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TITLE: PR-020 - 38FR10641 - DEFINITION OF "CALENDAR
QUARTER"

CASE REFERENCE: PR-020
38FR10641

KEY WORD: RULEMAKING COMMENTS

Document Sensitivity: Non-sensitive - SUNSI Review Complete

TITLE 10 - ATOMIC ENERGY

CHAPTER 1 - ATOMIC ENERGY COMMISSION

PART 20 - STANDARDS FOR PROTECTION AGAINST RADIATION

Definition of "Calendar Quarter"

On April 30, 1973, the Atomic Energy Commission published in the FEDERAL REGISTER (38 FR 10641) a proposed amendment to 10 CFR Part 20 of its regulations which would simplify the definition of "calendar quarter." Interested persons were invited to submit written comments and suggestions for consideration within 45 days after publication of the Notice of Proposed Rule Making in the FEDERAL REGISTER.

Two comments were received, one requesting staggered calendar quarters for different groups of workers and the other suggesting a change in the period during which a calendar year could start. The Commission did not consider either of the recommended changes to be desirable. A system of staggered calendar quarters does not seem consistent with the Commission's policy to keep exposures to radiation "as low as practicable". Under such a system a licensee would not have to keep some potential worker exposure in reserve for unforeseeable problems at the end of a calendar quarter. A change in the period during which a calendar year could start would make the Part 20 definition inconsistent with the definition given by the Suggested State Regulations for Control of Radiation. The Commission has therefore, adopted the amendment as it was set out in the Notice of Proposed Rule Making.

This amendment makes the definition of "calendar quarter" consistent with the definition given by the Suggested State Regulations for Control of Radiation prepared by The Council of State Governments in cooperation with The U. S. Atomic Energy Commission and The U. S. Public Health Service. The amendment does not prohibit the use of any system of calendar quarters now permitted by Part 20. For example, calendar quarters could be chosen as three month periods with the first quarter beginning on any day in January, the second quarter beginning on the same day in April, and so on. The amendment does, however, give licensees additional flexibility in establishing the length of calendar quarters; for example, it permits licensees to use calendar quarter sequences of 12, 12, 14, and 14 weeks and 12, 13, 14, and 13 weeks, sequences not permitted by the former definition. These variations from formerly allowable sequences are not considered significant from a radiological safety viewpoint.

Pursuant to the Atomic Energy Act of 1954, as amended, and Sections 552 and 553 of Title 5 of the United States Code, the following amendment of Title 10, Chapter 1, Code of Federal Regulations, Part 20 is published as a document subject to codification to be effective _____ 1973.*

1. In §20.3, 10 CFR Part 20, paragraph (a)(4) is amended to read as follows:

§20.3 Definitions.

(a) As used in this part:

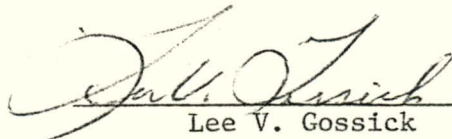
* * * * *

(4) "Calendar quarter" means not less than 12 consecutive weeks nor more than 14 consecutive weeks. The first calendar quarter of each year shall begin in January; and subsequent calendar quarters shall be such that no day is included in more than one calendar quarter or omitted from inclusion within a calendar quarter. No licensee shall change the method observed by him of determining calendar quarters except at the beginning of a calendar year.

(Sec. 161, Pub. Law 83-703, 68 Stat. 948 (42U.S.C. 2201)).

Dated at Bethesda, Maryland this sixth day of August 1973.

For the Atomic Energy Commission.



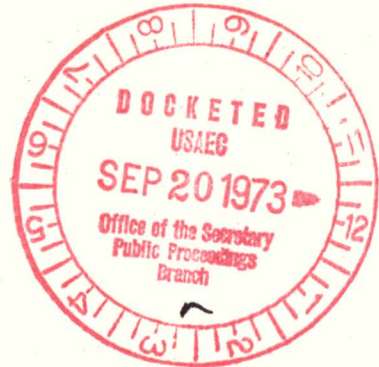
Lee V. Gossick
Acting Director of Regulation



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

DOCKET NUMBER
PROPOSED RULE **PR-20**
(**35FR11641**)

SEP 18 1973



Mr. Edward L. Alpen, Director
Battelle Pacific Northwest Laboratories
Battelle Boulevard
Richland, Washington 99352

Dear Mr. Alpen:

Thank you for your comments on the proposed amendment to 10 CFR Part 20 defining "calendar quarter" which was published for comment in the Federal Register on April 30, 1973.

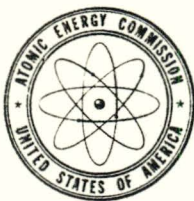
With regard to your suggestion, we have chosen the words "shall begin in January" in order to be consistent with the wording in the Suggested State Regulations for Control of Radiation, thus encouraging a uniformity in definitions among regulatory bodies. For this reason we have not adopted your suggestion.

Thank you again for your letter.

Sincerely,

Robert B. Minozine

for Lester Rogers
Director of Regulatory Standards

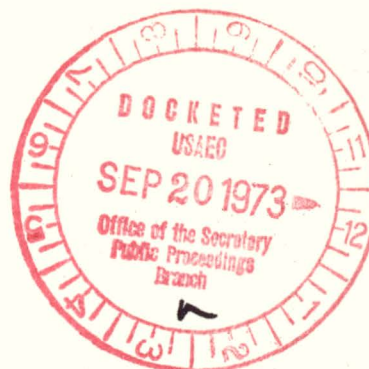


UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

DOCKET NUMBER
PROPOSED RULE PR-20
(38FR10641)

SEP 18 1973

Mr. William E. Caldwell, Jr.
Vice President
Consolidated Edison Co. of N.Y., Inc.
4 Irving Place
New York, New York 10003



Dear Mr. Caldwell:

Thank you for your comments on the proposed amendment to 10 CFR Part 20 defining "calendar quarter", which was published for comment in the Federal Register on April 30, 1973.

With regard to your first suggestion, we believe that "three consecutive months" would be consistent with "not less than 12 consecutive weeks nor more than 14 consecutive weeks." Some licensees would prefer our proposed wording, since it would allow personal dosimeters to be changed every two weeks without an "odd week" at the end of a calendar quarter.

With regard to your second suggestion, on adopting staggered periods for plant personnel, it appears to us that such a change might be used by licensees to increase average exposures to workers, since the licensee would no longer have to provide for an exposure reserve to guard against unpredictable problems late in the calendar quarter. Such a change would not be in keeping with our current efforts to encourage maintenance of radiation exposures as far below the regulation limits as practicable. We therefore have not adopted this suggestion.

Thank you again for your letter.

Sincerely,

Robert B. Menozzie

for Lester Rogers
Director of Regulatory Standards

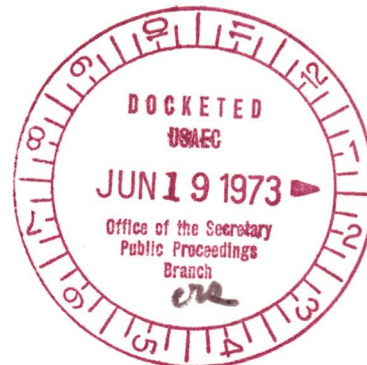
Consolidated Edison Company of New York, Inc.
4 Irving Place, New York, N Y 10003
Telephone (212) 460-5181

June 14, 1973

Secretary of the Commission
U.S. Atomic Energy Commission
Washington, D. C. 20545

Attention: Chief, Public Proceedings Staff

Dear Sir:



Consolidated Edison Company of New York, Inc. respectfully submits the following comments on the proposed amendment to 10 CFR Part 20 defining "calendar quarter", which was published in the FEDERAL REGISTER of April 30, 1973.

Con Edison wishes to reiterate our comments on this section which were submitted to the Commission on October 30, 1970. While we consider the proposal a desirable improvement to the existing regulations, we suggest that the appropriate period be three consecutive months rather than "not less than 12 consecutive weeks nor more than 14 consecutive weeks".

We also suggest that licensees be permitted to adopt staggered periods for plant personnel. Thus, for specified employees the first quarterly period would begin on the 1st of February or the 1st of March rather than the 1st of January. This would permit more flexible allocation of work loads among plant personnel. As long as a licensee is willing to adopt the record keeping burden implicit in this proposal, there would be no diminution in the health and safety protection of any employee.

We believe it would be awkward to keep records on the basis of arbitrary 12-week, 13-week and 14-week periods, and a monthly basis would eliminate problems of odd days which would arbitrarily be added to the weekly periods.

We also suggest that the phrase "calendar

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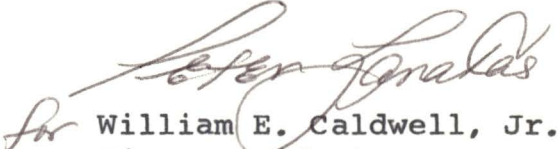
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quarter" be changed to "quarterly period". Since "calendar quarter" has a well-recognized meaning different from what we are suggesting or what AEC has proposed, it would seem preferable to use a different term rather than to give "calendar quarter" a meaning other than its common one.

Attached for your convenience is a redraft of the proposed definition incorporating our suggested changes. Of course, if the phrase "quarterly period" is used, a corresponding change would be required in 10 CFR § 20.101.

Con Edison appreciates this opportunity to present our views to the Commission. We hope our comments will prove helpful.

Very truly yours,


William E. Caldwell, Jr.
Vice President

Enc.

§ 20.3 Definitions

(a) As used in this part:

* * *

(4) "Quarterly period" means a period of three consecutive months. Except as provided below, quarterly periods shall begin on the first day of January, April, July and October. A licensee may elect that, for specified employees, the first quarterly period will begin on the first day of February or March and subsequent quarterly periods shall begin three months thereafter. Any change in the method observed by the licensee of determining quarterly periods for any employee must be made prior to the quarterly period and the calendar year in which they become effective.

DOCKET NUMBER

PROPOSED RULE

PR-20

(38 FR 10641)



Battelle

Pacific Northwest Laboratories

Battelle Boulevard

Richland, Washington 99352

Telephone (509)

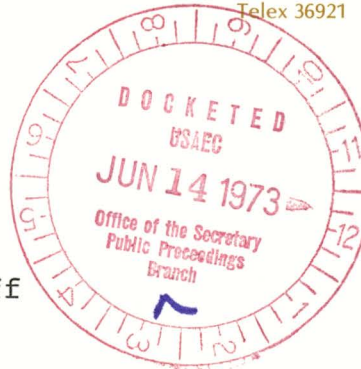
Telex 36921

June 12, 1973

Secretary of the Commission
U. S. Atomic Energy Commission
Washington, D. C. 20545

ATT: Chief, Public Proceedings Staff

Dear Sir:



COMMENT ON PROPOSED DEFINITION OF "CALENDAR QUARTER"

We note in the Federal Register, Volume 38, #82, that the AEC proposes to simplify the definition of "calendar quarter". We applaud your effort to simplify requirements and agree that the proposed changes are insignificant from a radiation safety point of view.

The calendar quarter and calendar year used by BNW as well as the rest of the AEC contractors at Hanford, do not meet the existing definition in 10 CFR 20. Our calendar quarter starts on the last Friday of a month and therefore our calendar year starts on the last Friday of December. Unfortunately, your proposed changes do not eliminate our existing problem.

If the words "shall begin in January" were changed to read "shall begin either in the last week of December or the first week of January" this would totally resolve our existing problem. We do not feel that starting the new "calendar year" during the last week of December presents any "significant" radiation protection problems.

Therefore, we suggest that the definition be modified as above.

Very truly yours,

Edward L. Alpen
Director

ACKNOWLEDGED

ELA:lsp
In triplicate



Battelle

Pacific Northwest Laboratories
Battelle Boulevard
Richland, Washington 99352
Telephone (509)
Telex 36921

June 12, 1973

Secretary of the Commission
U. S. Atomic Energy Commission
Washington, D. C. 20545

ATT: Chief, Public Proceedings Staff

Dear Sir:

COMMENT ON PROPOSED DEFINITION OF "CALENDAR QUARTER"

We note in the Federal Register, Volume 38, #82, that the AEC proposes to simplify the definition of "calendar quarter". We applaud your effort to simplify requirements and agree that the proposed changes are insignificant from a radiation safety point of view.

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Therefore, we suggest that the definition be modified as above.

Very truly yours,

ORIGINAL SIGNED BY
EDWARD L. ALPEN

Edward L. Alpen
Director

ELA:lsp
In triplicate



Battelle

Pacific Northwest Laboratories
Battelle Boulevard
Richland, Washington 99352
Telephone (509)
Telex 36921

June 12, 1973

Secretary of the Commission
U. S. Atomic Energy Commission
Washington, D. C. 20543

ATT: Chief, Public Proceedings Staff

Dear Sir:

COMMENT ON PROPOSED DEFINITION OF "CALENDAR QUARTER"

We note in the Federal Register, Volume 38, #82, that the AEC proposes to simplify the definition of "calendar quarter". We applaud your effort to simplify requirements and agree that the proposed changes are insignificant from a radiation safety point of view.

The calendar quarter and calendar year used by BNW as well as the rest of the AEC contractors at Hanford, do not meet the existing definition in 10 CFR 20. Our calendar quarter starts on the last Friday of a month and therefore our calendar year starts on the last Friday of December. Unfortunately, your proposed changes do not eliminate our existing problem.

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Therefore, we suggest that the definition be modified as above.

Very truly yours,

ORIGINAL SIGNED BY
EDWARD L. ALPEN

Edward L. Alpen
Director

ELA:lsp
In triplicate



PROPOSED RULE PR-20 (38 FR 10641)
"Calendar Quarter" Revision

NUCLEAR ENERGY
DIVISION

GENERAL ELECTRIC COMPANY, 175 CURTNER AVENUE, SAN JOSE, CALIFORNIA 95114
Phone (408) 297-3000, TWX NO. 910-338-0116

May 18, 1973

Secretary of the Commission
U.S. Atomic Energy Commission
Washington, D. C. 20545


Attention: Chief, Public Proceedings Staff

Dear Sir:

The Nuclear Energy Division of General Electric Company has reviewed the proposed amendment of 10 CFR 20, published in the Federal Register dated April 30, 1973 (38 FR 10641), which would simplify the definition of "calendar quarter," and offers the following comment for the Commission's consideration.

The proposed definition is significantly simpler and appears to be essentially the same as that presently set forth in 10 CFR 20.3 (a)(4). Accordingly, we believe the proposed amendment should be adopted.

Very truly yours,


A. N. Tschaeche
Administrator-Licensing
MC-273, Ext. 2235

hb



Acknowledged

5-21-73, era