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NRC-2009-0279

June 19, 2015  
NRC-15-0074

Ms. Annette L. Vietti-Cook  
Secretary  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Attention: Rulemaking and Adjudications Staff

Reference: Fermi 2  
NRC Docket No. 50-341  
NRC License No. NPF-43

Subject: Comments on the NRC Advance Notice for Proposed Rulemaking for 10 CFR Part 20, "Radiation Protection" (79 *Federal Register* 43284), dated July 25, 2014 - Docket ID NRC-2009-0279

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Dear Ms. Vietti-Cook:

On July 25, 2014 an Advanced Notice for Proposed Rulemaking (ANPR) that would revise the Nuclear Regulatory Commission's regulations in 10 CFR Part 20, "Radiation Protection," was published in the Federal Register (79 *Fed. Reg.* 43284) and docketed (Docket ID NRC-2009-0279). The ANPR requested comments by November 24, 2014.

On November 20, 2014 a Federal Register Notice (79 *Fed. Reg.* 69065) extended the comments due date to March 24, 2015. On March 18, 2015 a Federal Register Notice (80 *Fed. Reg.* 14033) again extended the comments due date to June 22, 2015.

DTE Electric Company (DTE) 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.

DTE 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.

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

DTE 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, DTE 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 (EPA) 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, DTE 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.

No commitments are being made in this letter.

Should you have any questions or require additional information, please contact Mr. Richard S. LaBurn, Radiation Protection Manager at (734) 586-4974.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Wayne A. Colonnello', written in a cursive style.

Wayne A. Colonnello  
Director - Nuclear Work Management  
for Vito A. Kaminskis

cc: The Honorable Stephen G Burns, Chairman, NRC  
The Honorable Kristine L. Svinicki, Commissioner, NRC  
The Honorable William C. Ostendorff, Commissioner, NRC  
The Honorable Jeff Baran, Commissioner, NRC  
Mr. Mark A. Satorius, EDO, NRC  
Ms. Laura Dudes, Div. Director, NMSS, NRC  
Dr. Donald Cool, Senior Advisor, NMSS, NRC