

RulemakingComments Resource

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Cc: Halnon, Gregory H; Baker, Stanley F
Subject: [External_Sender] Docket ID NRC-2009-0279: 10 CFR Part 20, Radiation Protection, Advanced Notice of Proposed Rulemaking

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FENOC Comments on Advanced Notice of Proposed Rulemaking for 10 CFR Part 20, Radiation Protection

On July 25, 2014, an Advanced Notice for Proposed Rulemaking (ANPR) was published in Federal Register Notice (79 FR 143) docketed (Docket ID NRC-2009-0279) to revise the Nuclear Regulatory Commission's regulations in 10 CFR Part 20, "Radiation Protection," and requested comments by November 24, 2014.

On November 20, 2014, a Federal Register Notice (79 FR 69065) extended the comment period to March 24, 2015.

On March 18, 2015, a subsequent Federal Register Notice (80 FR 14033) further extended the comment period to June 22, 2015.

FirstEnergy Nuclear Operating Company (FENOC) has reviewed the ANPR, and appreciates the opportunity to provide comments.

FENOC endorses the Nuclear Energy Institute's (NEI) March 24, 2015, letter written on behalf of the nuclear energy industry and recommends that the NRC not make the changes proposed in the ANPR because they are unnecessary with no cost-benefit, providing little to no improvement in the health and safety of workers, public or the environment.

FENOC concurs with the NRC Commission's position as stated in the NRC SRM-SECY-08-0197 that current standards continue to provide adequate protection of the health and safety of workers, the public and the environment.

FENOC also concurs with the NRC Commission that the recommendations contained in ICRP Publication 103 (2007) proposes measures that go beyond what is needed to provide adequate protection.

FENOC believes that the nuclear industry's current operating practices protect workers, the public and the environment far beyond regulatory requirements for the nuclear energy industry by:

- Effectively demonstrating the ALARA principle with respect to worker exposure;
- Maintaining plant system operating limits to a fraction of the federal limits; and
- Operating our facilities such that doses to members of the public from plant effluents are less than 0.1% of what the average person receives each year from all sources of radiation.

Furthermore, FENOC believes that the cumulative effect of regulation (CER) resulting from the changes described in the ANPR for 10 CFR Part 20 will place substantial resource burdens on nuclear energy licensees with little or no additional protection of occupational workers or the public. This burden will be further compounded should the potential changes proposed by the U.S. Environmental Protection Agency in the February 2, 2014, ANPR for 40 CFR Part 190 and the changes proposed in the anticipated publication of the ANPR for Part 50, Appendix I be imposed on licensees.

In summary, FENOC recommends that no changes be made to the existing regulations because (1) existing standards remain protective of occupational workers, public health as well as the environment; (2) the recommendations contained in ICRP Publication 103 propose measures that go beyond what is needed to provide adequate protection; (3) the nuclear industry's current operating procedures and practices protect occupational workers, the public and the environment far beyond the regulatory requirements for the uranium fuel cycle; (4) changing regulations would place significant human and monetary resource burdens on licensees and; (5) there will be a significant cumulative effect of regulation, together with proposed changes to U.S. EPA's 40 CFR Part 190 and NRC's 10 CFR Part 50 Appendix I, on the industry with little or no benefit to worker and public health safety, and the environment.

If there are any questions, or if additional information is required, please contact:

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