31

MEMORANDUM TO: Michael F. Weber, Director, NMSS
Joseph R. Gray, Associate General Counsel, OGC
William Borchardt, Director, NRO
Brian W. Sheron, Director, RES
Cynthia A. Carpenter, Director, OE
Charles L. Miller, Director, FSME
Roy P. Zimmerman, Director, NSIR
Michael T. Lesar, Chief, ADM/DAS/RDB
Margie Janney, Chief, OIS/IRSD/RFPSB
Peter J. Rabideau, Acting Chief Financial Officer, OCFO

FROM: Michael J. Case, Director, NRR/DPR

SUBJECT: OFFICE CONCURRENCE ON FINAL RULEMAKING TO AMEND 10 CFR PARTS 19, 20, AND 50: OCCUPATIONAL DOSE RECORDS, LABELING CONTAINERS, AND THE TOTAL EFFECTIVE DOSE EQUIVALENT (TAC #MD3986)

Your review and concurrence is requested on the enclosed Commission Paper and the accompanying *Federal Register* notice of a final rulemaking to amend certain requirements for notification of workers (Part 19), certain labeling requirements (Part 20), the requirement to attempt a determination of lifetime dose (Part 20), and to modify the definition of the Total Effective Dose Equivalent (TEDE) (Parts 20 and 50).

Background:

The NRC Strategic Plan, Fiscal Year 2000–Fiscal Year 2005, included, among NRC performance goals for nuclear reactor safety, a performance goal for reducing unnecessary regulatory burden on stakeholders. The Strategic Plan defines unnecessary regulatory burden as requirements that go beyond what is necessary and sufficient to provide reasonable assurance that the public health and safety, environment, and common defense and security will be protected.

In furtherance of this goal, the NRC issued a proposed rule on September 22, 2006 (71 FR 55382), to revise 10 CFR 19.13, "Notifications and reports to individuals," 10 CFR 20.1905, "Exemptions to labeling requirements," and 10 CFR 20.2104, "Determination of prior occupational dose." The NRC also proposed to revise the definition of *Total Effective Dose Equivalent* in 10 CFR 20.1003, "Definitions," and 10 CFR 50.2, "Definitions," to be consistent with current Commission policy.

Sixteen comment letters were received in response to the proposed rule. The commenters included a number of individuals, industry organizations, and power reactor, uranium recovery,

CONTACT: Stewart Schneider, NRR/DPR/PRAB
301-415-4123

and fuel facility licensees. The majority of commenters supported this rulemaking. The staff's response to these comments is presented in the enclosed *Federal Register* notice (Enclosure 1). Resolution of the public comments resulted in no changes to the rule text.

The following regulations are revised by this final rulemaking.

- 10 CFR 19.13, "Notifications and reports to individuals," is amended to not require licensees to provide annual occupational dose reports to workers if certain criteria are met. Conforming changes are made to 10 CFR 20.2205, "Reports to individuals of exceeding dose limits" and 10 CFR 19.13(d) is deleted to eliminate the redundancy in reporting of exceeding the dose limit.

- 10 CFR 20.1003, "Definitions," is amended to change the definition of total effective dose equivalent (TEDE) to be more consistent with the requirements in Part 20 by clarifying that TEDE is the sum of the effective dose equivalent (for external exposures) and the committed effective dose equivalent (for internal exposures).

- 10 CFR 20.1905, "Exemptions to labeling requirements," is amended to add an exemption from the requirements in 10 CFR 20.1904, "Labeling containers," for the labeling of containers holding licensed material within posted areas in nuclear power reactor facilities.

- 10 CFR 20.2104, "Determination of prior occupational dose," is amended to remove the requirement that licensees attempt to obtain the records of cumulative occupational radiation dose for a worker if that worker is not to receive a planned special exposure.

This request is summarized as follows:

1. Title: Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent

2. NRR Task Leader/Contact: Stewart Schneider, DPP/PRAB - (301) 415-4123 or E-mail address SXS4@NRC.gov

3. Cognizant Individuals:

Roger Pedersen - NRR	Cynthia Jones - NSIR
Charles Hinson - NRO	Sheryl Burrows - RES
Sami Sherbini - FSME	Susan Chidakel - OGC
Michael Lamastra - NMSS	Andrea Jones - FSME

4. Requested Action: Office Concurrence on the Final Rule.

5. Requested Completion Date: 15 days after the date of this memorandum.

Enclosure: As stated

CC: Samuel J. Collins, Regional Administrator, Region I
William D. Travers, Regional Administrator, Region II
James L. Caldwell, Regional Administrator, Region III
Bruce S. Mallet, Regional Administrator, Region IV
Hubert T. Bell, Inspector General, OIG
Frank P. Gillespie, Executive Director, ACRS/ACNW
Sher Bahadur, Chairman, CRGR
Eliot B. Brenner, Director, OPA

CC: Samuel J. Collins, Regional Administrator, Region I
William D. Travers, Regional Administrator, Region II
James L. Caldwell, Regional Administrator, Region III
Bruce S. Mallet, Regional Administrator, Region IV
Hubert T. Bell, Inspector General, OIG
Frank P. Gillespie, Executive Director, ACRS/ACNW
Michael R. Johnson, Chairman, CRGR
Eliot B. Brenner, Director, OPA

DISTRIBUTION:
see next page

ADAMS ACCESSION ML07

OFC	PRAB:PM	PRAB:BC	DPR:D
NAME	SSchneider	JZimmerman	MCase
DATE	04/ /07	/ /07	/ /07

OFFICIAL RECORD COPY

DISTRIBUTION FOR MEMORANDUM DATED RE: OCCUPATIONAL DOSE RECORDS, LABELING CONTAINERS, AND THE TOTAL EFFECTIVE DOSE EQUIVALENT

NonPublic
PRAB r/f
JDyer/JWiggins
BBoger
MCase/TQuay
ECollins/SRichards
JZimmerman
SSchneider,NRR
RPedersen,NRR
CHinson, NRO
SSherbini, NMSS
SBurrows, RES
AJones, FSME
MLamastra, NMSS
CJones, NSIR
DRathbun, FSME
JSchlueter,FSME
FCameron, OGC

RidsNrr
RidsNrrAdor
RidsNrrDpr
RidsNrrDirs
RidsNrrDprPrab
SXS4
RLP1
CSH
SXS2
SAB2
ARJ
MXL2
CGJ
RidsFsmeDilr
RidsFsmeDmsa
RidsOgcMailCenter
RidsOgcRule