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DEPARTMENT OF NUCLEAR SAFETY
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Jim Edgar
Governor

Thomas W. Ortciger
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December 11, 1998

Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Draft Regulatory Guide NUREG-1556, Vol. 11, Program-Specific Guidance about Licenses of Broad Scope

Dear Sir/Madam:

The Illinois Department of Nuclear Safety (the Department) hereby submits its comments on the referenced Draft Regulatory Guide. This document is an improvement over Regulatory Guide 10.5 which is currently in circulation. Many of the concerns that we had with that document (and subsequent revisions) have been corrected. We believe the NUREG 1556 series of guides that you have published will expedite the preparation and review process for radioactive materials license applications. The following are some remaining items that the Department submits for your consideration:

1. In Section 1, page 1-1, paragraph 2, please include the number of years experience that a specific licensee should have prior to applying for a broad scope license. The Department generally requires specific licensees to have safely operated for 5 years prior to applying for a broad scope.

2. In paragraph 4, page 1-1, we have been discussing the possibility of deleting Types B and C broad scopes from our rules. The Department believes that the licensee should have the experience and the management in place to establish a broad scope or they should be limited only to a specific license for the activities requested. It has been our experience that limited broad scopes have not gained much from these types of licenses.

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I+P-11 Guidance + Manuals

3. We agree with your program flexibility policy in Section 1, pages 1-4 and 1-5. The condition listed could be very useful. We also authorize this type of latitude including changes to instruments of equivalent specifications and vendor services with equivalent qualifications/licensure. We would not allow the licensee to change to a less restrictive survey frequency/procedure as indicated in paragraph 2, page 1-5, since most broad scopes prefer to default to the most extreme survey frequencies if given the opportunity.

4. In NRC's application form 313, we are not sure of the mechanism in place which binds the licensees to the management responsibilities outlined in Section 3, page 3-1, paragraph 2, through the signatory on the form.

5. In Section 8.3, we are not sure how prescriptive you wish your licensees to be with their facility descriptions/diagrams. As a rule we require a campus diagram delineating locations of specific buildings. We require detailed descriptions only of waste storage, irradiator, calibration facilities, etc.

6. In Section 8.7.2, page 8-14, a specific list of duties and responsibilities should be provided for the radiation safety committee (RSC). It would also be useful to include as an appendix to this section a sample application form/permit to be used by authorized users when applying to the RSC for permission to use radioactive materials.

7. In Section 8.7.4, the applicant should provide the number and qualifications of support staff for the radiation safety office. All too often a program cannot function because of insufficient funding or staff for radiation safety.

8. In Section 8.8, page 8-20, we agree with your statement that an untrained worker could represent a hazard to themselves and others resulting in a dose in excess of the 100 mrem/yr action level for training. We therefore are still at a loss as to the relationship established in 10CFR19.12(a) between training and dose. We believe the intent of this rule should be revisited as it could be used by licensees to circumvent training.

9. In Sections 8.10.1 and 8.10.7, there should be a discussion about responsibility for performing routine audits versus surveys. At many institutions, this responsibility is not clearly defined for the RSO staff and the authorized users. Please clarify.

10. Regarding Section 8.10.2, page 8-27, paragraph 4, we generally require a full calibration of detection instruments used to demonstrate compliance. Operability checks require less documentation and are difficult to verify in many cases.

11. In Section 8.10.2, we require that the applicant submit a list of instrumentation that will be provided initially with the inclusion of a statement that allows substitution of instruments with equivalent specifications.

12. In Section 8.10.5, we require the licensee to submit calculations demonstrating compliance with doses to restricted and unrestricted areas from sources of radiation and effluent releases. This should be discussed in this section.

13. In Section 8.11, page 8-41, a reference to the documcnt SP-97-056 should be included here regarding solubility of sewer releases.

14. On this same page, you have referenced a P&G Directive 8-10. Please send us a copy of this document for review.

15. Also in Section 8.11, page 8-42, paragraph 1, you have referenced Regulatory Guide 8.37. The guidance states that 10% to 20% should be the ALARA level for effluent released as a result of incineration. Considering how Regulatory Guides are used, the result is a de facto lowering of the release limits. This does not allow for an evaluation of the applicant's specific technical circumstances where distance, building wake effects, etc. may further reduce any potential dose as a result of meeting regulatory limits at the incinerator exit stack. The Department believes that the effluent from an incinerator stack should have the same restrictions imposed as any other gaseous release point unless technical considerations warrant otherwise. If the Commission insists this matter is of such importance, the lowering of the release limits to 10% of 10 CFR 20 should go through the rule making process as a change to 10 CFR 20 where additional information can be presented by the Commission to support these limits.

16. In Appendix K, additional discussion for the use of volatile radiopharmaceuticals such as radioiodine should be included not only for the protection of veterinary staff but also for animals released to the public.

17. In Appendix M, these facility descriptions appear too detailed for broad scope facilities to include as part of the application. This should be included as part of the review by the RSC in the internal permitting process for authorized users. There are also duplicates of page M-1 here.

Thank you for the opportunity to comment. Please contact me or Mr. Gibb Vinson at (217) 785-9947 if you have any questions.

Sincerely,

Joseph G. Klinger, Chief
Division of Radioactive Materials

CGV:kjg
cc: James Lynch, State Agreements Officer