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September 20, 2018

Mr. Dave Garmon, Health Physicist
Radiation Protection and Consequence Branch
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Industry Comments on NRC Draft Revision to the Public Radiation Safety Significant
Determination Process

Project Number: 689

Dear Mr. Garmon:

On behalf of the Nuclear Energy Institute's (NEI)¹ members, we provide the attached comments on the NRC Draft Revision to the Public Radiation Safety Significant Determination Process provided to external stakeholders.

We thank you for the opportunity to provide the nuclear energy industry's comments on the Draft Revision. If you have any questions or require additional information, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Jerry W. Hiatt". The signature is written in a cursive, flowing style.

Jerry W. Hiatt, CHP

Attachment

c: Dr. Kevin Hsueh, NRR/NRC

¹The 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 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.

Summary of Industry Comments

09.20.2018

USNRC PUBLIC RADIATION SAFETY SIGNIFICANCE DETERMINATION PROCESS DRAFT REVISION FOR EXTERNAL STAKEHOLDERS,

Page-Location – NRC Draft	Proposed Text in NRC Draft	Industry Comment
p.3, 1 st full paragraph	If the licensee has a substantial failure to implement the radioactive effluent release program, then the finding would be <i>WHITE</i> ...	Comment: Regarding the WHITE designation – Is there no consideration of the actual public dose resulting from the failure? Should not a minimal dose consequence be considered GREEN?
p.3, 2 nd paragraph	If the licensee has a substantial failure to implement the radioactive effluent release program, then the finding would be WHITE. <i>Failure to identify a release event</i> , or assess the dose consequences and the impact to the environment in a timely manner, consistent with ODCM requirements, could be considered a substantial failure to implement the radioactive effluent release program.	Recommendation: Insert the word “radiological” as shown below “Failure to identify a radiological release event ...”
Page 3, 3 rd Paragraph	Examples of a substantial failure to implement the radioactive effluent release program are: • <i>Significant deficiency</i> in implementing the effluent release program as defined in the plant’s Technical Specifications, resulting in the <i>gross inability or gross inaccuracy</i> in characterizing an effluent release. • <i>Significant deficiency</i> in evaluating an effluent release (either planned or unplanned) where the resulting dose has been grossly underestimated. • <i>Significant deficiency</i> in calibrating effluent monitors used to assess effluent	The uses of the words “significant” and “gross inability” are subjective and subject to inspector interpretation. Recommendation: • Significant deficiency in implementing the effluent release program as defined in the plant's Technical Specifications, resulting in the inability or inaccuracy greater than a factor of 100 in characterizing an effluent release vs. an equivalent NRC. Calculation • Significant deficiency in evaluating a radiological effluent release (either planned or unplanned) where the calculated dose has been underestimated by a factor of 100 vs. an equivalent NRC calculation • Significant deficiency in calibrating instrumentation or monitors used to

	releases, resulting in a gross inability or gross inaccuracy in characterizing an effluent release. • Failure to have any data by which to assess the dose to a member of the public from an effluent release (i.e., no monitor data, no independent sample data, no actual release sample data, etc.)	assess radiological effluent releases, resulting in an inability or inaccuracy greater than a factor of 100 vs. equivalent NRC calculation in characterizing an effluent release. • Failure to collect and assemble data by which to assess the dose to a member of the public from a radiological effluent release (e.g., no monitor data, no independent sample data, no actual release sample data, etc.)
Overall Section – General Industry Comment	RADIOACTIVE EFFLUENT RELEASE PROGRAM	Comment: The Effluent Release Program section is silent on Solid Radwaste Effluent Reporting. It must be assumed that all findings on Solid Radwaste Effluent reporting would be Green. Since the last NRC Rad Effluent Report (2010, which is 7 years late) also excluded any Solid Radwaste Effluent information, this reporting must not be of safety significance. Commercial Solid Low Level Waste disposal data is obtained and stored in the National DOE Manifest Information Management System (MIMS). Therefore, NRR should follow up on its written promise dated June 18, 2015 to revise RG 1.21 with regard to solid radioactive waste shipped. That revision <u>should eliminate the requirement</u> to submit Solid Radwaste shipment quantities as part of the Annual Radiological Effluent Release Report (ARERR). In addition, review of the ARERR for types and amounts of radioactive waste disposed <u>should be deleted</u> from Inspection Manual 71124.08-03 b.
pp. 6 & 7 General Industry Comment	C. SDP Determination Process a. Packaging	Comment: Industry suggests that the definition of what constitutes 1 R/hr at 3 meters be added as Section V C. b. Radiation Limits Exceeded. The draft revision to this section already added clarification regarding averaging radiation levels over the area of a probe. Additional text should be added on averaging 3 meter dose rates from packages.

		Such guidance is needed in this document at this time because NUREG 1608 is not slated for revision for at least 2 years.
p. 9, footnote	2 The loss of package contents means that radioactive material has been released and can be detected and distinguished in a <i>low background area</i> at a distance of 30 cm from the item with a micro-rem per hour-type instrument, which typically uses a 1 inch by 1 inch scintillation detector.	Comment/Question: what constitutes a “ <i>low background area</i> ?” Is it intended to be near the location of the potential release or could the package be taken to another location where the “background” could be lower? e.g., inside a separate building
p. 12, 2 nd paragraph	It is also expected that the inspector follows previous guidance concerning multiple findings on a single incident. <i>That is, a finding with a package breach which resulted in a YELLOW determination and a CoC deficiency which resulted in a GREEN determination would be considered to be a YELLOW finding.</i> This is because the YELLOW signifies a more serious problem with the package breach aspect of the finding, than the CoC deficiency aspect of the finding.	Comment/Question: This statement indicates that only a single finding would be issued. In other words only a “Yellow” and not a “Yellow” for the breach and a “Green” for the documentation associated with the CoC. Is this correct?

Garmon-Candelaria, David

From: HIATT, Jerry <jwh@nei.org>
Sent: Thursday, September 20, 2018 1:13 PM
To: Garmon-Candelaria, David
Cc: Hsueh, Kevin
Subject: [External_Sender] Industry Comments on NRC Draft Revision to the Public Radiation Safety Significant Determination Process
Attachments: 09-20-18_NRC_NEI Comments on Draft Public Exposure SDP_attachment.pdf; 09-20-18_NRC_NEI Comments on Draft Public Exposure SDP.PDF

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Radiological Protection & Materials Licensing

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