

**ELLEN P. ANDERSON**

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August 12, 2014

Mr. Thomas H. Boyce, Chief  
Office of Nuclear Regulatory Research (RES)  
Division of Engineering  
Regulatory Guide and Generic Issues Branch  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Proposal to Revise Regulatory Guide 8.38, "Control of Access to High and Very High Radiation Areas in Nuclear Power Plants"

**Project Number: 689**

Dear Mr. Boyce:

The Nuclear Regulatory Commission's Regulatory Guide 8.38, "Control of Access to High and Very High Radiation Areas in Nuclear Power Plants" was originally published in June 1993 and later revised in May 2006. Since that time, all U.S. nuclear power plants have used this regulatory guide to implement the requirements of 10 CFR 20.1601 and 10 CFR 20.1602. There have been, however, several situations throughout the years when NRC power plant licensees have not fully comprehended some aspects of the access control elements discussed in this regulatory guide and in some cases, this confusion resulted in regulatory enforcement. As a result, several of the industry's Radiation Protection Managers, representing many years of experience implementing the controls described in Regulatory Guide 8.38, propose that NRC revise this regulatory guide to clarify these areas of confusion.

On behalf of industry, the Nuclear Energy Institute<sup>1</sup> submits the attached proposal to revise Regulatory Guide 3.38 for NRC revision consideration. NEI, as well as members of the industry Radiation Protection community, would be happy to discuss this proposal with you at your earliest convenience.

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<sup>1</sup> The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

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Please contact me at any time should you desire to discuss this matter with me.

Sincerely,

A handwritten signature in cursive script that reads "Ellen Anderson".

Ellen Anderson

Attachment

c: Mr. Roger Pedersen, NRR/DRA/ARCB, NRC