common and serve in part to satisfy various technical specification requirements. Existing administrative controls and design features have proven to be more than adequate in restricting access to very high radiation areas. The addition of physical devices for controlling access to very high radiation areas would be very costly and seems to be unnecessary. Additional interlocks with the reactor protection system will raise severe nuclear safety questions. Regulations of this sort appear not to be practical for implementation at commercial power reactors. As a part of its backfit analysis, the NRC should examine the impact of a large number of required engineering changes.

EXPOSURE IN EXCESS OF THE LIMITS

KG&E believes that the proposed Part 20 may create a new area of serious concern. With the strict 5 rem annual limit and provision for exposure after exceeding the annual limit, a worker may be encouraged to intentionally exceed the annual whole body dose equivalent limit. As stated an individual is limited to 5 rem per year, provided he is below that level. Yet, if an individual does exceed the annual limit he is automatically allowed an additional 1 rem per quarter for the remainder of

that year. In the case where an individual receives a large portion of the annual limit early in the year and fears, justified or not, that he will become unemployable, that individual may surmise that it is in his best interest to intentionally exceed the annual limit so that the additional exposure will become available to him. This is a situation where the licensees would bear the responsibility, but would have limited control.

KG&E believes that at some point there is a final limit. However, an acceptable alternative would be a provision for case-by-case review by the NRC with additional exposure to be authorized. Since exposures in excess of the limits are very rare the latter method seems much more desirable (i.e. automatic exposure authorizations in excess of the limits would be disallowed). An additional benefit to this method would be that workers would not be confused by an apparent change in philosophy from the NRC, while giving the individual an 'out' if he were not in error.

Section 2

Listed below are individual comments by paragraph number:

Paragraph 20.3

Radiation Area and High Radiation Area definitions - KG&E concurs with the proposed definitions. They are stated more precisely and not subject to individual interpretation.

Very High Radiation Area definition - The word 'very' does not seem suited to convey the serious nature of radiation at this level. As stated in the Supplementary Information Section XXII, this type of area could "present an immediate threat of lethality ...". KG&E recommends changing the wording to Extreme High Radiation Area which would give a greater emphasis to the danger that is present. This change is not just very important, it is extremely important.

Dose term definitions - For those definitions for which terminology already exists the current industry accepted jargon should remain (i.e. whole body dose instead of deep dose, skin dose instead of shallow dose, 50 year internal dose equivalent instead of committed dose equivalent, etc.). The clarity of a definition is critical when attempting to teach the workers what Radiation Protection/Health Physics is and how it is used for their health and safety. When terminology begins to get complex the workers are likely to give up trying to understand, and more importantly, close the door on communication with Radiation Protection personnel. KG&E strongly believes that for workers to become fully involved in Radiation Protection, they must be able to understand basic definitions and practices. These new definitions will not meet that objective. KG&E believes our recommendation of using more familiar terms is more than reasonable given that ICRP foresaw different degrees of implementation of their recommendations. ICRP 26 paragraph 5 reads in part, "Because of differing conditions that apply in various countries, detailed guidance on the application of its recommendations, either in regulation or in codes of practice, should be elaborated by the various international and national bodies that are

AA 38-2

familiar with what is best for their needs", and continues, "Because of this, the form in which the recommendations are worded will not necessarily be suitable, and may often be inappropriate, for direct assimilation into regulations or codes of practice." The NRC has already used this flexibility by keeping the 3 rem per quarter whole body dose limit.

ALARA definition - This definition would make compliance nearly impossible since it uses the word 'every' in conjunction with a very subjective program.

Extremities definition - Inclusion of this definition is supported.

Occupational Dose definition - Delete the reference to "unlicensed sources of radiation" and possession by "other person". As written these words do not belong with the remainder of the definition.

Week definition - The beginning of a week is somewhat arbitrary. Licensees should be given flexibility to define what seven day interval constitutes their week. Changing the beginning of a week could require costly changes to established computer programs with no benefit received.

Reference Level definition - The definition indicates that the reference level is not a limit although operationally it is a limit, as used in 20.303.

Paragraph 20.4(6) - This paragraph implies that a licensee would be in violation if dose were expressed without the prefix, for example 1.65E-2 Sieverts or 0.03 Sieverts as in Paragraph 20.201(a)(2). The paragraph implies that the prefixes are not to be used for anything else. Its presence is not necessary and should be deleted.

Paragraph 20.5(3) - Same comment as Paragraph 20.4(6).

Paragraph 20.102(a) and (a)(1) - For reasons described earlier, KG&E opposes a mandatory ALARA program as described in the proposed Part 20. If approved, licensees will more than likely be continually cited for non-compliance. Findings will be subject to each inspectors interpretation in accordance with his own personal philosophy as to what constitutes ALARA. It is impossible to establish an absolute standard given the vague guidance presented here.

Paragraph 20.102(a)(2) - The extent of "examination and verification of program features" and "administrative controls specifying investigation below the limits" is impossible to determine without reviewing the draft Regulatory Guide. Proper comments cannot be developed on this, (a)(3), and (a)(4).

Paragraph 20.201 - For reasons described earlier, KG&E believes that the proposed Part 20 would not be any more effective in protecting individuals than the current regulation. There is no expected reduction in the collective whole body dose or internal dose. It should be noted that during 1983 there were only seven (7) exposures in excess of the limits. All seven cases occurred because of dose-tracking errors. Even though internal doses are estimated to be quite small, the additional recordkeeping is likely to

AA38-2

result in more dose-tracking errors, thereby increasing the number of personnel with exposures in excess of the limits. Fear of exceeding limits will more than likely cause licensees to use more workers to accomplish the same amount of work. Practices of this kind are not ALARA and will cause a greater collective exposure total.

Paragraph 20.201(c) - As described earlier, a blanket authorization for a worker to receive additional exposure after exceeding the annual limit does not appear to be a good rule. It should be eliminated completely or replaced with an NRC case-by-case exposure authorization.

Paragraph 20.202 - While this paragraph is understood in general, its implementation and enforcement is difficult to interpret. This is another case where a draft Regulatory Guide is necessary. As written, KG&E interprets this to mean any worker ingesting less than 30% DAC, respirator or not, would not have DAC-Hours kept for internal assessment. This method would be an improvement over the current regulation. While KG&E understands the use of DAC-Hours in showing compliance with the ALI, we believe that keeping records of fractions of DAC-Hours does not serve any useful purpose (i.e. less than 0.3 DAC-Hours per day).

Paragraph 20.204(e) - KG&E believes a licensee should be allowed to choose the most restrictive DAC for simpler calculations rather than be forced to use fractional intakes of each lung class. A licensee must not be penalized if the assessment is conservative. The wording in this paragraph should be similar to Paragraph 20.204(c).

Paragraph 20.205(b)(5) - No distinction is made between current and past employees. The licensee should not be required to report to current employees annually since those individuals may review their exposure records at any time. There is no requirement for the previous employee to continue to update his forwarding address, so it would be nearly impossible for a licensee to comply. KG&E also believes it is reasonable not to send corrections to those licensees who had been sent an earlier copy if the corrected values are less than those previously calculated or not greater than, say, 10% of the previously calculated exposure. The paragraph as written adds administrative compliance problems and yet provides no significant protection to the individual.

Paragraph 20.206 - The following comments are in addition to the earlier comments regarding Planned Special Exposures:

- (1) Interpretation of 206(d) must not include exposures from previous years (under the 5(N-18) rule) which were greater than 5 rem.
- (2) The reporting requirements of 206(g) and (h) appear to be much too strict. KG&E does not agree with, or understand, the NRC's apparent sense of urgency in this matter. An alternative would be to report the number of times during the year that Planned Special Exposures were used and the total dose incurred.

AA38-2

- (3) Another shortcoming of the Planned Special Exposure concept is that at the end of the year an individual may have received exposures, normal and planned special, that would not exceed the proposed 5 mrem annual limit. There is no provision for transferring the dose from the planned special exposure back to the 'normal' annual total. In this situation a considerable amount of effort, in addition to the normal controls, would have been unnecessarily expended to document the Planned Special Exposures, and would result in the workers' planned special exposure 'bank' being unjustly lowered.

Paragraph 20.303 - There is an inconsistency in the use of the "Reference level" terminology between the Supplemental Information Section and the proposed rule. The definition states that a reference level is not a limit and in Supplementary Information Section XVII, "It is emphasized that the reference levels are not limits for permitted dose ...". However 20.303(c) requires a licensee to submit an "application for (prior) authorization to operate in excess of the reference level ...". Operationally and technically this is a limit. The statement made in Supplemental Information Section XVII that "reference levels are not limits" could have caused some commenters to interpret Section 20.303(c) incorrectly. KG&E believes that the inconsistency in the use of the terms should be corrected and this section should be resubmitted for comment prior to issuance of the final rule.

If the NRC wants to include the reference level then it should have added the additional provisions from ICRP 26. Finally, if the NRC believes that the 'new' scientific evidence is superior to the basis of the previous regulation, then the EPA should be petitioned to change 40CFR192. Dose is dose no matter where it comes from. Uranium fuel cycle operation facilities appear to be regulated with a double standard compared to other licensees.

Paragraph 20.304 - Calculations of risk from low doses of radiation and variations in annual background radiation levels seem to part company on the proposed cutoff of 0.001 rem per year dose evaluation level. Minor changes in individual lifestyle, let alone location of residence, may cause a greater change in background radiation dose than the proposed cutoff level. KG&E believes that a level of 20% or 10% of the average natural background would be a much more reasonable value. This value would still be below differences from various localities. At this time, it is appropriate to respond to Commissioner Asselstine's question about a collective de minimis level. Establishing a collective de minimis level defeats the purpose of having an individual de minimis level at all. As the affected populations increase, the individual de minimis level becomes vanishingly small.

Paragraph 20.501(a)(2) - Changing the requirement from evaluating radiation levels "that may be present" to levels "that could be present" seems to imply a much broader scope. If surveys were performed of radiation levels "that could be present", then overprotection of the individual would be required. This could lead to decreased work efficiency and increased exposures which would not be ALARA. This paragraph is seen as typical of the apparent attempt to justify a complete revision to 10CFR20 when in fact no significant changes (changes that will make meaningful improvements in radiation protection) are being made.

AA3-2

Paragraph 20.501(c) - Since this paragraph is indicated for separate rulemaking it should be deleted.

Paragraph 20.502(a)(1) - As discussed earlier, monitoring of extremities at 10% of the annual limit is unreasonable.

Paragraph 20.502(a)(3) - Change 'very high' to 'extreme high' as discussed in Paragraph 20.3.

Paragraph 20.502(b)(1) - As previously discussed, KG&E believes that this proposed rule unnecessarily commits resources to an area of radiation protection that is already achieving a high level of performance.

Paragraph 20.502(b)(3) - Proper comment is not possible without a draft Regulatory Guide for review.

Paragraph 20.602 (Paragraph Heading) - Change very high radiation area to extreme high radiation area as discussed in paragraph 20.3.

Paragraph 20.602 - In the current 10CFR20 a similar provision does not apply to power reactors. For reasons discussed earlier KG&E does not believe this paragraph should be directed toward all classes of license holders. For power reactors, either massive design and installation changes would be necessary (with attendant nuclear safety issues) or an exemption would be required. Neither of these options are justified in light of the present administrative controls.

Paragraph 20.703 - KG&E applauds the NRC for allowing the selection of a respirator to be based upon the 'average' concentrations of radioactive materials rather than the expected peak concentrations. The deletion of 2 MPC-Hours per day or 10 MPC-Hours per 7 consecutive days is also a welcomed change.

Paragraph 20.704 - This paragraph should be deleted as it adds nothing that the Commission cannot impose by proposed Paragraph 20.1302.

Paragraph 902(c) - Change 'very high' to 'extreme high'.

Subpart K - KG&E disagrees with the NRC's reasoning and its decision to place the waste disposal information in Appendix F. This information is no different in intent than paragraphs 20.202, 20.203, 20.204, 20.205, and 20.206.

Paragraph 20.1102(a)(1) and (2) - As stated in 20.102(a) and (a)(2), KG&E does not agree with the mandatory requirement of a subjectively implemented and subjectively enforced program.

Paragraph 20.1102(b) - This paragraph, which in part is repeated in 20.1103(a) and 20.1104(c), would be difficult to implement in that a licensee may have difficulty knowing when the "proper inspection" had occurred. As previously indicated in our comments to paragraph 20.501(a)(2), KG&E believes this type of wording within a regulation is not appropriate. KG&E recommends setting the retention time at two years to remove ambiguity from the paragraph.

AA-38-2

Paragraph 20.1104 2) and 20.1106(a) - Up to this point the proposed Part 20 has been very careful not to use the term 'overexposure', but rather 'exposure in excess of the limits'. The latter expression should be used in these paragraphs.

Paragraph 20.1104(d) - KG&E believes an individual should be able to certify that his exposure history is true and correct without a counter signature by his current or most recent employer. However, if an individual's employer chooses to keep a written record then a counter signature by the employer would seem to be that company's prerogative. Historically, occupational and non-occupational exposure has always been emphasized as being the individual's responsibility. We feel that this responsibility has justly been and should continue to be placed with the individual. (Also see comments on Form 4)

The sentence describing the assessment of dose when monitoring was not required has a major shortcoming in that it does not adequately address situations where an individual is allowed entry in a visitor's status. This is an example of a situation actually encountered on a frequent basis when an individual would not be monitored at a licensed facility. A station employee sent to witness an activity at another facility would have 0.5 rem unnecessarily assessed to his exposure. Although it is possible for the originating licensee to provide dosimetry for its own people, it lacks the simplicity of allowing personnel to travel as visitors without being penalized. Also, vendor representatives or radioactive waste truck drivers would be allowed only six visits per quarter, or ten visits per year.

This paragraph contains at least three separate thoughts which confuse one another. This paragraph should be clarified by restructuring or dividing it into subsections. This is particularly true of the transition from the case where it was determined that monitoring was not required to the case where the licensee is unable to obtain reports.

Paragraph 20.1105 - In conjunction with earlier comments, KG&E believes that the NRC's proposed requirement for reporting and justification on Planned Special Exposure is unwarranted. While KG&E recognizes the need for documentation, it is feared that different subjective criteria will be used, after the fact, to cite a licensee. The need for a draft regulatory guide, released for public comment before further action on the proposed 10CFR20, is reiterated.

Paragraph 20.1106(a) & (b) - These paragraphs seem to be similar enough that they could be combined into a single paragraph.

Paragraph 20.1106(c) - This is another case where a draft Regulatory Guide is necessary.

Paragraph 20.1109 - KG&E recommends addressing the issue of computer records. In order to comply with the large number of regulatory requirements, computers are a necessity.

Paragraph 20.1202 - KG&E agrees with the deletion of loss of operating time of a facility and monetary value on damage to property.

AA 35-2

Paragraph 20.1203 - Change "Overexposures" to "... Exposures in Excess of the limits ..." in the title.

Proposed Form 4 and 5

The paragraph leading to the proposed Form 4 (51FR1212) is inconsistent with the requirements in the proposed Part 20. Paragraph 20.1104 through 20.502 and 20.201, requires use of the form at 10% of the annual limits and with Planned Special Exposures. The Form 4 paragraph requires the form to be used at 30% of the limits in 20.201. This area needs to be clarified.

As discussed in our comments on Paragraph 20.3 (Dose Terms) KG&E strongly agrees with the use of the terms: Lens of Eye, Skin, Extremities, and Whole Body. Committed Effective Dose Equivalent should be changed to layman's terms.

As discussed in our comments on Paragraph 20.1104(a)(2) and 20.1106(a) the term 'overexposure' should be changed to 'exposures in excess of the limits'. Finally, KG&E concurs with the NRC position on individual responsibility for maintaining exposure history. As discussed in the Statements of Consideration, "Control of Exposure to Transient Workers", 10CFR19 and 20 (44FR32349) the NRC has said, "It is recognized that the proposed method of controlling total occupational dose depends upon cooperation by the employee with the licensee in providing information on previous and on-going employment involving radiation dose. The NRC does not exercise direct regulatory control over individual workers, and therefore cannot require individual workers to provide accurate dose information to licensees, and the NRC will not take enforcement action against a licensee solely because an individual worker withholds or falsifies information.

While recognizing the potential of economic incentive for a worker to withhold or otherwise falsify dose information, the Commission believes that most individuals who have been instructed in the health protection problems associated with exposure to radiation and radioactive materials pursuant to Paragraph 9.12, 10 CFR Part 19, will recognize the benefit to their health and will cooperate with licensees. Further, NRC does not regulate all of the sources of occupational dose. A suggested requirement for licensees to provide monitoring information to subsequent licensee-employers would not apply to operations not licensed by NRC and would, therefore, provide only partial information."

SUMMARY

At present, KG&E believes that the proposed 10CFR20 should not be implemented. The newer implicit risk based values are not significantly different from the implied risk based values. Licensee performance shows that the attempt to reduce the number of workers at higher exposure levels affects very few individuals. Any benefit to be received by reducing the few workers at the high end will be offset by the exposure of more workers to middle ranges of exposure. Licensees will be afraid to allow an exposure near the 5 rem annual limit for fear of exceeding that limit; therefore, more workers will be used. As greater numbers of workers are used, the levels of their skills are likely to decrease. Hence, greater collective

AA 38-2

exposure will follow regardless of the integrity of the efforts of the licensee. ALARA is supposed to be a reduction of both collective and individual exposure. As written, the proposed Part 20 will not be ALARA. KG&E believes that the resources expended to comply with and the expected outcome of this revision will not be in the best interest of the worker, the public, the licensees, or the NRC.

We concur with the NRC's decision to perform a Backfit Analysis (10CFR50.109) as we believe it should have been performed prior to publication of the proposed 10CFR20 revision. The analysis should be made available for review and comment prior to taking further regulatory action on the proposed Part 20. KG&E requests detailed information on the NRC's cost estimates, as shown in the Supplementary Information Section XXXV, to be included as part of the backfit analysis. A complete set of draft regulatory guides must also be made available for review and comment before any further action is taken on Part 20.

KG&E recognizes that the proposed Part 20 is the result of a major effort from the NRC. Unfortunately, it is our belief that this legislation would not be beneficial as it currently stands. It is KG&E's ultimate desire to have the above issues properly addressed and have the corrected Part 20 be reissued for public comment.