3 PART 20

3.20.1001 PURPOSE

Statement of Requirement:
(a) The regulations in this part establish standards for protection against ionizing radiation resulting from activities conducted under licenses issued by the Nuclear Regulatory Commission. These regulations are issued under the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended.

Discussion:
NRC derives its authority to regulate the use of certain radioactive materials and radiation sources from two acts of Congress, known as the Atomic Energy Act (AEA) and the Energy Reorganization Act. NRC evolved from the Atomic Energy Commission, which was established by the Atomic Energy Act in 1954 and abolished by the Energy Reorganization Act in 1974. The 1974 Act, at the same time, established NRC and gave it the regulatory authority that previously was exercised by the AEC.

NRC regulations are codified in Title 10 of the Code of Federal Regulations (CFR). The Code of Federal Regulations has 50 titles encompassing all areas affected by Federal regulation. Title 10 is the part of the Code that is concerned with energy regulation, and it includes both NRC and Department of Energy (DOE) regulations. Title 10 is divided into several chapters, and Chapter I contains NRC's regulations. Chapter I, in turn, is subdivided into 200 parts, each part dealing with one or a few related areas regulated by NRC. For example, Part 20 deals with standards for protection against radiation, Part 30 deals with by-product materials licensing, and Part 50 deals with reactor licensing.

Statement of Applicability:
All NRC Licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

Statement of Requirement:
(b) It is the purpose of the regulations in this part to control the receipt, possession, use, transfer, and disposal of licensed material by any licensee in such a manner that the total dose to an individual (including doses resulting from licensed and unlicensed radioactive material and from radiation sources other than background radiation) does not exceed the standards for protection

against radiation prescribed in the regulations in this part. However, nothing in this part shall be construed as limiting actions that may be necessary to protect health and safety.

Discussion:
Part 20 establishes regulations that are designed to keep doses to workers and to members of the public within specified limits. In applying the annual dose limits specified in this part, consideration is given to all doses received by the worker, both at the NRC licensee's facility and at other facilities in which the worker may have received exposure, regardless of whether the other facilities are NRC licensees or whether they are licensed by other entities, such as the State.

It should be noted that while NRC does not regulate the use of radioactive material not licensed by NRC, licensees must control the dose from NRC licensed material so that the doses from NRC licensed material, when added to the dose received from the unlicensed material, will not cause a person to exceed the NRC limit. To meet this obligation, licensees must take action as necessary to determine worker radiation exposure from unlicensed material. Thus, licensees must take into consideration all doses received from licensed and unlicensed sources, if both are present as sources of exposure, even if the dose from licensed material represents a small fraction of the total dose. For example, if a worker is exposed to radiation from licensed radioactive material, such as material used in nuclear medicine procedures, as well as to radiation from X-rays or from accelerator-produced materials, neither of which is subject to NRC regulation, then the dose limits in Part 20 apply to the total dose received from all of these sources. However, as noted in Section 20.1002, the limits do not apply to doses from background radiation, radiation to patients undergoing diagnostic or therapeutic procedures, radiation resulting from voluntary medical research, or radiation resulting from patients released in accordance with Part 35.75 containing radiopharmaceuticals or radioactive implants. It should also be noted that several radionuclides used in applications such as medicine may be produced either in a reactor or in an accelerator. The accelerator-produced isotopes are not subject to NRC regulation, whereas the same isotopes, if produced in a reactor, would be subject to such regulation.

This section also makes clear that Part 20 regulations do not apply to licensee activities performed in order to mitigate potential health and safety consequences from accidents or from other incidents involving radioactive material. They also do not apply to emergency actions taken by personnel engaged in NRC-licensed activity. An example would be fire fighting by employees of a city fire department at an NRC-licensed facility. Nothing in Part 20 should be interpreted as limiting any activity or action taken to protect public health and safety, such as lifesaving or maintaining confinement of radioactive materials. However, efforts should be made to adhere to these requirements during responses to emergencies, because the requirements were designed to protect the health and safety of workers and the general public.

Statement of Applicability:
All licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

Q&A 5	Who is responsible for regulating radon?
Q&A 407	Does Part 20 apply to emergency response personnel?

3.20.1002 SCOPE

Statement of Requirement:
The regulations in this part apply to persons licensed by the Commission to receive, possess, use, transfer, or dispose of by-product, source, or special nuclear material, or to operate a production or utilization facility under Parts 30 through 36, 39, 40, 50, 60, 61, 70, or 72 of this chapter, and, in accordance with 10 CFR 76.60, to persons required to obtain a certificate of compliance or an approved compliance plan under Part 76 of this chapter. The limits in this part do not apply to doses due to background radiation, to exposure of patients to radiation for the purpose of medical diagnosis or therapy, to exposure from individuals administered radioactive material and released in accordance with 10 CFR 35.75, or to exposure from voluntary participation in medical research programs.

Discussion:
The rules in Part 20 apply to all NRC licensees and to Part 76 certificate holders. The dose limits in Part 20 do not apply to:

- Exposure received from naturally occurring background radiation;
- Patients receiving treatments with radiation or radioactive materials;
- Any member of the public who may receive radiation exposure from patients who are released in accordance with 10 CFR 35.75, following the administration of radioactive materials;
- Doses received by persons who voluntarily take part in medical research involving exposure to radiation or to the administration of radioactive materials.

However, if the sources of radiation, or the radioactive materials, are being used under an NRC license, the rules apply to the licensee personnel administering these treatments or tests.

It should also be noted that NRC's authority to regulate the use of radiation sources and radioactive materials extends only to those materials specified in the AEA. For historical reasons, the Act restricted this authority to materials that are involved in the nuclear fuel cycle. In practice, this includes the following:

- Certain uranium and thorium ores, known as source materials;
- Materials produced in a nuclear reactor from fission or from activation by reactor neutrons, known as by-product materials;
- Other important materials that may be used as fuels for nuclear reactors, known as special nuclear materials, such as enriched uranium, plutonium, and other similar materials that may be specified by the Commission.

For example, NRC will regulate the use of cobalt in teletherapy units and technetium use in nuclear medicine because both are byproduct materials produced in nuclear reactors. However, it does not regulate the use of accelerator-produced isotopes used in medical applications. NRC also does not regulate the use of X-ray machines or accelerators. Radioactive materials and sources of radiation that fall outside NRC's mandate are usually regulated by the state in which these sources and materials are used. However, note the discussion in 10 CFR 20.1001(b) regarding dose limits to radiation workers who receive exposure from both NRC-licensed and other sources of exposure.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

HPPOS-038	Request for Interpretation of Applicability of DOT[1] Regulations to NRC-Licensed State or Federal Entities
HPPOS-197	Authority to Regulate States Concerning Their Licensees Working at DOE Facilities
HPPOS-198	Licensing of Nuclear Materials for Use on the High Seas and in Antarctica
HPPOS-199	NRC's Jurisdiction at U.S. Armed Forces Bases Abroad
HPPOS-265	Policy and Guidance Directive FC 83-19, Jurisdiction at Reactor Facilities
Q&A 5	Regulation of radium

[1] U.S. Department of Transportation.

3.20.1003 DEFINITIONS

As used in this part:

Absorbed dose means the energy imparted by ionizing radiation per unit mass of irradiated material. The units of absorbed dose are the rad and the gray (Gy).

Act means the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as amended.

Activity is the rate of disintegration (transformation) or decay of radioactive material. The units of activity are the curie (Ci) and the becquerel (Bq).

Adult means an individual 18 or more years of age.

Airborne radioactive material means radioactive material dispersed in the air in the form of dusts, fumes, particulates, mists, vapors, or gases.

Airborne radioactivity area means a room, enclosure, or area in which airborne radioactive materials, composed wholly or partly of licensed material, exist in concentrations:

(1) In excess of the derived air concentrations (DACs) specified in Appendix B to 10 CFR 20.1001-20.2401; or

(2) To such a degree that an individual present in the area without respiratory protective equipment could exceed, during the hours an individual is present in a week, an intake of 0.6% of the annual limit on intake (ALI) or 12 DAC-hours.

Discussion:
Note that if an individual remains in the area for 12 hours during a week, then the two conditions above are equivalent, i.e., an area with an airborne concentration of 1 DAC will also result in an intake of 12 DAC-hours to such an individual. If the stay time is longer than 12 hours, the area must be posted at a lower airborne concentration than a DAC. On the other hand, if the stay time is shorter than 12 hours, then posting will be required at airborne concentrations above a DAC. Note also that condition (2) is based on an intake estimate that does not make any allowance for the use of respiratory protection equipment. In other words, credit for use of a respirator is not taken when assessing the need to post the area, although credit may be taken when assessing intakes by workers who worked in that area.

Air-purifying respirator means a respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air-purifying element.

ALARA (acronym for "as low as is reasonably achievable") means making every reasonable effort to maintain exposures to radiation as far below the dose limits in this part as is practical consistent with the purpose for which the licensed activity is undertaken, taking into account the state of technology, the economics of improvements in relation to the state of technology, the economics of improvements in relation to benefits to the public health and safety, and other societal and socioeconomic considerations, and in relation to utilization of nuclear energy and licensed materials in the public interest.

Discussion:
Most ALARA efforts do not involve large capital outlays, and ALARA analyses in such cases are qualitative. Examples include: working in the most efficient manner, using mock-ups to train workers, making sure that proper tools and materials are available when needed, using shields wherever practical, keeping areas clean, minimizing contamination, and similar measures.

In cases involving large capital investments, such as the construction of large and complex shields or large permanent containments, a quantitative assessment of ALARA options may be required.

Annual limit on intake (ALI) means the derived limit for the amount of radioactive material taken into the body of an adult worker by inhalation or ingestion in a year. ALI is the smaller value of intake of a given radionuclide in a year by the reference man that would result in a committed effective dose equivalent of 5 rems (0.05 Sv) or a committed dose equivalent of 50 rems (0.5 Sv) to any individual organ or tissue. (ALI values for intake by ingestion and by inhalation of selected radionuclides are given in Table 1, Columns 1 and 2, of Appendix B to 10 CFR 20.1001- 20.2401.)

Discussion:
"ALI" is the quantity of radioactive material taken into the body through inhalation or ingestion that will result in an effective dose of 5 rem or an organ dose of 50 rem. ALI is a derived limit. The fundamental limit is the annual dose limit, which is 5 rem for the effective dose and 50 rem for the organ doses. The ALI is derived from the dose limits by applying internal dosimetry models that permit calculation of the intake of a radioactive material that would deliver specified, internal effective and organ doses. The ALI is included in Part 20 for the convenience of the licensee, so that internal dosimetry models do not have to be used repeatedly to establish internal dose control measures.

The dose received from an intake is directly proportional to the size of that intake for a given radioactive material. Therefore, if an intake of an ALI results in an effective dose of 5 rem, then an intake of 10% of an ALI results in an effective dose of 500 mrem.

Assigned protection factor (APF) means the expected workplace level of respiratory protection that would be provided by a properly functioning respirator or a class of respirators to properly fitted and trained users. Operationally, the inhaled concentration can be estimated by dividing the ambient airborne concentration by the APF.

Atmosphere-supplying respirator means a respirator that supplies the respirator user with breathing air from a source independent of the ambient atmosphere and includes supplied-air respirators (SARs) and self-contained breathing apparatus (SCBA) units.

Background radiation means radiation from cosmic sources; naturally occurring radioactive material, including radon (except as a decay product of source or special nuclear material); and global fallout as it exists in the environment from the testing of nuclear explosive devices or from past nuclear accidents (such as Chernobyl) that contribute to background radiation and are not under the control of the licensee. "Background radiation" does not include radiation from source, byproduct, or special nuclear materials regulated by the Commission.

Discussion:
Radiation from the same type of radioactive material may be considered "background" or subject to regulatory control, depending on the circumstances. A licensee whose work areas are in a concrete basement may experience substantial radon exposures because of radon diffusion into the structure from the ground. This exposure is not subject to regulation, and is considered background. However, if that same licensee also stores licensed uranium close to the work area, the uranium will emit radon that will contribute to worker exposure. This exposure must be evaluated because it does not arise from natural sources but from the storage of the uranium in the workplace.

Bioassay (radiobioassay) means the determination of kinds, quantities or concentrations, and, in some cases, the locations of radioactive material in the human body, whether by direct measurement (*in vivo* counting) or by analysis and evaluation of materials excreted or removed from the human body.

Discussion:
"*In vivo* counting" refers to whole body counting as well as specific organ counting, such as thyroid counting or lung counting. *In vitro* counting is a term that refers to bioassay by analysis of bodily excretions, such as urine, feces, sweat, exhaled breath, saliva, nasal smears, and sometimes blood, for radioactive content. The method of choice will depend on many factors, but mainly it will depend on the isotope involved in the intake, its chemical form, and the desired sensitivity.

Byproduct material means:

(1) Any radioactive material (except special nuclear material) yielded in, or made radioactive by, exposure to the radiation incident to the process of producing or using special nuclear material; and
(2) The tailings or wastes produced by the extraction or concentration of uranium or thorium from ore processed primarily for its source material content, including discrete surface wastes resulting from uranium solution extraction processes. Underground ore bodies depleted by these solution extraction operations do not constitute "byproduct material" within this definition.

Class (or *lung class* or *inhalation class)* means a classification scheme for inhaled material according to its rate of clearance from the pulmonary region of the lung. Materials are classified as D, W, or Y, which applies to a range of clearance half-times: for Class D (Days) of less than 10 days, for Class W (Weeks) from 10 to 100 days, and for Class Y (Years) of greater than 100 days.

Discussion:
The classes that apply to different materials are listed in Appendix B to Part 20. Note that most materials can exist in all three classes, depending on the chemical compound in which they are incorporated. If the guidance in Appendix B is insufficient to enable a reliable classification in a specific situation, then other references must be used, or laboratory tests may be conducted in an attempt to obtain an accurate classification. The classification of the material into one of the three classes has a major effect on the internal dose assessed following the intake of that material. It also has a profound effect on the design of an appropriate bioassay program. For further information, see ICRP Publication Nos. 10, 10A, and 30.

Collective dose is the sum of the individual doses received in a given period of time by a specified population from exposure to a specified source of radiation.

Discussion:
"Collective dose" is the dose used in making ALARA assessments in work situations. The object is to reduce stochastic risks to the group involved in the activity as a whole and not to any one member of the group. When collective dose is minimized, collective cancer risk for the entire group is minimized.

It should be noted that ALARA analysis may minimize the collective dose but may result in one or a few members of the group receiving significantly higher doses than the rest of the group. There is no regulatory requirement against such an uneven distribution, but many licensees attempt to provide approximate dose equity for their workers over the monitoring year.

Commission means the Nuclear Regulatory Commission or its duly authorized representatives.

Committed dose equivalent (CDE) ($H_{T,50}$) means the dose equivalent to organs or tissues of reference (T) that will be received from an intake of radioactive material by an individual during the 50-year period following the intake.

Discussion:
The dose from an intake may be delivered over a period of weeks, years, or throughout the individual's lifetime. However, when assigning the dose from the intake, all of the dose that will be delivered over the 50 years following the intake is assigned to the year in which the intake occurs. This is done because it simplifies dose recordkeeping and the movement of workers among different work locations, which otherwise would be very difficult.

NRC imposes limits on the dose to each organ to guard against nonstochastic effects. The committed dose is only one component of the dose to the organ. If there is external irradiation, then the organ will also receive a dose from the external field, and that dose must be added to the committed dose to obtain the total organ dose. The regulatory limit on organ dose applies to this sum of internal and external dose components.

Committed effective dose equivalent (CEDE) ($H_{E,50}$) is the sum of the products of the weighting factors applicable to each of the body organs or tissues that are irradiated and the committed dose equivalent to these organs or tissues ($H_{E,50} = \Sigma j\ W_T\ H_{T,50}$).

Discussion:
The "effective dose equivalent" is defined such that it is determined not only by the dose received by each organ, but also by the relative risk that the organ will develop cancer from the radiation dose. The relative risk is expressed through the weighting factors. The dose limit on effective dose equivalent is based on: the minimization of the risks of cancer and hereditary effects; the assumption that there is no low dose threshold for the risk of such effects; and that the risk increases linearly with the dose, that is, it is directly proportional to the dose.

Constraint (dose constraint) means a value above which specified licensee actions are required.

Discussion:
The difference between a "constraint" and a "limit" is in the actions taken when they are exceeded. Exceeding a constraint is not a violation of NRC requirements if corrective action is taken and the required reports are made. Exceeding a limit is a violation whether or not corrective action is taken. NRC currently imposes only one constraint, which is on air emissions from licensed facilities. Although the NRC dose limit to the public from such air emissions is 100 mrem/yr, assuming that these air emissions are the only exposure pathway, a constraint of 10 mrem/yr is imposed on that dose. The constraint was imposed to achieve compatibility with the U.S. Environmental Protection Agency's (EPA's) National Environmental Standards for Hazardous Air Pollutants (NESHAPS) regulations.

Controlled area means an area, outside of a restricted area but inside the site boundary, access to which can be limited by the licensee for any reason.

Discussion:
Some sections of 10 CFR Part 20 require the observation of certain security measures for licensed material that is stored or being used in controlled or unrestricted areas. An area may be designated as a controlled area for security reasons, for the presence of industrial hazards, or for any reason other than radiological. If an area must be controlled for radiological reasons, then it becomes a restricted area.

Critical Group means the group of individuals reasonably expected to receive the greatest exposure to residual radioactivity for any applicable set of circumstances.

Declared pregnant woman means a woman who has voluntarily informed the licensee, in writing, of her pregnancy and the estimated date of conception. The declaration remains in effect until the declared pregnant woman withdraws the declaration in writing or is no longer pregnant.

Discussion:
It should be noted that a written declaration of pregnancy is not equivalent to informing the licensee that the woman is pregnant. Rather, it is a request by the woman to be subject to reduced dose limits, as specified in NRC's regulations, during the period of the pregnancy. The woman's obvious pregnancy is not to be confused with the declaration of pregnancy, and such an obvious pregnancy, unless accompanied by a written declaration, has no relevance in establishing dose limits for that worker.

Decommission means to remove a facility or site safely from service and reduce residual radioactivity to a level that permits:

(1) Release of the property for unrestricted use and termination of the license; or

(2) Release of the property under restricted conditions and termination of the license.

Deep-dose equivalent (H_d), which applies to external whole-body exposure, is the dose equivalent at a tissue depth of 1 cm (1000 mg/cm^2).

Discussion:
Because the effective dose equivalent is not a measurable quantity, in the case of external irradiation, NRC uses the deep-dose equivalent as a measurable surrogate for that dose. NRC does not define effective dose equivalent for external radiation exposures, as is the case in ICRP publications.

Demand respirator means an atmosphere-supplying respirator that admits breathing air to the facepiece only when a negative pressure is created inside the facepiece by inhalation.

Department means the Department of Energy, established by the Department of Energy Organization Act (Pub. L. 95-91, 91 Stat. 565, 42 U.S.C. 7101 et seq.) to the extent that the Department, or its duly authorized representatives, exercises functions formerly vested in the Atomic Energy Commission (AEC), its Chairman, members, officers, and components and transferred to the U.S. Energy Research and Development Administration and to the Administrator thereof pursuant to sections 104 (b), (c), and (d) of the Energy Reorganization Act of 1974 (Pub. L. 93-438, 88 Stat. 1233 at 1237, 42 U.S.C. 5814) and retransferred to the Secretary of Energy pursuant to Section 301(a) of the Department of Energy Organization Act (Pub. L. 95-91, 91 Stat 565 at 577-578, 42 U.S.C. 7151).

Derived air concentration (DAC) means the concentration of a given radionuclide in air which, if breathed by the reference man for a working year of 2,000 hours under conditions of light work (inhalation rate 1.2 cubic meters of air per hour), results in an intake of one ALI. DAC values are given in Table 1, Column 3, of Appendix B to 10 CFR 20.1001 - 20.2401.

Discussion:
The "derived air concentration" is provided by NRC in Appendix B as a convenience to licensees. It is not a derived limit in the same sense that ALI is a derived limit. There are no penalties for exceeding the DAC in the workplace at any time, provided that the applicable limits, such as ALI or the committed doses are not exceeded, and provided that ALARA is implemented.

Derived air concentration-hour (DAC-hour) is the product of the concentration of radioactive material in air (expressed as a fraction or multiple of the derived air concentration for each radionuclide) and the time of exposure to that radionuclide, in hours. A licensee may take 2,000 DAC-hours to represent one ALI, equivalent to a committed effective dose equivalent of 5 rems (0.05 Sv).

Disposable respirator means a respirator for which maintenance is not intended and that is designed to be discarded after excessive breathing resistance, sorbent exhaustion, physical damage, or end-of-service-life renders it unsuitable for use. Examples of this type of respirator are a disposable half-mask respirator or a disposable escape-only self-contained breathing apparatus (SCBA).

Distinguishable from background means that the detectable concentration of a radionuclide is statistically different from the background concentration of that radionuclide in the vicinity of the site or, in the case of structures, in similar materials using adequate measurement technology, survey, and statistical techniques.

Dose or radiation dose is a generic term that means absorbed dose, dose equivalent, effective dose equivalent, committed dose equivalent, committed effective dose equivalent, or total effective dose equivalent, as defined in other paragraphs of this section.

Dose equivalent (H_T) means the product of the absorbed dose in tissue, quality factor, and all other necessary modifying factors at the location of interest. The units of dose equivalent are the rem and sievert (Sv).

Discussion:
The value of the "other necessary modifying factors" has been redefined as unity, that is, modifying factors are not currently taken into account and may be ignored.

Dosimetry processor means an individual or organization that processes and evaluates individual monitoring equipment in order to determine the radiation dose delivered to the equipment.

Discussion:
If the licensee obtains personal monitoring devices, such as film or thermoluminescent dosimeters (TLDs), from a vendor and returns them to the vendor for processing, then the processor is the vendor. If the licensee has an on-site processing facility, the licensee is also the processor.

Effective dose equivalent (H_E) is the sum of the products of the dose equivalent to the organ or tissue (H_T), and the weighting factors (w_T) applicable to each of the body organs or tissues that are irradiated ($H_E = \Sigma w_{THT}$).

Embryo/fetus means the developing human organism from conception until the time of birth.

Entrance or access point means any location through which an individual could gain access to radiation areas or to radioactive materials. This includes entry or exit portals of sufficient size to permit human entry, irrespective of their intended use.

Exposure means being exposed to ionizing radiation or to radioactive material.

External dose means that portion of the dose equivalent received from radiation sources outside the body.

Extremity means hand, elbow, arm below the elbow, foot, knee, or leg below the knee.

Filtering facepiece (dust mask) means a negative pressure particulate respirator with a filter as an integral part of the facepiece or with the entire facepiece composed of the filtering medium, not equipped with elastomeric sealing surfaces and adjustable straps.

Fit factor means a quantitative estimate of the fit of a particular respirator to a specific individual. It typically estimates the ratio of the concentration of a substance in ambient air to its concentration inside the respirator when worn.

Fit test means the use of a protocol to qualitatively or quantitatively evaluate the fit of a respirator on an individual.

Generally applicable environmental radiation standards means standards issued by the Environmental Protection Agency (EPA) under the authority of the Atomic Energy Act (AEA) of 1954, as amended, that impose limits on radiation exposures or levels, or concentrations or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

Government Agency means any executive department, commission, independent establishment, corporation wholly or partly owned by the United States of America, which is an instrumentality of the United States, or any board, bureau, division, service, office, officer, authority, administration, or other establishment in the executive branch of the United States Government.

Gray [See 10 CFR 20.1004].

Helmet means a rigid respiratory inlet covering that also provides head protection against impact and penetration.

High radiation area means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving a dose equivalent in excess of 0.1 rem (1 mSv) in 1 hour at 30 centimeters from the radiation source or 30 centimeters from any surface that the radiation penetrates.

Discussion:
A key element in this definition is that the area must be accessible to individuals. Open ports in vessels and similar structures within which high radiation fields exist, and into which a person may insert an arm, are also considered accessible. An area that is completely enclosed with no access point would not be considered accessible. In considering the posting of such inaccessible areas, good practice would have a warning posted in case forcible entry into the area is required, such as in the case of a fire.

Hood means a respiratory inlet covering that completely covers the head and neck and may also cover portions of the shoulders and torso.

Individual means any human being.

Individual monitoring means:

(1) The assessment of dose equivalent by the use of devices designed to be worn by an individual;

(2) The assessment of committed effective dose equivalent by bioassay (see Bioassay) or by determination of the time-weighted air concentrations to which an individual has been exposed, i.e., DAC-hours; or

(3) The assessment of dose equivalent by the use of survey data.

Individual monitoring devices (individual monitoring equipment) means devices designed to be worn by a single individual for the assessment of dose equivalent such as film badges, thermoluminescence dosimeters (TLDs), pocket ionization chambers, and personal ("lapel") air sampling devices.

Internal dose means that portion of the dose equivalent received from radioactive material taken into the body.

Lens-dose equivalent (LDE) applies to the external exposure of the lens of the eye and is taken as the dose equivalent at a tissue depth of 0.3 centimeters (300 mg/cm^2).

Discussion:
The lens-dose limit is based on the threshold for the development of cataracts. The cell layer in which cataracts may develop is below a surface cell layer that is 0.3 cm thick. The value of 300 mg/cm^2 is obtained by multiplying the thickness, in this case 0.3 cm, by the density of the material, in this case taken as 1 gm/cm^3. The result is 0.3 gm/cm^2.

License means a license issued under the regulations in Parts 30 through 36, 39, 40, 50, 60, 61, 70, or 72 of this chapter.

Licensed material means source material, special nuclear material, or byproduct material received, possessed, used, transferred or disposed of under a general or specific license issued by the Commission.

Licensee means the holder of a license.

Limits (dose limits) means the permissible upper bounds of radiation doses.

Discussion:
The dose limits are "never-to-be-exceeded" values. However, they should not be viewed as the doses up to which persons may be routinely exposed, provided the limits are not exceeded. Limits should be viewed as restrictions placed on ALARA. The doses to which workers may be routinely exposed are determined by ALARA analysis of the work and by the exposure situation. However, if ALARA analysis results in one or a few of the workers receiving doses in excess of the limits to minimize the collective dose, then the limits are applied to override the analysis. There are few situations in which workers are routinely exposed to more than a small fraction of the annual limits. Situations in which these fractions are high should be carefully examined and justified.

Loose-fitting facepiece means a respiratory inlet covering designed to form a partial seal with the face.

Lost or missing licensed material means licensed material whose location is unknown. It includes material that has been shipped but has not reached its destination and whose location cannot be readily traced in the transportation system.

Member of the public means any individual except when that individual is receiving an occupational dose.

Discussion:
The determination of "occupational" doses is based on whether the person's work assigned by the licensee or the licensee's contractor is connected to the licensed activity or only remotely connected (or not connected) to such activities. An administrative person who is not doing any radiological work, but whose office must be in a restricted area in which low levels of radiation exist as a result of the licensed activity is considered to be occupationally exposed. On the other

hand, a delivery person, or a person who visits the site routinely to restock vending machines and receives exposure to radiation, is not occupationally exposed at that site. This is because (1) the person is not assigned work by the licensee or a licensee's contractor and (2) the activities of the person are only remotely connected to licensed activities.

Minor means an individual younger than 18 years of age.

Monitoring (radiation monitoring, radiation protection monitoring) means the measurement of radiation levels, concentrations, surface area concentrations or quantities of radioactive material and the use of the results of these measurements to evaluate potential exposures and doses.

Negative pressure respirator (tight fitting) means a respirator in which the air pressure inside the facepiece is negative during inhalation with respect to the ambient air pressure outside the respirator.

Nonstochastic effect means health effects, the severity of which varies with the dose and for which a threshold is believed to exist. Radiation-induced cataract formation is an example of a nonstochastic effect (also called a deterministic effect).

Discussion:
The organ dose limit of 50 rem/yr, the eye dose limit of 15 rem/yr, and the skin dose limit of 50 rem/yr are all based on nonstochastic effects and are set at levels believed to be below the thresholds for these effects over a lifetime of exposure. Nonstochastic effects are now referred to in the technical literature as deterministic effects.

NRC means the Nuclear Regulatory Commission or its duly authorized representatives.

Occupational dose means the dose received by an individual in the course of employment in which the individual's assigned duties involve exposure to radiation or to radioactive material from licensed and unlicensed sources of radiation, whether in the possession of the licensee or another person. Occupational dose does not include dose received from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive materials and released in accordance with 10 CFR 35.75, from voluntary participation in medical research programs, or as a member of the public.

Discussion:

Occupational dose includes the dose received by an individual in the course of employment in which the individual's duties assigned by the licensee or the licensee's contractors involve exposure to radiation or to radioactive material from only licensed material. The duties need not involve exposure to radiation or radioactive material from unlicensed material.

Person means:

(1) Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government Agency other than the Commission or the Department of Energy (except that the Department shall be considered a person within the meaning of the regulations in 10 CFR Chapter I to the extent that its facilities and activities are subject to the licensing and related regulatory authority of the Commission under Section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244), the Uranium Mill Tailings Radiation Control Act of 1978 (92 Stat. 3021), the Nuclear Waste Policy Act of 1982 (96 Stat. 2201), and Section 3(b)(2) of the Low-Level Radioactive Waste Policy Amendments Act of 1985 (99 Stat. 1842)), any State or any political subdivision of or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and

(2) Any legal successor, representative, agent, or agency of the foregoing.

Planned special exposure means an infrequent exposure to radiation, separate from and in addition to the annual dose limits.

Positive pressure respirator means a respirator in which the pressure inside the respiratory inlet covering exceeds the ambient air pressure outside the respirator.

Powered air-purifying respirator (PAPR) means an air-purifying respirator that uses a blower to force the ambient air through air-purifying elements to the inlet covering.

Pressure demand respirator means a positive pressure atmosphere-supplying respirator that admits breathing air to the facepiece when the positive pressure is reduced inside the facepiece by inhalation.

Public dose means the dose received by a member of the public from exposure to radiation or radioactive material released by a licensee, or to any other source of radiation under the control of a licensee. Public dose does not include occupational dose or doses received from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released in accordance with 10 CFR 35.75, or from voluntary participation in medical research programs.

Qualitative fit test (QLFT) means a pass/fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.

Quality Factor (Q) means the modifying factor (listed in tables 1004(b).1 and 1004(b).2 of 10 CFR 20.1004) used to derive dose equivalent from absorbed dose.

Quantitative fit test (QNFT) means an assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

Quarter means a period of time equal to one-fourth of the year observed by the licensee (approximately 13 consecutive weeks), providing that the beginning of the first quarter in a year coincides with the starting date of the year and that no day is omitted or duplicated in consecutive quarters.

Rad [See 10 CFR 20.1004].

Radiation (ionizing radiation) means alpha particles, beta particles, gamma rays, X-rays, neutrons, high-speed electrons, high-speed protons, and other particles capable of producing ions. Radiation, as used in this part, does not include non-ionizing radiation, such as radio- or microwaves, or visible, infrared, or ultraviolet light.

Radiation area means an area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 0.005 rem (0.05 mSv) in 1 hour at 30 centimeters from the radiation source or from any surface that the radiation penetrates.

Reference man means a hypothetical aggregation of human physical and physiological characteristics arrived at by international consensus. These characteristics may be used by researchers and public health workers to standardize results of experiments and to relate biological insult to a common base.

Discussion:
"Reference Man," is a set of standardized physical parameters (such as organ weights and volumes) and physical characteristics (such as inhalation and exhalation rates and metabolic parameters). Reference Man has both male and female organs, such as ovaries, testes, and female breasts. The characteristics of Reference Man are used mostly in internal dose calculations, because such dose calculations require data such as inhalation and excretion rates, organ masses, geometrical relationships among organs, and other metabolic parameters. In an intake situation, the doses calculated using Reference Man data are the doses to a person conforming to these physical characteristics. Doses to the actual exposed individual will most likely not conform to the Reference Man. However, in most cases, these doses are sufficiently accurate, and they are acceptable for demonstrating compliance with regulatory requirements. Nevertheless, adjustments may be necessary to take into account the characteristics of the exposed person, if these differ substantially from those of Reference Man, especially in cases of large intakes.

Rem [See 10 CFR 20.1004].

Residual radioactivity means radioactivity in structures, materials, soils, groundwater, and other media at a site resulting from activities under the licensee's control. This includes radioactivity from all licensed and unlicensed sources used by the licensee, excluding background radiation. It also includes radioactive materials remaining at the site as a result of routine or accidental releases of radioactive material at the site and previous burials at the site, even if those burials were made in accordance with the provisions of 10 CFR Part 20.

Respiratory protective device means an apparatus, such as a respirator, used to reduce the individual's intake of airborne radioactive materials.

Restricted area means an area, access to which is limited by the licensee for the purpose of protecting individuals against undue risks from exposure to radiation and radioactive materials. Restricted area does not include areas used as residential quarters, but separate rooms in a residential building may be set apart as a restricted area.

Discussion:
Access to a "restricted area" must be controlled to prevent unauthorized entry. The controls need not be physical barriers, such as locked doors, but may include administrative controls, such as surveillance.

Sanitary sewerage means a system of public sewers for carrying off waste water and refuse, but excluding sewage treatment facilities, septic tanks, and leach fields owned or operated by the licensee.

Self-contained breathing apparatus (SCBA) means an atmosphere-supplying respirator for which the breathing air source is designed to be carried by the user.

Shallow-dose equivalent (H_S), which applies to the external exposure of the skin or an extremity, is taken as the dose equivalent at a tissue depth of 0.007 centimeters (7 mg/cm^2) averaged over an area of 1 square centimeter.

Sievert (See 10 CFR 20.1004).

Site boundary means that line beyond which the land or property is not owned, leased, or otherwise controlled by the licensee.

Source material means:

(1) Uranium, thorium, or any combination of uranium and thorium in any physical or chemical form; or

(2) Ores that contain, by weight, one-twentieth of 1 per cent (0.05%) or more of uranium, thorium, or any combination of uranium and thorium. Source material does not include special nuclear material.

Special nuclear material means:

(1) Plutonium, uranium-233, uranium enriched in the isotope 233 or in the isotope 235, and any other material that the Commission, pursuant to the provisions of Section 51 of the Act, determines to be special nuclear material, not including source material; or

(2) Any material artificially enriched by any of the foregoing, not including source material.

Stochastic effects means health effects that occur randomly and for which the probability of the effect occurring, rather than its severity, is assumed to be a linear function of dose without threshold. Hereditary effects and cancer incidence are examples of stochastic effects.

Supplied-air respirator (SAR) or *airline respirator* means an atmosphere-supplying respirator for which the source of breathing air is not designed to be carried by the user.

Survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation. When appropriate, such an evaluation includes a physical survey of the location of radioactive material and measurements or calculations of levels of radiation, or concentrations or quantities of radioactive material present.

Discussion:
In Part 20, the meaning of "survey" differs somewhat from that commonly used in the nuclear industry to mean the measurement of dose rates using a survey instrument. In Part 20, the meaning of survey is broader and includes any activity using available relevant information, including data obtained from field measurements, to assess the radiation hazards. Note that performing surveys in the field with a survey instrument without assessing the resulting data to evaluate hazards would not be considered as having satisfied the requirement to perform an adequate survey.

Tight-fitting facepiece means a respiratory inlet covering that forms a complete seal with the face.

Total Effective Dose Equivalent (TEDE) means the sum of the deep-dose equivalent (for external exposures) and the committed effective dose equivalent (for internal exposures).

Unrestricted area means an area, access to which is neither limited nor controlled by the licensee.

Uranium fuel cycle means the operations of milling of uranium ore, chemical conversion of uranium, isotopic enrichment of uranium, fabrication of uranium fuel, generation of electricity by a light-water-cooled nuclear power plant using uranium fuel, and reprocessing of spent uranium fuel to the extent that these activities directly support the production of electrical power for public use. Uranium fuel cycle does not include mining operations, operations at waste disposal sites, transportation of radioactive material in support of these operations, and the reuse of recovered non-uranium special nuclear and byproduct materials from the cycle.

User seal check (fit check) means an action conducted by the respirator user to determine if the respirator is properly seated to the face. Examples include negative pressure check, positive pressure check, irritant smoke check, or isoamyl acetate check.

Very high radiation area means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving an absorbed dose in excess of 500 rads (5 grays) in 1 hour at 1 meter from a radiation source or 1 meter from any surface that the radiation penetrates.

Note: At very high doses received at high dose rates, units of absorbed dose (e.g., rads and grays) are appropriate, rather than units of dose equivalent (e.g., rems and sieverts).

Discussion:
The footnote to this definition stems from the fact that the "rem" is defined as the product of the dose in "rads" and the "quality factor." In radiation protection work, the rem is defined using the quality factor for cancer as the end point of concern, which is a stochastic effect. In cases of high, acute exposures, such as in an accident, the end point of concern is not cancer but deterministic effects. Deterministic effects may range in severity from barely observable clinical effects to more serious conditions such as skin erythema, cataracts, sterility, or death if the dose is sufficiently high. The quality factors for such effects may be substantially different from those for cancer, and the calculated dose equivalent in rem may, therefore, not be a valid measure to use in selecting the appropriate mitigation, such as in medical care, in therapy, or in determining prognosis.

Week means 7 consecutive days starting on Sunday.

Weighting factor W_T, for an organ or tissue (T) is the proportion of the risk of stochastic effects resulting from irradiation of that organ or tissue to the total risk of stochastic effects when the whole body is irradiated uniformly. For calculating the effective dose equivalent, the values of W_T are:

Table 1003.1Organ Dose Weighting Factors.

Organ or tissue	W_T
Gonads	0.25
Breast	0.15
Red bone marrow	0.12
Lung	0.12
Thyroid	0.03
Bone surface	0.03
Remainder	0.30[a]
Whole Body	1.00[b]

[a] 0.30 results from 0.06 for each of 5 "remainder" organs (excluding the skin and the lens of the eye) that receive the highest doses.

[b] For the purpose of weighting the external whole body dose (for adding it to the internal dose), a single weighting factor, w_T=1.0, has been specified. The use of other weighting factors for external exposure will be approved on a case-by-case basis until such time as specific guidance is issued.

Discussion:
If you are interested in the possible use of weighting factors other than W_t = 1.0 for external exposure, contact the NRC Office responsible for your license, i.e., contact NMSS or NRR, for guidance.

Whole body means, for purposes of external exposure, head, trunk (including male gonads), arms above the elbow, or legs above the knee.

Working level (WL) is any combination of short-lived radon daughters (for radon-222: polonium-218, lead-214, bismuth-214, and polonium-214; and for radon-220: polonium-216, lead-212, bismuth-212, and polonium-212) in 1 liter of air that will result in the ultimate emission of 1.3×10^5 MeV of potential alpha particle energy.

Working level month (WLM) means an exposure to 1 working level for 170 hours (2,000 working hours per year/12 months per year = approximately 170 hours per month).

Year means the period of time beginning in January used to determine compliance with the provisions of this part. The licensee may change the starting date of the year used to determine compliance by the licensee, provided that the change is made at the beginning of the year and that no day is omitted or duplicated in consecutive years.

Discussion:
The starting date for the year may be changed by the licensee as long as the starting date remains in January.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

List of Outdated Implementing Guidance:

Q&A 26 Discussions of the definitions of occupational and public doses are obsolete.

3.20.1004 UNITS OF RADIATION DOSE

Statement of Requirement:
(a) Definitions. As used in this part, the units of radiation dose are:

Gray (Gy) is the SI unit of absorbed dose. One gray is equal to an absorbed dose of 1 joule/kilogram (100 rads).

Rad is the special unit of absorbed dose. One rad is equal to an absorbed dose of 100 ergs/gram or 0.01 joule/kilogram (0.01 gray).

Rem is the special unit of any of the quantities expressed as dose equivalent. The dose equivalent in rems is equal to the absorbed dose in rads multiplied by the quality factor (1 rem = 0.01 sievert).

Sievert is the SI unit of any of the quantities expressed as dose equivalent. The dose equivalent in sieverts is equal to the absorbed dose in grays multiplied by the quality factor (1 Sv = 100 rems).

(b) As used in this part, the quality factors for converting absorbed dose to dose equivalent are shown in Table 1004(b).1.

Table 1004(b).1 Quality Factors and Absorbed Dose Equivalencies.

Type of radiation	Quality factor (Q)	Absorbed dose equal to a unit dose equivalent[a]
X-, gamma, or beta radiation	1	1
Alpha particles, multiple-charged particles, fission fragments and heavy particles of unknown charge	20	0.05
Neutrons of unknown energy	10	0.1
High-energy protons	10	0.1

[a] Absorbed dose in rad equal to 1 rem or the absorbed dose in gray equal to 1 sievert.

(c) If it is more convenient to measure the neutron fluence rate than to determine the neutron dose equivalent rate in rems per hour or sieverts per hour, as provided in Paragraph (b) of this section, 1 rem (0.01 Sv) of neutron radiation of unknown energies may, for purposes of the regulations in this part, be assumed to result from a total fluence of 25 million neutrons per square centimeter incident upon the body. If sufficient information exists to estimate the approximate energy distribution of the neutrons, the licensee may use the fluence rate per unit

dose equivalent or the appropriate Q value from Table 1004(b).2 to convert a measured tissue dose in rads to dose equivalent in rems.

Table 1004(b).2 Mean Quality Factors, Q, and Fluence Per Unit Dose Equivalent For Monoenergenic Neutrons.

	Neutron energy (MeV)	Quality factor[a] (Q)	Fluence per unit dose equivalent[b] (neutrons cm^{-2} rem^{-1})
(thermal).....	$2.5x10^{-8}$	2	$980x10^{6}$
	$1x10^{-7}$	2	$980x10^{6}$
	$1x10^{-6}$	2	$810x10^{6}$
	$1x10^{-5}$	2	$810x10^{6}$
	$1x10^{-4}$	2	$840x10^{6}$
	$1x10^{-3}$	2	$980x10^{6}$
	$1x10^{-2}$	2.5	$1010x10^{6}$
	$1x10^{-1}$	7.5	$170x10^{6}$
	$5x10^{-1}$	11	$39x10^{6}$
	1	11	$27x10^{6}$
	2.5	9	$29x10^{6}$
	5	8	$23x10^{6}$
	7	7	$24x10^{6}$
	10	6.5	$24x10^{6}$
	14	7.5	$17x10^{6}$
	20	8	$16x10^{6}$
	40	7	$14x10^{6}$
	60	5.5	$16x10^{6}$
	$1x10^{2}$	4	$20x10^{6}$
	$2x10^{2}$	3.5	$19x10^{6}$
	$3x10^{2}$	3.5	$16x10^{6}$
	$4x10^{2}$	3.5	$14x10^{6}$

[a] Value of quality factor (Q) at the point where the dose equivalent is maximum in a 30-cm diameter cylinder tissue-equivalent phantom.

[b] Monoenergetic neutrons incident normally on a 30-cm diameter cylinder tissue-equivalent phantom.

Discussion:
The roentgen (R) is no longer defined in 10 CFR Part 20. This follows international conventions, which no longer recommend the use of the R. In addition, the U.S. National Institute of Standards and Technology (NIST) no longer provides instrument calibrations in R units. The quantity kerma, which has the same units as the dose, is used in place of the R. Instruments reading in units of R may still be used, with the assumption that the R is numerically equal to the rad and to the rem. The abbreviation for sievert is Sv.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1005 UNITS OF RADIOACTIVITY

Statement of Requirement:
For the purposes of this part, activity is expressed in the special unit of curies (Ci) or in the SI unit of becquerels (Bq), or their multiples, or disintegrations (transformations) per unit of time.

(1) One becquerel = 1 disintegration per second (s^{-1}).

(2) One curie = 3.7×10^{10} disintegrations per second = 3.7×10^{10} becquerels = 2.22×10^{12} disintegrations per minute.

Discussion:
Submultiples of the Ci and Bq frequently used in radiation applications include:

- Millicurie = 10^{-3} Ci
- Microcurie = 10^{-6} Ci
- Nanocurie = 10^{-9} Ci
- Picocurie = 10^{-12} Ci

Statement of Applicability:
All NRC licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1006 INTERPRETATIONS

Statement of Requirement:
Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by an officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

Discussion:
Licensees may have questions regarding the meaning or the applicability of sections of this regulation to specific situations. One way to get information is to discuss the matter with an NRC representative, such as the NRC inspector or the licensing staff member, or with other Regional or Headquarters NRC personnel. Although such information may be useful, and may help clarify the situation, it is not legally binding on the Agency.

Note that although this regulation authorizes the General Counsel to issue formal, written interpretations that are recognized as binding on the Commission, this authority is exercised sparingly and only in instances involving major policy or legal questions. Following issuance, these interpretations are codified in 10 CFR Part 8; to date, only four such written interpretations have been issued.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1007 COMMUNICATIONS

Statement of Requirement:
Unless otherwise specified, communications or reports concerning the regulations in this part should be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555. A communication, report, or application may be delivered in person to the Office of the Executive Director for Operations, 11555 Rockville Pike, Rockville, MD 20852.

Discussion:
This section simply states that communications, i.e., letters or other correspondence, reports or applications having to do with any aspects of 10 CFR Part 20, should be addressed to, or delivered in person to, the Office of the Executive Director for Operations (EDO).

Statement of Applicability:
This section is applicable to all NRC licensees.

Guidance Statement:
Communications or correspondence with NRC regarding license or compliance issues, such as license applications, are normally addressed to the appropriate Regional Office. This section simply states that correspondence pertaining to Part 20 should be forwarded to the Office of the EDO.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1008 IMPLEMENTATION

Statement of Requirement:
(a) [Reserved]

(b) The applicable section of 10 CFR 20.1001 - 20.2402 must be used in lieu of requirements in the standards for protection against radiation in effect prior to January 1, 1994[2] that are cited in license conditions or technical specifications, except as specified in Paragraphs (c), (d), and (e) of this section. If the requirements of this part are more restrictive than the existing license condition, then the licensee shall comply with this part unless exempted by Paragraph (d) of this section.

(c) Any existing license condition or technical specification that is more restrictive than a requirement in 10 CFR 20.1001 - 20.2402 remains in force until there is a technical specification change, license amendment, or license renewal.

(d) If a license condition or technical specification exempted a licensee from a requirement in the standards for protection against radiation in effect prior to January 1, 1994[2], it continues to exempt a licensee from the corresponding provision of 10 CFR 20.1001 - 20.2402.

(e) If a license condition cites provisions in requirements in the standards for protection against radiation in effect prior to January 1, 1994[2] and there are no corresponding provisions in 10 CFR 20.1001 - 20.2402, then the license condition remains in force until there is a technical specification change, license amendment, or license renewal that modifies or removes this condition.

Discussion:
In 1994, a major revision of Part 20 became effective. For licensees whose licenses may reference earlier provisions of Part 20 (previous Part 20), this section requires that licensees follow the current provisions of Part 20 (revised Part 20) rather than the referenced provisions. However, if the license condition or the technical specification concerns a provision that is more restrictive than the revised Part 20 provision, that condition or specification will remain in effect until the license is amended or until the technical specification is changed. By the same token, if a license condition or a technical specification specifically exempts a licensee from some provision of the previous Part 20, that exemption remains in effect. If a license condition references a provision in the previous Part 20 and there is no corresponding provision in the revised Part 20, the license condition remains in force until it is amended.

Statement of Applicability:
This section applies to those licensees whose license or technical specifications reference provisions of the previous Part 20.

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[2] See 10 CFR 20.1 - 20.602, codified as of January 1, 1993.

Guidance Statement:
None required.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

Q&A 30	Implementation of the revised Part 20
Q&A 58	Embryo/Fetus
Q&A 65	OMB approval of the revised Part 20 provisions

3.20.1009 REPORTING, RECORDING, AND APPLICATION REQUIREMENTS: OMB APPROVAL

Statement of Requirement:
(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has approved the information collection requirements contained in this part under control number 3150-0014.

(b) The approved information collection requirements contained in this part appear in 10 CFR 20.1003, 20.1101, 20.1202, 20.1203, 20.1204, 20.1206, 20.1208, 20.1301, 20.1302, 20.1403, 20.1404, 20.1406, 20.1501, 20.1601, 20.1703, 20.1705, 20.1901, 20.1902, 20.1904, 20.1905, 20.1906, 20.2002, 20.2004, 20.2005, 20.2006, 20.2102, 20.2103, 20.2104, 20.2105, 20.2106, 20.2107, 20.2108, 20.2110, 20.2201, 20.2202, 20.2203, 20.2204, 20.2205, 20.2206, 20.2301, and Appendix G to 10 CFR Part 20.

(c) This part contains information collection requirements in addition to those approved under the control number specified in Paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In 10 CFR 20.2104, NRC Form 4 is approved under control number 3150-0005.

(2) In 10 CFR 20.2106 and 20.2206, NRC Form 5 is approved under control number 3150-0006.

(3) In 10 CFR 20.2006 and Appendix G to 10 CFR Part 20, NRC Form 540 and 540A are approved under control number 3150-0164.

(4) In 10 CFR 20.2006 and Appendix G to 10 CFR Part 20, NRC Form 541 and 541A are approved under control number 3150-0166.

(5) In 10 CFR 20.2006 and Appendix G to 10 CFR Part 20, NRC Form 542 and 542A are approved under control number 3150-0165.

Discussion:
In order for a rule to incorporate a requirement for licensees to report or to otherwise provide written information to NRC, or to maintain written records of their licensed activities, that requirement must first be approved by OMB. If approval is given, it is accompanied by an OMB control number. The activities covered under this rule include such things as documenting the radiation control program, maintaining exposure records, maintaining calibration and survey records, reporting personnel doses to NRC, and filing incident reports. The OMB control numbers for the information collection requirements in Part 20 are listed above.

Statement of Applicability:
All NRC licensees.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1101 RADIATION PROTECTION PROGRAMS

Statement of Requirement:
(a) Each licensee shall develop, document, and implement a radiation protection program commensurate with the scope and extent of licensed activities and sufficient to ensure compliance with the provisions of this part. (See 10 CFR 20.2102 for recordkeeping requirements relating to these programs.)

Discussion:
A licensee must have a written radiation protection program. The extent of the program depends on the magnitude and the complexity of the program operations and on the degree of risk to the workers and the public from its operation.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
Licensees are required to document their programs. Written procedures are generally the chief vehicle for licensee management to establish methods and processes to ensure proper and consistent implementation of their radiation protection programs. Procedures can include policy and technical issues, and are reviewed and approved by licensee management. A nuclear power plant licensee would be expected to have a considerably larger, more complex program than a materials licensee using only sealed sources.

List of Existing Regulatory Guidance Documents:

NUREG-1556	Consolidated Guidance About Materials Licenses, all applicable volumes
Reg. Guide 1.33	Revision 2, Appendix A, "Quality Assurance Program Requirements"

List of Implementing Guidance:

HPPOS-128	Interpretation – RG 1.33, Meaning of "Procedure Implementation...." STS Section 6.8.1. (Explains the meaning of the requirement to "implement" procedures at nuclear power plants.)
HPPOS-129	Humboldt Bay Radiation Protection Procedures. (Specific reading on meaning of "maintaining" procedures at a now-decommissioned nuclear power plant)
Q&A 7	What a radiographer has to do to comply with this requirement
Q&A 11	Answers administrative nature of documentation of plan
Q&A 99	Explains relationship of nuclear power plant emergency plans to this requirement
Q&A 134	Focuses on audit and review portions of this requirement
Q&A 381	Provides reason DG-8004 was not issued as final

Statement of Requirement:
(b) The licensee shall use, to the extent practical, procedures and engineering controls based upon sound radiation protection principles to achieve occupational doses and doses to members of the public that are as low as is reasonably achievable (ALARA).

Discussion:
Each licensee is required to use reasonable practices and controls to strive to maintain doses to the workers and to the public ALARA.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
Compliance with this requirement will be judged on whether the licensee has incorporated measures to track and, if necessary, to reduce exposures to workers and the public; it does not require doses to be an absolute minimum or that the licensee use all possible methods to reduce exposures. However, the licensee should be able to demonstrate that periodic reviews of performance have been made and that efforts have been made to achieve ALARA.

List of Existing Regulatory Guidance Documents:

Reg. Guide 8.8	Information Relevant to Ensuring that Occupational Radiation Exposures at Nuclear Power Plants Will Be As Low As Is Reasonably Achievable, Revision 3
Reg. Guide 8.10	Operating Philosophy for Maintaining Occupational Radiation Exposures as Low As Is Reasonably Achievable, Revision 2
Reg. Guide 8.18	Information Relevant to Ensuring that Occupational Radiation Exposures at Medical Institutions Will Be As Low As Reasonably Achievable
Reg. Guide 8.31	Information Relevant to Ensuring that Occupational Radiation Exposures at Uranium Mills Will Be As Low As Is Reasonably Achievable
Reg. Guide 8.37	ALARA Levels for Effluents from Material Facilities
Reg. Guide 8.39	Release of Patients Administered Radioactive Materials
Reg. Guide 3.56	General Guidance for Designing, Testing, and Operating, and Maintaining Emission Control Devices at Uranium Mills

List of Implementing Guidance:

HPPOS-091	Lead Shielding Attached to Safety-related Systems Without 10 CFR 50.59 Evaluations (Alerts nuclear power plant licensees of the need to analyze for impact of shielding placed on plant safety systems)
Q&A 60	Clarifies what records are needed for evaluations required by 20.1703 TEDE ALARA

Q&A 62	Provides inspection plans in ALARA area for nuclear power plants
Q&A 133	Explains meaning of "practicable," relative to the ALARA requirement
Q&A 381	Discusses status of outdated Regulatory Guides
Q&A 476	Discusses ALARA actions during declared emergencies

Statement of Requirement:
(c) The licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Statement of Applicability:
All NRC licensees.

Discussion:
At least once each year, each licensee shall review the radiation protection program content and determine if the written program is being implemented.

Guidance:
The review should be conducted at least once every 12 months by qualified persons who are knowledgeable of the on-site radiation program. Whenever practical, this review (or a portion of this review) should be performed by personnel who do not have direct responsibility over the program (independent of programmatic responsibility). The review should cover procedural compliance, technical adequacy, implementation, and effectiveness of the program. Lessons learned and suggested improvements from these reviews should be considered for program improvements.

List of Existing Regulatory Guidance Documents:

NUREG-1556	Consolidated Guidance About Materials Licenses, all applicable volumes
Reg. Guide 10.8	Guide for the Preparation of Applications for Medical Use Programs, Revision 2

List of Implementing Guidance:

Q&A 118	Allows some relief on the requirement to review the entire program each year and describes and gives guidance on audits
Q&A 134	Gives some insight on recordkeeping and this section's relationship to other audit requirements for Part 50 licensees
Q&A 380	Focuses on audit and review portions of this requirement

Statement of Requirement:
(d) To implement the ALARA requirements of 10 CFR 20.1101(b), and notwithstanding the requirements in 10 CFR 20.1301 of this part, a constraint on air emissions of radioactive material

to the environment, excluding Radon-222 and its daughters, shall be established by licensees other than those subject to 10 CFR 50.34a, such that the individual member of the public likely to receive the highest dose will not be expected to receive a total effective dose equivalent in excess of 10 mrem (0.1 mSv) per year from these emissions. If a licensee subject to this requirement exceeds this dose constraint, the licensee shall report the exceedance as provided in 10 CFR 20.2203 and promptly take appropriate corrective action to ensure against recurrence.

Discussion:
While the dose limits for individual members of the public are given in 10 CFR 20.1301, each licensee must also implement the ALARA requirements of 20.1101(b). To ensure that this ALARA requirement is met, each licensee (power reactors are exempt) shall establish a dose constraint of no more than 10 mrem in one year from airborne radioactive material releases. The licensee shall determine the individual member of the public who is most likely to receive the highest TEDE from airborne releases and keep that person's dose at or below 10 mrem. TEDE from Radon-222 releases (and all its daughter decay products) are not to be counted in the dose determination.

If the dose constraint is exceeded, the licensee must send NRC a written report describing the event. Additionally, the licensee must take actions to correct the cause of excessive releases so that the dose constraint is not exceeded again.

Statement of Applicability:
All NRC licensees other than power reactors.

Guidance Statement:
The dose constraint applies only to release of airborne radioactive effluents to the environment, and thus, generally the TEDE to the nearest member of the public. If the constraint is exceeded, NRC will review the licensee's corrective actions. Exceeding the dose constraint will not result in a notice of violation (NOV), but failure to report the exceedance would result in an NOV, as would failure to institute appropriate corrective actions to prevent reoccurrence.

Many licensees, like radiographers, well loggers and other users of sealed sources (in a form that would not cause airborne material releases to the environment) need not take any actions to demonstrate compliance with the constraint on releases.

List of Existing Regulatory Guidance:
Reg. Guide 4.20 Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other Than Power Reactors

List of Implementing Guidance:
N/A.

3.20.1201 OCCUPATIONAL DOSE LIMITS FOR ADULTS

Statement of Requirement:
(a) The licensee shall control the occupational dose to individual adults, except for planned special exposures under 10 CFR 20.1206, to the following dose limits:

(1) An annual limit, which is the more limiting of:

(i) The total effective dose equivalent being equal to 5 rems (0.05 Sv); or

(ii) The sum of the deep-dose equivalent and the committed dose equivalent to any individual organ or tissue other than the lens of the eye being equal to 50 rems (0.5 Sv).

(2) The annual limits to the lens of the eye, to the skin, and to the extremities, which are:

(i) A lens-dose equivalent of 15 rems (0.15 Sv); and

(ii) A shallow-dose equivalent of 50 rems (0.50 Sv) to the skin or to any extremity.

(b) Doses received in excess of the annual limits, including doses received during accidents, emergencies, and planned special exposures, must be subtracted from the limits for planned special exposures that the individual may receive during the current year (see 10 CFR 20.1206(e)(1)) and during the individual's lifetime (see 10 CFR 20.1206(e)(2)).

(c) The assigned deep-dose equivalent and shallow-dose equivalent must be for the part of the body receiving the highest exposure. The deep-dose equivalent, lens-dose equivalent, and shallow-dose equivalent may be assessed from surveys or other radiation measurements for the purpose of demonstrating compliance with the occupational dose limits, if the individual monitoring device was not in the region of highest potential exposure or the results of individual monitoring are unavailable.

(d) Derived air concentration (DAC) and annual limit on intake (ALI) values are presented in Table 1 of Appendix B to Part 20 and may be used to determine the individual's dose (see 10 CFR 20.2106) and to demonstrate compliance with the occupational dose limits.

(e) In addition to the annual dose limits, the licensee shall limit the soluble uranium intake by an individual to 10 milligrams in a week in consideration of chemical toxicity (see footnote 3 of Appendix B to Part 20).

(f) The licensee shall reduce the dose that an individual may be allowed to receive in the current year by the amount of occupational dose received while employed by any other person (see 10 CFR 20.2104(e)).

Discussion:
All NRC licensees are required to control radiation doses to individuals working in licensed activities who receive occupational exposure as a result of licensed and unlicensed activities. This section establishes the numerical limits on doses to these individuals, including limits on doses to individual organs of the body.

Paragraph (b) of this section concerns the situation where an individual's dose exceeds an annual limit. Section 20.1206 allows an individual to receive an additional 5 rem (0.05 Sv) in a year and 25 rem (0.25 Sv) in a lifetime during "planned special exposures." Paragraph (b) states that in the event that an individual receives an occupational dose (whether during routine work, accidents, emergencies, or planned special exposures) exceeding the annual limit, the excess must be subtracted from the total that is allowed under "planned special exposures."

With regard to monitoring the doses received by individuals, personnel dosimeters measure doses received by only a small portion of the body. It is possible for the body to be exposed to collimated or non-uniform radiation fields, or the body could shield the dosimeter. If so, the dosimeter may not record the highest dose received by the individual. Paragraph (c) of this section requires that, in monitoring, the dose recorded must reflect the highest dose received. If the dosimeter is not representative of the maximum dose, surveys or other measurements must be used to assess the actual maximum dose. This applies to whole body deep doses as well as shallow (skin) doses and doses to the lens of the eye.

For those individuals who are subject to work environments where the inhalation or ingestion of radioactive material is possible, Paragraph (d) addresses a mechanism that may be used for demonstrating compliance with the annual dose limits. Air concentration values and quantities of intake are provided that indicate the amount of radioactive material that can be taken into the body that would result in a dose equal to the annual dose limits.

Paragraph (f) of this section concerns doses received by individuals who may receive doses from activities for more than one employer. The total dose to an individual includes all doses received from all sources except background and non-occupational radiation exposure associated with medical care. If a radiation worker is required to be monitored for exposure by two or more employers, each licensee must account for all of the radiation doses received by the employee from all the other employers, even if the doses were derived from non-licensed activities. The total dose must not exceed the applicable NRC limit.

Statement of Applicability:
Paragraph (a) is applicable to all NRC licensees.

Paragraph (b) is only applicable in those cases where individuals receive planned special exposures under 10 CFR 20.1206.

Paragraph (c) is applicable to all NRC licensees required to monitor radiation doses.

Paragraph (d) is applicable to those NRC licensees who are required to assess internal doses.

Paragraph (f) is applicable to NRC licensees who have employees who receive occupational doses from other employment.

Guidance Statement:
Paragraph (a) establishes an annual limit on the TEDE (see definitions in 10 CFR 20.1003) of 5 rem (0.05 Sv). For most licensees, the TEDE is equivalent to the Deep-Dose Equivalent (DDE), which is commonly reported on personnel dosimetry reports. If your licensed program involves the potential for internal dose due to ingestion or inhalation of radioactive material, you may have to consider performing a more detailed evaluation of TEDE involving the summation of the DDE and the committed effective dose equivalent from intakes. The annual limit for any individual organ or tissue dose is 50 rems (0.5 Sv). This limit is the Total Organ Dose Equivalent (TODE). TODE is the sum of the Committed Dose Equivalent (CDE) from intakes and the DDE. Likewise, if a licensee's program involves the potential for significant dose to the lens of the eye, the skin, or any extremity, additional evaluations must be performed to assess those doses.

Sections 20.1201(a) and (c) preclude the use of weighting factors to account for non-uniform whole body exposure for deep dose equivalent, and require that the deep dose equivalent be based on the part of the body receiving the highest exposure. At this time, exceptions to these requirements require prior approval from NRC.

NRC considers the basic radiation protection recommendations of the International Commission on Radiological Protection (ICRP) and its U.S. counterpart, the National Council on Radiation Protection and Measurements (NCRP), for formulating basic radiation protection standards. In 1977, ICRP issued revised recommendations for a system of radiation dose limitation. This system, which was described in ICRP Publication 26, introduced a number of significant modifications to existing concepts and recommendations of the ICRP. The ICRP approach provides for selecting dose limits based on estimated risks comparing health risks in the nuclear industry with health risks in other industries and risks to members of the public with everyday risks, and adding doses from dissimilar exposure modes to obtain the total risk. NRC has adopted the basic tenets of the ICRP system of dose limitation. The current radiation protection standards in Part 20 are based on the following: (1) Within the range of exposure conditions usually encountered in radiation work, there is a linear relationship, without threshold, between dose and probability of stochastic health effects (such as latent cancer and genetic effects) occurring; (2) The severity of each type of stochastic health effect is independent of dose; and (3) Nonstochastic radiation-induced health effects can be prevented by limiting exposures so that doses are below the thresholds for their induction. The 5 rem (0.05 Sv) annual dose limit represents a total mortality risk of 8×10^{-4}. A more complete description of the health risks from occupational radiation exposure and the information that should be provided to workers is provided in Regulatory Guide 8.29.

The definition of shallow-dose equivalent (SDE) refers to two distinct areas of the body: the skin of the whole body and the skin of the extremities. The dose limits apply to any specified region of the skin, and the doses to different regions of the skin are not required to be added. This means that if an area on the abdomen receives an SDE during one job, and an area on the back receives an SDE during another job, the two doses need not be added to show compliance, but may be tracked separately through the dose monitoring period, which is one year. The same considerations apply to the extremities. This means that each arm and each lower leg may be exposed separately up to 50 rem (0.5 Sv) SDE. This method is advantageous in cases of skin contamination or in exposures to highly non-uniform fields.

Paragraph (f) is applicable to NRC licensees who have employees who receive occupational doses from other employment. Consider the case of a radiation worker, employed by an NRC licensee, assigned to an X-ray unit at a local hospital to perform X-ray calibrations. The X-ray machines are regulated by the State – not by NRC. Any dose received by the worker during the X-ray activity must be added to the doses received from an NRC-licensed activity to show compliance with the Part 20 dose limit, even though some of this dose was received from an activity not licensed by NRC. The responsibility to show compliance is with the worker's employer, who is the NRC licensee. The dose limits in Part 20 consider the total dose received by the worker from both NRC-licensed and other work activities, if a portion of the total dose is received from the NRC-licensed activity. The licensee may provide the employee with appropriate dosimetry to use during the outside work assignment, or the licensee may arrange with the hospital to monitor the worker during the assigned work and to provide the dose results to the licensee at the end of the assignment or at the end of the monitoring year, whichever comes first. In addition, occupational dose does not include contributions from background radiation or radiation exposure from medical procedures that the worker may receive as a patient.

List of Existing Regulatory Guidance Documents:

Reg. Guide 8.13	Instruction Concerning Prenatal Radiation Exposure
Reg. Guide 8.19	Occupational Radiation Dose Assessment in Light-Water Reactor Power Plants – Design Stage Man-Rem Estimates
Reg. Guide 8.29	Instruction Concerning Risks from Occupational Radiation Exposure
Reg. Guide 8.34	Monitoring Criteria and Methods to Calculate Occupational Radiation Doses

List of Implementing Guidance:

HPPOS-002	Overexposure of Diver During Work in Fuel Storage Pool
HPPOS-186	Determination of Radiation Exposure from Dosimeters
HPPOS-246	Enforcement Policy For Hot Particle Exposure – Answers to Three Questions
HPPOS-273	Technical Assistance Request, Evaluation of Comments on NRC Information Notice for Ophthalmic Applicators
IN No. 84-40	Emergency Worker Doses

IN No. 86-23	Excessive Skin Exposures Due to Contamination With Hot Particles
Q&A 2	Dose from non-NRC-licensed sources
Q&A 3	Hot particles
Q&A 6	Previous occupational exposure
Q&A 31	Student and volunteer exposures
Q&A 33	Dose limit for visitors
Q&A 34	Radiation limits in a controlled area
Q&A 41	Exposures from multiple employers
Q&A 45	Eye dose equivalent – use of glasses
Q&A 46	Eye dose equivalent – tissue depth
Q&A 77	Protected area vs. controlled area
Q&A 97	Doses received during accidents/emergencies
Q&A 100	Monitoring of eye dose equivalent
Q&A 123	Annual limit = year
Q&A 172	Limit to the head vs. eye dose equivalent
Q&A 175	Whole body dose when lead apron used
Q&A 176	Shallow-dose equivalent to multiple locations on body
Q&A 177	Annual limit on exposure to the head
Q&A 217	Radiation exposure at another facility
Q&A 414	Additional exposure above 5 rem (0.05 Sv) in a year
Q&A 415	Frequency of monitoring
Q&A 435	Deep-dose equivalent from hot particles
Q&A 436	Occupational dose received from another facility

3.20.1202 COMPLIANCE WITH REQUIREMENTS FOR SUMMATION OF EXTERNAL AND INTERNAL DOSES

Statement of Requirement:
(a) If the licensee is required to monitor under both 10 CFR 20.1502(a) and (b), the licensee shall demonstrate compliance with the dose limits by summing external and internal doses. If the licensee is required to monitor only under 10 CFR 20.1502(a) or only under 10 CFR 20.1502(b), then summation is not required to demonstrate compliance with the dose limits. The licensee may demonstrate compliance with the requirements for summation of external and internal doses by meeting one of the conditions specified in Paragraph (b) of this section and the conditions in Paragraphs (c) and (d) of this section.

> ***Note:*** The dose equivalents for the lens of the eye, the skin, and the extremities are not included in the summation, but are subject to separate limits.

(b) *Intake by inhalation.* If the only intake of radionuclides is by inhalation, the total effective dose equivalent limit is not exceeded if the sum of the deep-dose equivalent divided by the total effective dose equivalent limit, and one of the following, does not exceed unity:

(1) The sum of the fractions of the inhalation ALI for each radionuclide; or

(2) The total number of derived air concentration-hours (DAC-hours) for all radionuclides divided by 2,000; or

(3) The sum of the calculated committed effective dose equivalents to all significantly irradiated[3] organs or tissues (T) calculated from bioassay data using appropriate biological models and expressed as a fraction of the annual limit.

(c) *Intake by oral ingestion.* If the occupationally exposed individual also receives an intake of radionuclides by oral ingestion greater than 10% of the applicable oral ALI, the licensee shall account for this intake and include it in demonstrating compliance with the limits.

(d) *Intake through wounds or absorption through skin.* The licensee shall evaluate and, to the extent practical, account for intakes through wounds or skin absorption.

> ***Note:*** The intake through intact skin has been included in the calculation of DAC for hydrogen-3 and does not need to be further evaluated.

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[3] An organ or tissue is deemed to be significantly irradiated if, for that organ or tissue, the product of the weighting factor, w_T, and the committed dose equivalent, $H_{T,50}$, per unit intake is greater than 10% of the maximum weighted value of $H_{T,50}$, (i.e., $w_T H_{T,50}$) per unit intake for any organ or tissue.

Discussion:
Almost every exposure of the body involves the irradiation of more than one tissue and, therefore, NRC believes that it is appropriate to express radiation dose limits in terms of the total risk of all tissue irradiated. This means setting a single dose limit for uniform irradiation of the whole body. These dose limits are based on a system that is designed to ensure that the total risk from irradiation of parts of the body does not exceed that from uniform irradiation of the whole body. This involves the summation of doses from external irradiation of the body and the doses from the deposition of radioactive material in the body.

Statement of Applicability:
For most licensees, radiation exposure will be almost exclusively from sources of internal or external radiation (not both). For example, individuals using sealed sources, such as radiographers or gauge users, receive their radiation dose from sources that are external to the body. Since it is unlikely that these workers will receive any occupational internal exposure that would affect their overall radiation risk, it is unnecessary for such licensees to sum internal and external doses. There are, however, certain categories of licensees where workers are subject to internal as well as external exposure. In such cases, if the exposure is at a level where monitoring is required for both internal and external, then summation of these exposures is required.

Guidance Statement:
The first step in determining whether licensees need to sum internal and external doses is to determine if the licensees are required to monitor for both internal and external exposure. See the discussion under 10 CFR 20.1502 to determine if you are required to monitor for internal or external exposure.

NRC does not use the ALI in the regulation of worker exposures because allowable annual intakes may be substantially below the ALI if there are internal and external radiation exposures. This is because the ALI is calculated on the assumption that the external dose is zero, and the maximum intakes must be reduced below the ALI to allow for any external exposures. For example, if the external dose for the year is 1 rem (10 mSv), the intake that would deliver an effective dose equivalent of 1 rem (10 mSv) is 20% of an ALI, and the allowable intake for that year is, therefore, 80% of the ALI. In no case, however, is the total TEDE to exceed 5 rems per year.

List of Existing Regulatory Guidance:
N/A.

List of Current Implementing Guidance:
Q&A 9Summing the dose when internal exposure is less than 10% of the limit

Q&A 38 Use of bioassay results to determine if summing is required

Q&A 86 Definition of "per unit intake"

Q&A 101 Evaluations of exposure through skin

Q&A 180 Oral ingestion in addition to inhalation

Q&A 438 Summation of "voluntary" monitoring of internal exposure

List of Outdated Implementing Guidance:

Q&A 179 Evaluations of TEDE before July 1993

3.20.1203 DETERMINATION OF EXTERNAL DOSE FROM AIRBORNE RADIOACTIVE MATERIALS

Statement of Requirement:
Licensees shall, when determining the dose from airborne radioactive material, include the contribution to the deep-dose equivalent, lens-dose equivalent, and shallow-dose equivalent from external exposure to the radioactive cloud (see Appendix B to Part 20, Footnotes 1 and 2).

> *Note:* Airborne radioactivity measurements and DAC values should not be used as the primary means to assess the deep-dose equivalent when the airborne radioactive material includes radionuclides other than noble gases or if the cloud of airborne radioactive material is not relatively uniform. The determination of the deep-dose equivalent to an individual should be based upon measurements using instruments or individual monitoring devices.

Discussion:
This section requires that for situations where an individual is working in an area where airborne radioactive material exists, the licensee must consider the contribution that the airborne radioactivity makes to the total external exposure that the individual receives. Calculating internal dose from concentrations in air alone is insufficient. For noble gases, the DAC provided in Appendix B reflects the submersion dose; no internal dose needs to be addressed. For other nuclides, the licensee must account for the submersion dose in addition to the internal dose to obtain the TEDE.

Statement of Applicability:
This section applies to all licensees who have workers in areas where airborne concentrations of radioactivity exist.

Guidance Statement:
The regulation requires that the licensee consider the contribution of the airborne radioactivity to the total external dose (deep-dose equivalent). In most cases, this can be assessed through the use of normal personnel monitoring equipment or survey instrumentation.

For noble gases, airborne radioactivity measurements and DAC values can be used to determine the external dose from airborne radioactive material. However, a dose estimate based on the DAC value will generally overestimate the dose, since the assumption of a semi-infinite hemispherical source term is overly conservative for most work situations.

The preferred method of determining worker exposure to noble gases is by radiation dose measurements using personnel dosimeters. When the noble gas is a weak beta emitter, however, it is necessary to calculate the skin dose using measurements of the concentration of the gas to which the workers were exposed.

3.20.1204 (a)(b) DETERMINATION OF INTERNAL EXPOSURE

Statement of Requirement:
(a) For purposes of assessing dose used to determine compliance with occupational dose equivalent limits, the licensee shall, when required under 10 CFR 20.1502, take suitable and timely measurements of:

(1) Concentrations of radioactive materials in air in work areas; or

(2) Quantities of radionuclides in the body; or

(3) Quantities of radionuclides excreted from the body; or

(4) Combinations of these measurements.

(b) Unless respiratory protective equipment is used, as provided in 10 CFR 20.1703, or the assessment of intake is based on bioassays, the licensee shall assume that an individual inhales radioactive material at the airborne concentration in which the individual is present.

Discussion:
To determine worker exposures from intakes, licensees must either measure the airborne radioactivity in work areas or perform bioassay measurements, or a combination of the two. Bioassay measurements may be performed by either directly determining the radioactivity in the worker's body (e.g., whole body counting, thyroid monitoring, or *in vivo* monitoring) or indirectly assessing the intake of radioactive material by determining the radioactivity in excreta (e.g., urine or *in vitro* monitoring).

If workers do not use respirators in airborne radioactivity areas, and if bioassay measurements are not performed, licensees must use the concentration of airborne radioactivity in work areas when determining dose from intakes for those workers.

Statement of Applicability:
All licensees who are required to monitor worker doses from intakes in accordance with 10 CFR 20.1502(b).

Guidance Statement:
In conjunction with 10 CFR 20.1502(b), which requires licensees to monitor for likely intakes, 10 CFR 20.1204(a) and (b) prescribe how information obtained through monitoring is to be used when assessing exposures to workers from intakes.

NRC recommends that licensees consider the methods described in Reg. Guide 8.9, "Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program," for estimating intakes of radionuclides and determining the frequency of bioassay measurements.

3.20.1204 (a)(b) DETERMINATION OF INTERNAL EXPOSURE

Statement of Requirement:
(a) For purposes of assessing dose used to determine compliance with occupational dose equivalent limits, the licensee shall, when required under 10 CFR 20.1502, take suitable and timely measurements of:

(1) Concentrations of radioactive materials in air in work areas; or

(2) Quantities of radionuclides in the body; or

(3) Quantities of radionuclides excreted from the body; or

(4) Combinations of these measurements.

(b) Unless respiratory protective equipment is used, as provided in 10 CFR 20.1703, or the assessment of intake is based on bioassays, the licensee shall assume that an individual inhales radioactive material at the airborne concentration in which the individual is present.

Discussion:
To determine worker exposures from intakes, licensees must either measure the airborne radioactivity in work areas or perform bioassay measurements, or a combination of the two. Bioassay measurements may be performed by either directly determining the radioactivity in the worker's body (e.g., whole body counting, thyroid monitoring, or *in vivo* monitoring) or indirectly assessing the intake of radioactive material by determining the radioactivity in excreta (e.g., urine or *in vitro* monitoring).

If workers do not use respirators in airborne radioactivity areas, and if bioassay measurements are not performed, licensees must use the concentration of airborne radioactivity in work areas when determining dose from intakes for those workers.

Statement of Applicability:
All licensees who are required to monitor worker doses from intakes in accordance with 10 CFR 20.1502(b).

Guidance Statement:
In conjunction with 10 CFR 20.1502(b), which requires licensees to monitor for likely intakes, 10 CFR 20.1204(a) and (b) prescribe how information obtained through monitoring is to be used when assessing exposures to workers from intakes.

NRC recommends that licensees consider the methods described in Reg. Guide 8.9, "Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program," for estimating intakes of radionuclides and determining the frequency of bioassay measurements.

List of Existing Regulatory Guidance:

NUREG-0938	Information for Establishing Bioassay Measurements and Evaluations of Tritium Exposure
NUREG-1400	Air Sampling in the Workplace
NUREG/CR 4884	Interpretation of Bioassay Measurements
Reg. Guide 8.9	Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program
Reg. Guide 8.15	Acceptable Programs for Respiratory Protection
Reg. Guide 8.25	Air Sampling in the Workplace
Reg. Guide 8.34	Monitoring Criteria and Methods to Calculate Occupational Radiation Doses
Reg. Guide 8.36	Radiation Dose to the Embryo/Fetus

List of Outdated Regulatory Guidance:

Reg. Guide 8.11	Applications of Bioassay for Uranium
Reg. Guide 8.20	Applications of Bioassay for I-125 and I-131
Reg. Guide 8.22	Bioassay at Uranium Mills
Reg. Guide 8.26	Applications of Bioassay for Fission and Activation Products
Reg. Guide 8.32	Criteria for Establishing a Tritium Bioassay Program

List of Implementing Guidance:

HPPOS-47	Personnel Monitoring Requirements for an NRC/Agreement State-Licensed Contractor Working at a Part 50-Licensed Facility
HPPOS-94	Guidance Concerning 10 CFR 20.103 and Use of Pressure Demand SCBAs
HPPOS-233	Applicability of Regulatory Position 1.3 of Regulatory Guide 8.32 to Nuclear Reactor Facilities
HPPOS-255	Airborne Thorium from Welding Rods
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials and External Exposure Due to Inadequate Control of Work
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 95-51	Recent Incidents Involving Potential Loss of Control of Licensed Material
Q&A 43	Prospective Analyses
Q&A 44	Annual Prospective Analyses
Q&A 54	Respiratory Protection Credit

PART 20

Q&A 75	Transient Worker – Internal Dose Recordkeeping
Q&A 98	Historical Basis to Require Internal Monitoring at Power Plants
Q&A 114	Transient Worker – Internal Dose Recordkeeping
Q&A 126	Inclusion of External Doses from Effluents
Q&A 372	"Suitable and Timely" Measurements
Q&A 375	Acceptable Bioassay Frequency
Q&A 398	Transient Worker Internal Dose Recordkeeping

3.20.1204(c) ADJUSTMENTS TO DACs AND ALIs

Statement of Requirement:
(c) When specific information on the physical and biochemical properties of the radionuclides taken into the body or the behavior of the material in an individual is known, the licensee may:

(1) Use that information to calculate the committed effective dose equivalent, and, if used, the licensee shall document that information in the individual's record; and

(2) Upon prior approval of the Commission, adjust the DAC or ALI values to reflect the actual physical and chemical characteristics of airborne radioactive material (e.g., aerosol size distribution or density); and

(3) Separately assess the contribution of fractional intakes of Class D, W, or Y compounds of a given radionuclide (see Appendix B to Part 20) to the committed effective dose equivalent.

Discussion:
The ALIs and the DACs listed in Appendix B to 10 CFR Part 20 are based on generalized metabolic and biochemical properties. They are useful in determining the resultant dose to the reference man from a given intake, with the understanding that the physical and chemical forms of some radionuclides may behave differently in the body of a real person and result in a different dose. With this in mind, NRC will consider authorizing licensees to assign a committed effective dose equivalent that is different than that resulting from the use of ALI or DAC in Part 20, if the licensee has specific information regarding the behavior of the radionuclide. This approach may be used for calculating doses to a single worker, to a group of workers, or to an entire facility, based on the specific characteristics of the radionuclides used by the licensee. A licensee must receive prior NRC approval before adjusting the DAC or ALI for a radionuclide, based on specific information, such as known particle size and distribution from a specific licensee operation. In addition, licensees are not required to assume that intakes of radionuclides are a single solubility class when calculating the committed effective dose equivalent, if they know the fractional distribution. However, the licensee must have specific knowledge of the solubility class distribution of the intakes in order to use this approach.

Statement of Applicability:
This section is applicable to those licensees who wish to assign a dose, using adjusted ALIs and DACs, based on specific physical, chemical, or behavioral properties of radionuclides used in their facilities.

Guidance Statement:
Although the ALIs and DACs listed in Appendix B to 10 CFR Part 20 are based on the metabolic modeling used by the ICRP in Publication 30, NRC recognizes that these are general considerations using standard chemical forms and reference man metabolic modeling. Each individual's physiological characteristics and biochemical processes may be different. In

addition, the particulars of the exposure situation, such as particle size and solubility class distribution, will affect the lung compartment deposition fractions and the resultant biological clearances. Individual specific retention and excretion rates may be used in developing biokinetic models that differ from the reference man modeling. The quality and quantity of data used for this type of individual specific modeling should be sufficient to justify the revised model. Licensees should not attempt to develop individual specific retention and excretion fractions in the absence of actual biochemical and particle size information. NRC approval must be obtained prior to adjusting ALIs or DACs for any of these considerations.

List of Existing Regulatory Guidance:

NUREG-1400	Air Sampling in the Workplace
NUREG/CR 4884	Interpretation of Bioassay Measurements
Reg. Guide 8.25	Air Sampling in the Workplace
Reg. Guide 8.9	Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program

List of Implementing Guidance:

Q&A 47	Guidance on Adjusting DACs and ALIs
Q&A 458	"Weighted" and "Effective" DACs to Determine Dose

3.20.1204(d) DOSE FROM CLASS Y MATERIALS

Statement of Requirement:
(d) If the licensee chooses to assess intakes of Class Y material using the measurements given in 10 CFR 20.1204(a)(2) or (3), the licensee may delay the recording and reporting of the assessments for periods up to 7 months, unless otherwise required by 10 CFR 20.2202 or 20.2203, in order to permit the licensee to make additional measurements basic to the assessments.

Discussion:
Due to the relatively slow elimination rate of Solubility Class Y materials, licensees may take the extra time specified to perform additional bioassay measurements, either *in vivo*, *in vitro*, or both, in order to refine their calculations of the dose equivalent from intakes of those materials. However, if the licensee determines, based on initial air sampling and/or bioassay results, that a worker has received a CEDE or a CDE that exceeds NRC's limit, the licensee may not delay reporting and notification to NRC to allow for the additional measurements.

Statement of Applicability:
This section is applicable to those licensees who must assign dose equivalent from intakes of Class Y materials.

Guidance Statement:
No further guidance is necessary.

List of Existing Regulatory Guidance Documents:
N/A.

List of Implementing Guidance:
Q&A 183 Assignment of Dose from Class Y Materials

3.20.1204(e)(f)(g) DETERMINATION OF DAC FOR RADIONUCLIDES IN A MIXTURE

Statement of Requirement:
(e) If the identity and concentration of each radionuclide in a mixture are known, the fraction of the DAC applicable to the mixture for use in calculating DAC-hours must be either:

(1) The sum of the ratios of the concentration to the appropriate DAC value (e.g., D, W, Y) from Appendix B to Part 20 for each radionuclide in the mixture; or

(2) The ratio of the total concentration for all radionuclides in the mixture to the most restrictive DAC value for any radionuclide in the mixture.

(f) If the identity of each radionuclide in a mixture is known, but the concentration of one or more of the radionuclides in the mixture is not known, the DAC for the mixture must be the most restrictive DAC of any radionuclide in the mixture.

(g) When a mixture of radionuclides in air exists, licensees may disregard certain radionuclides in the mixture if:

(1) The licensee uses the total activity of the mixture in demonstrating compliance with the dose limits in 10 CFR 20.1201 and in complying with the monitoring requirements in 10 CFR 20.1502(b); and

(2) The concentration of any radionuclide disregarded is less than 10% of its DAC; and

(3) The sum of these percentages for all of the radionuclides disregarded in the mixture does not exceed 30%.

Discussion:
Licensees have two options for determining the fraction of the DAC for a mixture of known radionuclides in air. The first option is to total the fractional contributions of each radionuclide (see Note 4 to Appendix B, 10 CFR Part 20) in the mixture. The other option is to compare the total concentration of all the radionuclides in the mixture against the radionuclide with the smallest DAC. Although using the second option will conservatively overestimate the DAC fraction, it will indicate whether further evaluation of the airborne concentration and any resultant committed effective dose equivalent is necessary. Scenarios 1 and 2, below, highlight the possible results of using these different options in a particular case.

If the licensee has identified all of the radionuclides in a mixture but has not determined the concentration of one or more of the radionuclides, then the ratio of the total concentration to the smallest DAC value of the radionuclides is the fraction of the DAC for the mixture. This is true even if the smallest DAC value is for one of the radionuclides of known concentration in the mixture.

If a portion of the radionuclides in a mixture in air comprises only a small fraction of the total concentration, the licensee is not required to determine the DAC fractions and the dose contributions for those radionuclides. This approach is allowed, provided that the individual radionuclides and the total fractions disregarded do not exceed 10% and 30%, respectively. In addition, the total concentration of the mixture must include the contributions from any disregarded radionuclides, when determining compliance with the dose limits and the monitoring requirements.

Statement of Applicability:
This section is applicable to those licensees who monitor airborne concentrations involving mixtures of radionuclides.

Guidance Statement:
The following three scenarios are provided to aid in explaining the requirements in 10 CFR 20.1204(e), (f), and (g).

SCENARIO 1: A licensee performs air sampling analysis and identifies the following six radionuclides in the indicated concentrations (in microcuries per milliliter):

Isotope	Measured Concentration (microcuries per milliliter)	Derived Air Concentration Table 1, Col. 3, App. B 10 CFR Part 20 (microcuries per milliliter)
Cobalt-60, Y Class	6×10^{-10}	1×10^{-8}
Iodine-131	8×10^{-10}	2×10^{-8}
Iodine-133	2×10^{-8}	1×10^{-7}
Cesium-134	2×10^{-9}	4×10^{-8}
Cesium-137	3×10^{-9}	6×10^{-8}
Tantalum-183, Y Class	8×10^{-8}	4×10^{-7}

The licensee could either divide the concentration of each identified radionuclide by its DAC listed in Appendix B to Part 20, which would give a DAC fraction of:

$$\frac{6\times10^{-10}}{1\times10^{-8}} + \frac{8\times10^{-10}}{2\times10^{-8}} + \frac{2\times10^{-8}}{1\times10^{-7}} + \frac{2\times10^{-9}}{4\times10^{-8}} + \frac{3\times10^{-9}}{6\times10^{-8}} + \frac{8\times10^{-8}}{4\times10^{-7}} = 0.6 \text{ DAC}$$

Or the licensee could divide the entire concentration of the mixture (1.064×10^{-7}) by the most restrictive DAC for the listed radionuclides (1×10^{-8}, for cobalt-60, Class Y), which gives a conservative DAC fraction of 10.64. The licensee may use either DAC fraction for calculating DAC-hours to assess worker dose.

SCENARIO 2: The licensee performs air sampling analysis and identifies the same six radionuclides as in Scenario 1, but does not know the concentration of iodine-131 and tantalum-183. The total concentration of the mixture is also the same as in the previous scenario (1.064×10^{-7}). In this instance, the licensee must use the most restrictive DAC value of the radionuclides in the mixture (1×10^{-8}, for cobalt-60, Class Y) and determine a DAC fraction of 10.64. The licensee must use this DAC fraction for calculating DAC-hours to assess worker dose.

SCENARIO 3: The licensee performs air sampling analysis in a workplace and identifies a mixture of six radionuclides, having a total concentration of 1×10^{-7} microcuries per milliliter. The analysis determines that 80% of the total radioactivity is Radionuclide A, which has a DAC listed in Appendix B to Part 20 of 1×10^{-7} microcuries per milliliter. The concentrations and DAC values of the radionuclides present are:

Isotope	Measured Concentration (microcuries per milliliter)	Derived Air Concentration Table 1, Col. 3, App. B 10 CFR Part 20 (microcuries per milliliter)
Radionuclide A	8×10^{-8}	1×10^{-7}
Radionuclide B	1×10^{-8}	1×10^{-6}
Radionuclide C	2×10^{-9}	3×10^{-8}
Radionuclide D	3×10^{-9}	5×10^{-8}
Radionuclide E	2×10^{-9}	3×10^{-8}
Radionuclide F	3×10^{-9}	6×10^{-8}

To ease the calculation of dose and to determine further requirements for personnel monitoring, the licensee may disregard the radionuclides listed in the table, since each radionuclide is present at less than 10% of its respective DAC, and the total amount of the percentage disregarded is less than 30% of the total concentration. In this example, the licensee would take the entire concentration (1×10^{-7}) and use the DAC for Radionuclide A (1×10^{-7}) to arrive at a DAC fraction of 1.0 for determining the dose.

List of Existing Regulatory Guidance Documents:
N/A.

List of Implementing Guidance:

Q&A 121	Radionuclide Mixtures in Air
Q&A 146	Radionuclide Mixtures in Air
Q&A 437	Radionuclide Mixtures in Air
Q&A 453	Radionuclide Mixtures in Air

3.20.1204(h) CALCULATION OF COMMITTED EFFECTIVE DOSE EQUIVALENT (CEDE)

Statement of Requirement:
(h)(1) In order to calculate the CEDE, the licensee may assume that the inhalation of one ALI, or an exposure of 2,000 DAC-hours, results in a CEDE of 5 rems (0.05 Sv) for radionuclides that have their ALIs or DACs based on the CEDE.

(2) When the ALI (and the associated DAC) is determined by the nonstochastic organ dose limit of 50 rems (0.5 Sv), the intake of radionuclides that would result in a CEDE of 5 rems (0.05 Sv) (the stochastic ALI) is listed in parentheses in Table 1 of Appendix B to Part 20. In this case, the licensee may, as a simplifying assumption, use the stochastic ALIs to determine CEDE. However, if the licensee uses the stochastic ALIs, the licensee must also demonstrate that the limit in 10 CFR 20.1201(a)(1)(ii) is met.

Discussion:
Paragraph (1) defines an intake of 1 ALI to be equal to the inhalation of 2000 DAC-hours, which are both equal to 5 rems CEDE, when the ALI for a radionuclide is based on the stochastic dose limit.

Paragraph (2) allows licensees to calculate the CEDE from worker intakes based on the stochastic ALI, even in those cases when the nonstochastic ALI is the limiting value. If this approach is taken, the licensee must still determine that the TODE (CDE plus the DDE to the target organ) is less than 50 rems.

Statement of Applicability:
The requirements in Paragraph (1) are applicable to all licensees who are required to monitor worker intakes and to assign CEDEs to those intakes. Paragraph (2) is limited to those licensees who: (a) are required to monitor worker intakes from radionuclides with ALIs based on the nonstochastic value; and (b) who choose to use the stochastic ALI of those radionuclides for ease of calculating CEDEs from those intakes. The approach described in Paragraph (2) is optional. Licensees may chose to use the nonstochastic when assigning CEDEs from intakes.

Guidance Statement:
Paragraph (1) defines the regulatory relationship between CEDE and the ALI and DACs for the radionuclides listed in Appendix B to Part 20. The ALI and DAC values are based on ICRP 26 methodology and are rounded to one significant figure from the values listed in ICRP 30. This rounding will result in CEDEs that are greater than or less than the stochastic limit of 5 rems if the values were used in dose calculation equations based on ICRP 26 methodology.

For example, the stochastic ALI for iodine-131 in ICRP 30 is 162 microcuries. The stochastic ALI for this radionuclide in Appendix B to Part 20 is 200 microcuries. If we used an intake of 200 microcuries of iodine-131 in a year to calculate a worker's CEDE using equations based on

ICRP 26 methodology, we would arrive at a dose of 6.2 rems. In order to compensate for these inherent differences due to rounding, Part 20 defines an intake of 200 microcuries of iodine-131 as 5 rems CEDE.

Paragraph (2) allows licensees to use the stochastic ALI for a radionuclide to simplify the calculation of the CEDE, although a more limiting nonstochastic ALI is listed. When using this approach, the licensee must also ensure that the total organ dose equivalent for the target organ is less than 50 rems. For example, the limiting ALI for iodine-131 is the nonstochastic value of 50 microcuries, and the target organ is the thyroid. The stochastic ALI for iodine-131 is 200 microcuries. If a licensee determines through bioassay, air monitoring, or a combination of the two, that a worker takes in 49 microcuries of iodine-131 during the year, the licensee could use the stochastic ALI to arrive at a CEDE of (49/200)*5 rems = 1.225 rems. If the worker also receives a DDE of 3 rems, totaling the internal and external dose contributions results in a TEDE of 4.225 rems, which is less than the NRC limit.

Paragraph (2) also requires that the licensee ensure that the TODE is less than 50 rems. The 49 microcurie intake results in a CDE of (49/50)*50 rems = 49 rems. Adding the DDE of 3 rems to that results in a TODE of 52 rems, which would be an overexposure.

List of Existing Regulatory Guidance Documents:
N/A.

List of Implementing Guidance:
Q&A 461 Applicable ALIs

3.20.1206 PLANNED SPECIAL EXPOSURES

Statement of Requirement:
A licensee may authorize an adult worker to receive doses in addition to and accounted for separately from the doses received under the limits specified in 10 CFR 20.1201 provided that each of the following conditions is satisfied:

(a) The licensee authorizes a planned special exposure only in an exceptional situation when alternatives that might avoid the dose estimated to result from the planned special exposure are unavailable or impractical.

(b) The licensee (and employer if the employer is not the licensee) specifically authorizes the planned special exposure, in writing, before the exposure occurs.

(c) Before a planned special exposure, the licensee ensures that the individuals involved are:

(1) Informed of the purpose of the planned operation;

(2) Informed of the estimated doses and associated potential risks and specific radiation levels or other conditions that might be involved in performing the task; and

(3) Instructed in the measures to be taken to keep the dose ALARA considering other risks that may be present.

(d) Prior to permitting an individual to participate in a planned special exposure, the licensee ascertains prior doses as required by 10 CFR 20.2104(b) during the lifetime of the individual for each individual involved.

(e) Subject to 10 CFR 20.1201(b), the licensee does not authorize a planned special exposure that would cause an individual to receive a dose from all planned special exposures and all doses in excess of the limits to exceed:

(1) The numerical values of any of the dose limits in 10 CFR 20.1201(a) in any year; and

(2) Five times the annual dose limits in 10 CFR 20.1201(a) during the individual's lifetime.

(f) The licensee maintains records of the conduct of a planned special exposure in accordance with 10 CFR 20.2105 and submits a written report in accordance with 10 CFR 20.2204.

(g) The licensee records the best estimate of the dose resulting from the planned special exposure in the individual's record and informs the individual, in writing, of the dose within 30 days from the date of the planned special exposure. The dose from planned special exposures is not to be considered in controlling future occupational dose of the individual under 10 CFR 20.1201(a) but is to be included in evaluations required by 10 CFR 20.1206 (d) and (e).

Discussion:
A planned special exposure (PSE) is an infrequent exposure to radiation, separate from and in addition to the radiation received under the annual occupational limits. NRC recognizes that there may be exceptional situations at licensee's facilities where it may be necessary for an individual to receive these radiation exposures to accomplish some special task that is essential to the safe operation of the licensee's facility. A licensee can authorize, in any one year, an additional dose that is equal to the annual occupational dose limit, as long as the individual's total dose from PSEs does not exceed five times the annual dose limit during the individual's lifetime. The licensee must be able to demonstrate that the alternatives, e.g., spreading the work out among a number of individuals, are unavailable or impractical.

Statement of Applicability:
The requirements in this section are applicable to all NRC licensees. Because of the exceptional nature of the situations that would lead to such exposures, it is anticipated that few licensees will use these provisions.

Guidance Statement:
The purpose of the PSE rule is to provide licensees some degree of operational flexibility with regard to occupational dose. This flexibility is required because there may be special situations that could result in higher exposures than normally allowed and that, if not provided for, could create a severe problem in a licensee's operations, such as unscheduled facility shutdowns or high radiation levels that impede operations important to safety. For example, a situation may develop at a power plant that requires the special skills of a particular individual to address. It may be more practical for this single individual to accomplish the required task than to divide the task among three less-skilled individuals. This may be true even though the single individual would receive a greater dose than would any one of the other three individuals. In this situation, the collective dose, in terms of person-rem, may be higher for the three individuals than for the single individual. Reduction in collective dose should not be the sole justification for allowing a PSE, but it should always be considered as part of the justification.

The licensee must specifically authorize each PSE in writing before the exposure occurs. The licensee must also ensure that the individuals involved are: (1) informed of the purpose of the planned operation; (2) informed of the expected radiation levels, estimated doses, and associated risks or other conditions that may be involved in performing the task; and (3) instructed in measures to be taken to keep the dose ALARA while considering other risks that may be present. More specific regulatory guidance regarding PSEs is provided in Regulatory Guide 8.35.

List of Existing Regulatory Guidance:
Reg. Guide 8.35 Planned Special Exposures

List of Implementing Guidance:

Q&A 8	Circumstances where PSEs are permitted
Q&A 24	Routine use of PSEs by vendors or consultants
Q&A 63	Previous doses and 25-rem lifetime limit for PSEs
Q&A 109	PSEs and emergency medical procedures
Q&A 110	Source retrieval in radiography and PSEs
Q&A 135	PSEs as method of reducing collective dose
Q&A 136	Informing individuals regarding risk of PSEs
Q&A 137	NRC review of alternative analyses for PSEs
Q&A 191	Separate dosimeters for PSEs
Q&A 192	Dose limits as applicable to PSEs

3.20.1207 OCCUPATIONAL DOSE LIMITS FOR MINORS

Statement of Requirement:
The annual occupational dose limits for minors are 10% of the annual dose limits specified for adult workers in 10 CFR 20.1201.

Discussion:
Scientific evidence has shown that the radiation response in humans differs according to the age of the individual. For example, susceptibility to the induction of certain malignancies (e.g., leukemia) appears to be higher during childhood periods than during adult life. The regulations do not attempt to quantify the relative sensitivity of minors of different ages due to the magnitude of the uncertainties involved. For these reasons, all individuals under the age of 18 are limited to annual occupational doses that are 10% of the adult limits.

Statement of Applicability:
This requirement is applicable to all licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1208 DOSE TO AN EMBRYO/FETUS

Statement of Requirement:
(a) The licensee shall ensure that the dose equivalent to the embryo/fetus during the entire pregnancy, due to the occupational exposure of a declared pregnant woman, does not exceed 0.5 rem (5 mSv). (For recordkeeping requirements, see 10 CFR 20.2106.)

(b) The licensee shall make efforts to avoid substantial variation above a uniform monthly exposure rate to a declared pregnant woman so as to satisfy the limit in Paragraph (a) of this section.

(c) The dose equivalent to the embryo/fetus is the sum of:

(1) The deep-dose equivalent to the declared pregnant woman; and

(2) The dose equivalent to the embryo/fetus resulting from radionuclides in the embryo/fetus and radionuclides in the declared pregnant woman.

(d) If the dose equivalent to the embryo/fetus is found to have exceeded 0.5 rem (5 mSv), or is within 0.05 rem (0.5 mSv) of this dose, by the time the woman declares the pregnancy to the licensee, the licensee shall be deemed to be in compliance with Paragraph (a) of this section if the additional dose equivalent to the embryo/fetus does not exceed 0.05 rem (0.5 mSv) during the remainder of the pregnancy.

Discussion:
The relatively high radiosensitivity of the human embryo is well known. There are critical periods of organ development during the prenatal period when the effects of radiation exposure are more significant. For example, susceptibility to the induction of certain malignancies (e.g., leukemia) appears to be higher during the prenatal period than during adult life.

This section requires that each licensee ensure that the dose to an embryo/fetus during an entire pregnancy, from occupational exposure of a declared pregnant woman, does not exceed 0.5 rem (5 mSv). Paragraph (b) requires that the licensee make efforts to avoid substantial variation above a uniform monthly exposure rate to a declared pregnant woman that would satisfy the 0.5 rem (5 mSv) limit. Monthly exposures that are less than 100 millirem (1 mSv) are considered acceptable. The dose to the embryo/fetus is the sum of: (1) the DDE to the declared pregnant woman; and (2) the dose to the embryo/fetus from radionuclides in the embryo/fetus and from radionuclides in the declared pregnant woman. In the event that an embryo/fetus has already received 0.45 rem (4.5 mSv) or more by the time the woman declares her pregnancy, the licensee may allow the embryo/fetus to receive an additional dose equivalent of 0.05 rem (0.5 mSv) during the remainder of the pregnancy.

Statement of Applicability:
In order for the 0.5 rem exposure limit to apply, a woman must declare her pregnancy, in writing, to the licensee. A separate written declaration should be submitted for each pregnancy.

Guidance Statement:
The magnitude of the risk of childhood cancer following *in utero* exposure is uncertain in that the results from various studies have been inconclusive. However, the data from many of these studies "are consistent with a lifetime cancer risk resulting from exposure during gestation which is two to three times that for the adult" (NCRP Report No. 116). NRC has reviewed the available scientific literature and has concluded that the 0.5 rem (5 mSv) limit specified in this section provides adequate protection for the embryo/fetus. This dose limit reflects the desire to limit the total lifetime risk of leukemia and other cancers associated with radiation exposure during pregnancy. Specific guidance for determining the radiation dose to the embryo/fetus is provided in Regulatory Guide 8.36.

It is important to remember that a woman's decision to declare her pregnancy is entirely voluntary. It is the fundamental responsibility of the pregnant worker to decide when or whether she will formally declare her condition to her employer. This position is derived from court rulings concerning a pregnant woman's rights regarding termination of the pregnancy. Having a woman formally declare her pregnancy to her employer derives from legal, not from health, considerations. The licensee is only required to limit a pregnant worker's dose to 0.5 rem (5 mSv), if she chooses to declare her pregnancy. Even in the case where it is quite evident that the worker is pregnant, if she chooses not to declare her pregnancy, the licensee has no responsibility or authority to limit her dose or, in any other way, to restrict her activities. A declared pregnant woman also has the right to "undeclare" her pregnancy. In this event, the licensee must withdraw any restrictive measures or enhanced monitoring established to comply with the embryo/fetus dose limits. It might be prudent for a licensee to remind a pregnant, but undeclared, worker of the special limit for protection of the embryo/fetus of a declared pregnant woman and to provide another copy of Regulatory Guide 8.13 to her, but there is no regulatory requirement to do so.

List of Existing Regulatory Guidance:
Reg. Guide 8.13 Instruction Concerning Prenatal Radiation Exposure

Reg. Guide 8.36 Radiation Dose to the Embryo/Fetus

List of Implementing Guidance:
Q&A 59 Effect on UAW v. Johnson on Regulatory Guide 8.13

Q&A 84 Medical proof of declared pregnancy

Q&A 120 Dose received after declaration of pregnancy

Q&A 382 Undeclaring a pregnancy

Q&A 416 Frequency and duration of declarations

3.20.1301 DOSE LIMITS FOR INDIVIDUAL MEMBERS OF THE PUBLIC

Statement of Requirement:
(a) Each licensee shall conduct operations so that:

(1) The total effective dose equivalent to individual members of the public from the licensed operation does not exceed 0.1 rem (1 millisievert) in a year, exclusive of the dose contributions from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released in accordance with 10 CFR 35.75, from voluntary participation in medical research programs, and from the licensee's disposal of radioactive material into sanitary sewerage in accordance with 10 CFR 20.2003; and

(2) The dose in any unrestricted area from external sources, exclusive of the dose contributions from patients administered radioactive material and released in accordance with 10 CFR 35.75, does not exceed 0.002 rem (0.02 millisievert) in any one hour.

(b) If the licensee permits members of the public to have access to controlled areas, the limits for members of the public continue to apply to those individuals.

(c) A licensee or license applicant may apply for prior NRC authorization to operate up to an annual dose limit for an individual member of the public of 0.5 rem (5 mSv). The licensee or license applicant shall include the following information in this application:

(1) Demonstration of the need for and the expected duration of operations in excess of the limit in Paragraph (a) of this section;

(2) The licensee's program to assess and control dose within the 0.5 rem (5 mSv) annual limit; and

(3) The procedures to be followed to maintain the dose as low as is reasonably achievable.

(d) In addition to the requirements of this part, a licensee subject to the provisions of EPA's generally applicable environmental radiation standards in 40 CFR Part 190 shall comply with those standards.

(e) The Commission may impose additional restrictions on radiation levels in unrestricted areas and on the total quantity of radionuclides that a licensee may release in effluents in order to restrict the collective dose.

Discussion:
This section specifies the limits for public dose from licensed activities, including dose from transient activities (i.e., dose in any one hour) and cumulative activities over a year, and lists the sources of exposure that are excluded from the public dose limits. The section also provides a mechanism for obtaining NRC's specific approval of a higher annual public dose limit.

Statement of Applicability:
This regulation is applicable to all NRC licensees whose activities may result in exposure to members of the public.

Guidance Statement:
This section addresses two separate dose limits for licensed operations. One limit, 100 mrem, applies to the annual, cumulative dose to individual members of the public from licensed operations. To meet this limit, licensees most often will need to evaluate radiation levels and effluent concentrations within controlled areas of the site and at the boundaries of the facility. The evaluations may conclude that radiological conditions in controlled areas and/or at the boundaries are indistinguishable from background, and no additional monitoring may be necessary. In other cases, licensees may need to use environmental monitors (thermoluminescent dosimeters [TLDs] and air samplers) to assess the conditions.

Although licensed activities may result in radiation levels in a controlled area or in an unrestricted area that exceed 100 millirem in a year, the actual dose to a member of the public likely to be present in the controlled area or unrestricted area may, depending on occupancy, be below the 100 mrem limit. For example, through monitoring, a licensee may identify radiation levels of 320 millirem in a year at a neighboring location, such as an adjoining suite in an office complex. Through discussions with management staff of the neighbor, the licensee determines that the adjoining office is staffed 10 hours a day, five days a week, all year. Thus, the occupancy factor would be 0.3 (50 hours a week times 52 weeks a year divided by 8760 hours in a year). The resulting dose to a likely worker at the neighbor from licensee operations would be 96 millirem. If the neighbor's hours of operation increased, such as adding another work day, the licensee may need to reduce the radiation levels in the neighbor's facility, or refine the occupancy factor by determining that no employee of the neighbor averages more than 50 hours a week throughout the year.

The other limit is 2 millirem in any one hour in any unrestricted area from external sources. This limit is usually associated with transient activities. Such activities may include the use of licensed material in the public domain (e.g., temporary job site activities by radiographers or portable gauge users) and activities near restricted area boundaries at fixed facilities that result in elevated radiation levels in unrestricted areas (e.g., public sidewalks) for short periods of time.

This limit means that doses in unrestricted areas may not exceed 2 millirem in any period of 60 consecutive minutes, regardless of the instantaneous dose rates within that period of time. For example, a licensee's activities may result in an instantaneous dose rate in an unrestricted area of 120 millirem per hour, provided that the dose rate did not exist for more than one minute (1/60th of an hour). This would be allowable as long as the dose rate in the unrestricted area did not exceed background levels for the next 59 minutes, so that the total dose in that hour did not exceed 2 millirem. This limit applies to unrestricted areas, regardless of whether or not exposure occurs to an individual member of the public.

For the purposes of this regulation, public dose does not include contributions from: background radiation, radiation associated with the medical administration of licensed materials to the individual, exposure to individuals administered radioactive material and released in accordance with 10 CFR 35.75, voluntary participation in medical research programs, and the licensee's disposal of radioactive material into sanitary sewerage in accordance with 10 CFR 20.2003.

Public dose does include contributions from radioactive material packages within the licensee's control, such as packages prepared by it for shipment and awaiting pickup by a courier and packages received but not yet opened by the licensee. Once radioactive material packages meeting applicable requirements are shipped by a licensee, are in the possession of a courier, and are on a public thoroughfare outside the confines of the licensee's facility, the public dose limits no longer apply. Once the radioactive material packages are considered in transit (i.e., on a public thoroughfare outside the confines of the licensee's facility), the requirements in 10 CFR Part 71 and the Department of Transportation's regulations governing hazardous material transport provide adequate protection to members of the public who might be exposed.

The requirements for licensees demonstrating compliance with these public dose limits are contained in 10 CFR 20.1302.

List of Existing Regulatory Guidance:

NUREG-1556 Consolidated Guidance About Materials Licenses, all applicable final volumes

Reg. Guide 8.37 ALARA Levels for Effluents from Materials Facilities

List of Implementing Guidance:

HPPOS-042 Contaminated Soil at Big Rock Point

HPPOS-127 Transfer and/or Disposal of Spent Generators

HPPOS-196 Explosive Detectors for Use at Airports

HPPOS-251 Redefinition of Restricted Area Boundaries to Exclude an Area to be Used for Residential Quarters

HPPOS-286 Technical Assistance Request, Angell Memorial Animal Hospital, Boston, MA; Release to Unrestricted Area of Animals Containing Iodine-131

HPPOS-317 Technical Assistance Request, Use of Portable Shields for a High Dose Rate Afterloader Facility at Washington Hospital Center, Washington, D.C.

IN 82-33 Control of Radiation Levels in Unrestricted Areas Adjacent to Brachytherapy Patients

IN 91-16 Unmonitored Release Pathways from Slightly Contaminated Recycle and Recirculation Water at a Fuel Facility

IN 94-09	Release of Patients with Residual Radioactivity from Medical Treatment and Control of Areas Due to Presence of Patients Containing Radioactivity Following Implementation of Revised 10 CFR Part 20
IN 97-04	Implementation of a New Constraint on Radioactive Air Effluents
Q&A 42	Dose to breastfeeding infant due to intakes of iodine-131 by a technologist
Q&A 48	Meaning of "0.002 rem in any one hour"
Q&A 105	Demonstration of compliance with 2 mrem in any one hour limit
Q&A 106	Airborne radioactivity concentration limits in controlled areas
Q&A 111	Authorization for radiation levels in unrestricted areas above 100 millirem in a year
Q&A 125	Dose terms applicable to unrestricted area limits
Q&A 201	Basis for exclusion of dose from sanitary sewer releases from public dose limit
Q&A 203	Allowable dose in unrestricted areas not accessible to the public
Q&A 204	Periods of time that higher public dose limits will be authorized
Q&A 205	Application of "in any one hour" to dose limits
Q&A 206	Dose rates in unrestricted areas
Q&A 384	Impact of 10 CFR 20.1301 on nuclear power plants

3.20.1302 COMPLIANCE WITH DOSE LIMITS FOR INDIVIDUAL MEMBERS OF THE PUBLIC

Statement of Requirement:

10 CFR 20.1302 Compliance with Dose Limits for Individual Members of the Public

(a) The licensee shall make or cause to be made, as appropriate, surveys of radiation levels in unrestricted and controlled areas and radioactive materials in effluents released to unrestricted and controlled areas to demonstrate compliance with the dose limits for individual members of the public in 10 CFR 20.1301.

(b) A licensee shall show compliance with the annual dose limit in 10 CFR 20.1301 by:

(1) Demonstrating by measurement or calculation that the total effective dose equivalent to the individual likely to receive the highest dose from the licensed operation does not exceed the annual dose limit; or

(2) Demonstrating that:

(i) The annual average concentrations of radioactive material released in gaseous and liquid effluents at the boundary of the unrestricted area do not exceed the values specified in Table 2 of Appendix B to Part 20; and

(ii) If an individual were continuously present in an unrestricted area, the dose from external sources would not exceed 0.002 rem (0.02 mSv) in an hour and 0.05 rem (0.5 mSv) in a year.

(c) Upon approval from the Commission, the licensee may adjust the effluent concentration values in Appendix B to Part 20, Table 2, for members of the public, to take into account the actual physical and chemical characteristics of the effluents (e.g., aerosol size distribution, solubility, density, radioactive decay equilibrium, chemical form).

Discussion:
This section requires licensees either to take actions or have actions taken on their behalf to ensure that their licensed operations do not result in doses to individual members of the public in excess of the limits specified in 10 CFR 20.1301. The section provides for two principal means of demonstrating compliance with the annual dose limit for members of the public.

Statement of Applicability:
NRC licensees.

Guidance Statement:
This section provides licensees with two different methods for showing compliance with the public dose limit of 100 mrem in a year. The first method relies on any combination of calculations and measurements of the dose received by the member of the public receiving the highest dose from the licensed activity. That dose may result from any combination of external and internal exposures. The licensee must make an effort to determine who, or what group, receives the highest exposure. Depending on the details of the facility's operation, and the combination of external and internal doses, that person or group may be those living or working closest to the site, those living downwind of the plant, those who frequent the controlled or restricted areas and who may receive non-occupational exposures, or those of a particular age group.

For licensees whose expected public dose contributions from the licensed operation are significantly below the dose limits, it may be easier to show compliance using the second method. That method relies on showing that two conditions have been met: the concentrations of radioactive materials released to the environment, when averaged over a year, do not exceed those listed in Table (2) of Appendix B, and the external dose that would be received by anyone continuously present anywhere in the unrestricted area is less than 2 mrem in any one hour and less than 50 mrem in a year.

The concentrations of released materials are to be measured at the boundary of the unrestricted area. For many facilities, this means at the point of release to the atmosphere, such as the top of the stack, for airborne releases, and at the point of discharge to a body of water, for liquid releases. For large facilities in which the stack may be some distance from the site boundary and where there are no unrestricted areas within that site boundary, application of the regulation would not normally be at the point of release from the stack. The dose of 2 mrem in any one hour is not a dose rate but a dose in a period of an hour. This allows for short duration bursts of radiation that may produce dose rates much higher than 2 mrem/hr but that, when averaged over an hour, will be less than 2 mrem. Note that when showing compliance with external dose limits, occupancy factors are not permitted. In other words, even though no person is known to be continuously present in the unrestricted area, such a continuously present person must be assumed.

Although this section of the regulations addresses only the requirement to show compliance with the dose limits to members of the public, the regulations elsewhere (10 CFR 20.1101) require that the licensee also make every effort to keep the dose to members of the public as far below the 100 mrem/yr limit as possible. The annual dose from air emissions is also subject to a separate constraint of 10 mrem/yr (10 CFR 20.1101).

List of Existing Regulatory Guidance Documents:

NUREG-1556	Consolidated Guidance About Materials Licenses, all applicable final volumes

Reg. Guide 1.109	Calculation of Annual Doses to Man from Routine Releases of Reactor Effluents for the Purpose of Evaluating Compliance with 10 CFR Part 50, Appendix I
Reg. Guide 1.111	Methods for Estimating Atmospheric Transport and Dispersion of Gaseous Effluents in Routine Releases from Light-Water-Cooled Reactors
Reg. Guide 1.112	Calculation of Releases of Radioactive Materials in Gaseous and Liquid Effluents from Light-Water-Cooled Power Reactors
Reg. Guide 1.113	Estimating Aquatic Dispersion of Effluents from Accidental and Routine Reactor Releases for the Purpose of Implementing Appendix I
Reg. Guide 1.21	Measuring, Evaluating, and Reporting Radioactivity in Solid Wastes and Releases of Radioactive Materials in Liquid and Gaseous Effluents from Light-Water-Cooled Nuclear Power Plants
Reg. Guide 3.51	Calculational Models for Estimating Radiation Doses to Man from Airborne Radioactive Materials Resulting from Uranium Milling Operations
Reg. Guide 4.14	Radiological Effluent and Environmental Monitoring at Uranium Mills
Reg. Guide 4.15	Quality Assurance for Radiological Monitoring Programs (Normal Operations) – Effluent Streams and the Environment
Reg. Guide 4.16	Monitoring and Reporting Radioactivity in Releases of Radioactive Materials in Liquid and Gaseous Effluents from Nuclear Fuel Processing and Fabrication Plants and Uranium Hexafluoride Production Plants
Reg. Guide 4.20	Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees other than Power Reactors
Reg. Guide 8.37	ALARA Levels for Effluents from Materials Facilities

List of Implementing Guidance:

HPPOS-052	Effluent Reporting Requirements Per 10 CFR 20.405(a), "Reports of Overexposures and Excessive Levels and Concentrations"
HPPOS-088	Corrections for Sample Conditions for Air and Gas Monitoring
HPPOS-212	Dissolved Noble Gases in Liquid Effluents and Compliance with Technical Specifications 3.11.1
HPPOS-251	Redefinition of Restricted Area Boundaries to Exclude an Area to be Used for Residential Quarters
HPPOS-285	Technical Assistance Request Dated September 11, 1992, Regarding the University of Pittsburgh Incinerator Ash Disposal Request and New Information Applicable on August 6, 1991

HPPOS-317	Technical Assistance Request, Use of Portable Shields for a High Dose Rate Afterloader Facility at Washington Hospital Center, Washington, D.C.
IN 82-33	Control of Radiation Levels in Unrestricted Areas Adjacent to Brachytherapy Patients
IN 91-16	Unmonitored Release Pathways from Slightly Contaminated Recycle and Recirculation Water at a Fuel Facility
IN 94-09	Release of Patients with Residual Radioactivity from Medical Treatment and Control of Areas Due to Presence of Patients Containing Radioactivity Following Implementation of Revised 10 CFR Part 20
IN 97-04	Implementation of a New Constraint on Radioactive Air Effluents
Q&A 28	Annual Average Concentrations
Q&A 29	Public Dose Inside Controlled Areas
Q&A 68	Occupancy Factor
Q&A 69	Enforcement Policy Examples
Q&A 72	Unrestricted Area Monitoring for Materials Licensees
Q&A 102	Occupancy Factors
Q&A 103	External Sources of Radiation
Q&A 104	Public Dose Inside Controlled Areas
Q&A 207	Occupancy Factors
Q&A 208	Choice of Methods Used to Demonstrate Compliance
Q&A 417	Definition of Controlled Area
Q&A 427	External Sources of Radiation

3.20.1400 SUBPART E – RADIOLOGICAL CRITERIA FOR LICENSE TERMINATION

3.20.1401 GENERAL PROVISIONS AND SCOPE

Statement of Requirement:
(a) The criteria in this subpart apply to the decommissioning of facilities licensed under Parts 30, 40, 50, 60, 61, 70, and 72 of this chapter, as well as other facilities subject to the Commission's jurisdiction under the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended. For high-level and low-level waste disposal facilities (10 CFR Parts 60 and 61), the criteria apply only to ancillary surface facilities that support radioactive waste disposal activities. The criteria do not apply to uranium and thorium recovery facilities already subject to Appendix A to 10 CFR Part 40 or to uranium solution extraction facilities.

(b) The criteria in this subpart do not apply to sites which:

(1) Have been decommissioned prior to the effective date of the rule in accordance with criteria identified in the Site Decommissioning Management Plan (SDMP) Action Plan of April 16, 1992 (57 FR 13389);

(2) Have previously submitted and received Commission approval on a license termination plan (LTP) or decommissioning plan that is compatible with the SDMP Action Plan criteria; or

(3) Submit a sufficient LTP or decommissioning plan before August 20, 1998 and such LTP or decommissioning plan is approved by the Commission before August 20, 1999 and in accordance with the criteria identified in the SDMP Action Plan, except that if an EIS is required in the submittal, there will be a provision for day-for-day extension.

(c) After a site has been decommissioned and the license terminated in accordance with the criteria in this subpart, the Commission will require additional cleanup only if, based on new information, it determines that the criteria of this subpart were not met and residual radioactivity remaining at the site could result in significant threat to public health and safety.

(d) When calculating TEDE to the average member of the critical group the licensee shall determine the peak annual TEDE dose expected within the first 1000 years after decommissioning.

Discussion:
This rule specifies which NRC licensees are subject to the other requirements contained in Subpart E to Part 20. This rule also limits NRC's ability to require former licensees to complete additional decontamination of facilities formerly licensed by NRC and terminated in accordance with previously established release criteria.

Statement of Applicability:
This regulation specifically states to whom it applies. In general, all licensees who received an NRC license for the first time after the rule went into effect (August 20, 1997) are subject to the regulations in Subpart E of 10 CFR Part 20. Those former licensees who successfully completed decommissioning in accordance with an NRC-approved decommissioning plan prior to August 20, 1997 and those who have received NRC approval prior to August 20, 1999 of a site decommissioning plan submitted before August 20, 1998, are not subject to the requirements in Subpart E. If NRC determines that the radioactivity remaining on a previously decommissioned site subject to the criteria of this Subpart could result in a significant threat to public health and safety, NRC could require further clean up. However, because of the scope of Part 20 specified in 10 CFR 20.1003, Subpart E does not apply to non-licensees.

Guidance Statement:
No additional guidance necessary.

List of Existing Regulatory Guidance Documents:
NUREG-1727 NMSS Decommissioning Standard Review Plan

List of Implementing Guidance:
57 FR 13389 (4/16/92) Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan Sites

3.20.1402 RADIOLOGICAL CRITERIA FOR UNRESTRICTED USE

Statement of Requirement:
A site will be considered acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a TEDE to an average member of the critical group that does not exceed 25 mrem (0.25 mSv) per year, including that from groundwater sources of drinking water, and the residual radioactivity has been reduced to levels that are as low as reasonably achievable (ALARA). Determination of the levels which are ALARA must take into account consideration of any detriments, such as deaths from transportation accidents, expected to potentially result from decontamination and waste disposal.

Discussion:
NRC will consider a licensee's request to terminate its license if the residual radioactivity from licensed operations will not result in a TEDE to a member of the public in excess of the dose specified above and the licensee has made efforts to reduce the radioactivity to levels that are ALARA.

Statement of Applicability:
See the guidance provided for 10 CFR 20.1401, which specifies the licensees to whom the regulations in Subpart E to 10 CFR Part 20 apply.

Guidance Statement:
No additional guidance necessary.

List of Existing Regulatory Guidance:

NUREG-1575	Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM)
NUREG-1727	NMSS Decommissioning Standard Review Plan
NUREG/CR-2082	Monitoring for Compliance with Decommissioning Termination Survey Criteria
NUREG/CR-5849[4]	Manual for Conducting Radiological Surveys in Support of License Termination

List of Implementing Guidance:
N/A.

[4] Only applicable to licensees that have an approved decommissioning plan under the SDMP Action Plan or if this NUREG is listed in a license condition.

3.20.1403 CRITERIA FOR LICENSE TERMINATION UNDER RESTRICTED CONDITIONS

Statement of Requirement:
A site will be considered acceptable for license termination under restricted conditions if:

(a) The licensee can demonstrate that further reductions in residual radioactivity necessary to comply with the provisions of 10 CFR 20.1402 would result in net public or environmental harm or were not being made because the residual levels associated with restricted conditions are ALARA. Determination of the levels which are ALARA must take into account consideration of any detriments, such as traffic accidents, expected to potentially result from decontamination and waste disposal;

(b) The licensee has made provisions for legally enforceable institutional controls that provide reasonable assurance that the TEDE from residual radioactivity distinguishable from background to the average member of the critical group will not exceed 25 mrem (0.25 mSv) per year;

(c) The licensee has provided sufficient financial assurance to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance of the site. Acceptable financial assurance mechanisms are:

(1) Funds placed into an account segregated from the licensee's assets and outside the licensee's administrative control as described in 10 CFR 30.35(f)(1) of this chapter;

(2) Surety method, insurance, or other guarantee method as described in 10 CFR 30.35(f)(2) of this chapter;

(3) A statement of intent in the case of Federal, State, or local Government licensees, as described in 10 CFR 30.35(f)(4) of this chapter; or

(4) When a governmental entity is assuming custody and ownership of a site, an arrangement that is deemed acceptable by such governmental entity.

(d) The licensee has submitted a decommissioning plan or License Termination Plan (LTP) to the Commission indicating the licensee's intent to decommission in accordance with 10 CFR 30.36(d), 40.42(d), 50.82 (a) and (b), 70.38(d), or 72.54 of this chapter, and specifying that the licensee intends to decommission by restricting use of the site. The licensee shall document in the LTP or decommissioning plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and incorporated, as appropriate, following analysis of that advice.

(1) Licensees proposing to decommission by restricting use of the site shall seek advice from such affected parties regarding the following matters concerning the proposed decommissioning:

(i) Whether provisions for institutional controls proposed by the licensees:

(A) Will provide reasonable assurance that the TEDE from residual radioactivity distinguishable from background to the average member of the critical group will not exceed 25 mrem (0.25 mSv) TEDE per year;

(B) Will be enforceable; and

(C) Will not impose undue burdens on the local community or other affected parties.

(ii) Whether the licensee has provided sufficient financial assurance to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance of the site.

(2) In seeking advice on the issues identified in 10 CFR 20.1403(d)(1), the licensee shall provide for:

(i) Participation by representatives of a broad cross-section of community interests who may be affected by the decommissioning;

(ii) An opportunity for a comprehensive, collective discussion on the issues by the participants represented; and

(iii) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement and disagreement among the participants on the issues; and

(e) Residual radioactivity at the site has been reduced so that if the institutional controls were no longer in effect, there is reasonable assurance that the TEDE from residual radioactivity distinguishable from background to the average member of the critical group is as low as reasonably achievable and would not exceed either:

(1) 100 mrem (1 mSv) per year; or

(2) 500 mrem (5 mSv) per year provided that the licensee:

(i) Demonstrates that further reductions in residual radioactivity necessary to comply with the 100 mrem/y (1 mSv/y) value of Paragraph (e)(1) of this section are not technically achievable, would be prohibitively expensive, or would result in net public or environmental harm;

(ii) Makes provisions for durable institutional controls;

(iii) Provides sufficient financial assurance to enable a responsible government entity or independent third party, including a governmental custodian of a site, both to carry out periodic rechecks of the site no less frequently than every 5 years to assure that the institutional controls remain in place as necessary to meet the criteria of 10 CFR 20.1403(b) and to assume and carry out responsibilities for any necessary control and maintenance of those controls. Acceptable financial assurance mechanisms are those in Paragraph (c) of this section.

Discussion:
This regulation provides for NRC approval of license termination in those rare instances when licensees are unable to reduce residual radioactivity onsite below those levels that would result in a TEDE to members of the public of 25 millirem. The regulation specifies the types of compensatory measures necessary to release such facilities and terminate the license.

Statement of Applicability:
See the guidance provided for 10 CFR 20.1401, which specifies the licensees to whom the regulations in Subpart E to 10 CFR Part 20 apply.

Guidance Statement:
No additional guidance necessary.

List of Existing Regulatory Guidance Documents:
NUREG-1727 NMSS Decommissioning Standard Review Plan

List of Implementing Guidance:
N/A.

3.20.1404 ALTERNATE CRITERIA FOR LICENSE TERMINATION

Statement of Requirement:
(a) The Commission may terminate a license using alternate criteria greater than the dose criterion of 10 CFR 20.1402, 20.1403(b), and 20.1403(d)(1)(i)(a), if the licensee:

(1) Provides assurance that public health and safety would continue to be protected, and that it is unlikely that the dose from all man-made sources combined, other than medical, would be more than the 1 mSv/y (100 mrem/y) limit of subpart D, by submitting an analysis of possible sources of exposure;

(2) Has employed to the extent practical restrictions on site use according to the provisions of 10 CFR 20.1403 in minimizing exposures at the site; and

(3) Reduces doses to ALARA levels, taking into consideration any detriments such as traffic accidents expected to potentially result from decontamination and waste disposal;

(4) Has submitted a decommissioning plan or License Termination Plan (LTP) to the Commission indicating the licensee's intent to decommission in accordance with 10 CFR 30.36(d), 40.42(d), 50.82 (a) and (b), 70.38(d), or 72.54 of this chapter, and specifying that the licensee proposes to decommission by use of alternate criteria. The licensee shall document in the decommissioning plan or LTP how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and addressed, as appropriate, following analysis of that advice. In seeking such advice, the licensee shall provide for:

(i) Participation by representatives of a broad cross-section of community interests who may be affected by the decommissioning;

(ii) An opportunity for a comprehensive, collective discussion on the issues by the participants represented; and

(iii) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement and disagreement among the participants on the issues.

(b) The use of alternate criteria to terminate a license requires the approval of the Commission after consideration of the NRC staff's recommendations that will address any comments provided by the Environmental Protection Agency and any public comments submitted pursuant to 10 CFR 20.1405.

Discussion:
Licensees may use alternate criteria for obtaining NRC approval to terminate their licenses when the residual contamination remaining after decommissioning results in a calculated dose to members of the public in excess of 25 millirem per year. In order to use this alternate criteria, licensees must ensure that (1) the maximum dose to members of the public will not exceed

100 millirem per year; (2) use of the property has been restricted as much as practical; (3) the contamination is as low as is reasonably achievable; and (4) community advice has been solicited on its license termination plans and has been factored into its plans. Decisions to accept proposed alternate decommissioning criteria are made by the NRC Commissioners, based on input from the NRC staff, the EPA, and the public. It is expected that these alternate criteria for license termination will see only limited use.

Statement of Applicability:
See the guidance provided for 10 CFR 20.1401, which specifies the licensees to whom the regulations in Subpart E to 10 CFR Part 20 apply.

Guidance Statement:
No additional guidance necessary.

List of Existing Regulatory Guidance:
NUREG-1727 NMSS Decommissioning Standard Review Plan

List of Implementing Guidance
N/A.

3.20.1405 PUBLIC NOTIFICATION AND PUBLIC PARTICIPATION

Statement of Requirement:
Upon the receipt of an LTP or decommissioning plan from the licensee, or a proposal by the licensee for release of a site pursuant to 10 CFR 20.1403 or 20.1404, or whenever the Commission deems such notice to be in the public interest, the Commission shall:

(a) Notify and solicit comments from:

(1) Local and State governments in the vicinity of the site and any Indian Nation or other indigenous people that have treaty or statutory rights that could be affected by the decommissioning; and

(2) The Environmental Protection Agency for cases where the licensee proposes to release a site pursuant to 10 CFR 20.1404.

(b) Publish a notice in the *Federal Register* and in a forum, such as local newspapers, letters to State or local organizations, or other appropriate forum, that is readily accessible to individuals in the vicinity of the site, and solicit comments from affected parties.

Discussion:
NRC will solicit input from the community near a site proposed by a licensee for release under restricted conditions and from the EPA when it is likely that release of the site proposed will result in doses to members of the public in excess of 25 millirem per year.

Statement of Applicability:
See the guidance provided for 10 CFR 20.1401, which specifies the licensees to whom the regulations in Subpart E to 10 CFR Part 20 apply.

Guidance Statement:
No additional guidance necessary.

List of Existing Regulatory Guidance:
NUREG-1727 NMSS Decommissioning Standard Review Plan

List of Implementing Guidance:
N/A.

3.20.1406 MINIMIZATION OF CONTAMINATION

Statement of Requirement:
Applicants for licenses, other than renewals, after August 20, 1997, shall describe in the application how facility design and procedures for operation will minimize, to the extent practicable, contamination of the facility and the environment, facilitate eventual decommissioning, and minimize, to the extent practicable, the generation of radioactive waste.

Discussion:
When designing facilities and developing procedures for their safe use, applicants need to think ahead and consider how to minimize radioactive contamination during operation, decontamination and decommissioning efforts, and radioactive waste generation.

Statement of Applicability:
See the guidance provided for 10 CFR 20.1401, which specifies the licensees to whom the regulations in Subpart E to 10 CFR Part 20 apply.

Guidance Statement:
This regulation is intended to minimize the potential impact and costs associated with decommissioning activities, beginning with the application process for new licenses. To achieve this goal, new applicants should consider:

- Implementing and adhering to good health physics practices in operations;
- Minimizing areas, to the extent practical, where licensed materials are used and stored;
- Establishing a frequency and scope of surveys that will identify and minimize the spread of contamination;
- Choosing short half-life isotopes for use and considering the chemical composition, whenever practical;
- Ensuring filtration of effluent streams;
- Using non-porous materials in radioactive material use and storage areas;
- Employing ventilation stacks and ductwork with minimal lengths and minimal abrupt changes in direction;
- Using appropriate plumbing materials with minimal pipe lengths and traps;
- Minimizing the number of sites (sinks and drains) where liquid waste is disposed.

List of Existing Regulatory Guidance:
NUREG-1727 NMSS Decommissioning Standard Review Plan

List of Implementing Guidance:
N/A.

3.20.1500 SUBPART F – SURVEYS AND MONITORING

3.20.1501(a) GENERAL

Statement of Requirement:
(a) Each licensee shall make or cause to be made, surveys that:

(1) May be necessary for the licensee to comply with the regulations in this part; and

(2) Are reasonable under the circumstances to evaluate:

(i) The magnitude and extent of radiation levels; and

(ii) Concentrations or quantities of radioactive material; and

(iii) The potential radiological hazards.

Discussion:
Each licensee is required to perform evaluations of the actual and potential radiological hazards presented by their activities involving radioactive materials. These activities include the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation. The surveys may include the use of radiation detection or monitoring instruments to perform measurements of radiation or concentrations of radioactive material. In addition, surveys may include measurements or calculations of levels of radiation, or concentrations or quantities of radioactive material present. Surveys are typically necessary to demonstrate that the licensee complies with specific requirements in 10 CFR Part 20.

Statement of Applicability:
This section is applicable to all licensees. The number, type, and scope of surveys that are necessary and reasonable to demonstrate compliance with the requirements in 10 CFR Part 20 vary by licensee depending on the nature of activities performed.

Guidance Statement:
Review the definition of "survey" in 10 CFR 20.1003 for additional guidance on what does and does not constitute an adequate survey. Typical surveys may include such things as: routine radiological surveys in work areas (e.g., prejob surveys), so that administrative stay time limits may be set to ensure that occupational doses are as low as reasonably achievable, in accordance with 10 CFR 20.1101 and 20.1201; analyses of liquid radioactive wastes prior to discharge to the sanitary sewer to ensure that the concentration and total quantity discharged are within the limits specified in 10 CFR 20.2003; and evaluations of the kinds and quantities of radioactive materials handled by workers to determine if bioassays are necessary to assess worker doses from intakes in accordance with 10 CFR 20.1204 and 20.1502.

This requirement has, by its very nature, broad applications. Below are examples of the types of surveys that are reasonable and necessary to comply with the requirements in Part 20:

10 CFR 20.1201. This requirement limits the doses to workers, and therefore licensees must be familiar with the radiation levels in work areas. Conducting routine surveys in restricted areas usually provides this information. The frequency of the surveys is dependent on the variability and magnitude of the radiation levels in restricted areas and on the transient nature of work with radioactive materials or sources of radiation. It is unacceptable for a licensee to simply issue personnel monitoring devices (film badges or thermoluminescent dosimeters) to workers without providing a thorough understanding of the radiological conditions in which they work.

10 CFR 20.1301. Comparable to the requirement discussed above, this regulation limits doses to members of the public; therefore, licensees must be familiar with the radiation levels in unrestricted areas and with the concentrations of radioactive effluents at the site boundary or other unrestricted area marker. Surveys to ensure that public doses are within regulatory limits may include routine radiation level surveys in unrestricted areas, the use of environmental thermoluminescent dosimeters to assess cumulative dose in appropriate unrestricted areas, and monitoring or calculations of public dose from effluents. Depending on the nature of the licensee's activities, it may be appropriate to place monitoring devices in or near neighboring businesses and residential areas. This would require discussions with those neighbors to obtain permission for the monitoring.

10 CFR 20.1502. This regulation requires that licensees monitor worker exposures if the workers are likely to exceed 10% of the applicable limits for internal or external exposure. This necessitates a physical survey or calculation of likely exposures to identify those workers for whom the licensee must provide monitoring, such as personnel dosimetry, air sampling in the workplace, or performing bioassay measurements. Although some licensees may monitor the exposure of many or all of their workers, it may be beneficial to determine the workers for whom monitoring is required by NRC regulations versus those workers whom the licensee monitors for other reasons, such as liability, or at the worker's request.

These examples are not intended to be exhaustive, but are meant to illustrate types of surveys that may be necessary and reasonable for licensee compliance with Part 20 requirements.

List of Existing Regulatory Guidance:

NUREG-1556	Consolidated Guidance About Materials Licenses, all applicable final volumes
Reg. Guide 8.21	Health Physics Surveys for Byproduct Material at NRC-Licensed Processing and Manufacturing Plants
Reg. Guide 8.23	Radiation Safety Surveys at Medical Institutions

Reg. Guide 8.24	Health Physics Surveys During Enriched Uranium-235 Processing and Fuel Fabrication
Reg. Guide 8.30	Health Physics Surveys in Uranium Mills

List of Implementing Guidance:

Bulletin 80-10	Contamination of Nonradioactive System and Resulting Potential for Unmonitored, Uncontrolled Release of Radioactivity to the Environment (See HPPOS-79)
HPPOS-2	Overexposure of Diver During Work in Fuel Storage Pool
HPPOS-7	Monitoring of Radioactive Release Via Storm Drains
HPPOS-10	10 CFR 20.201(b), "Surveys," Final Rule – Effective November 20, 1981
HPPOS-13	Averaging of Radiation Levels Over the Detector Probe Area
HPPOS-47	Personnel Monitoring Requirements for an NRC/Agreement State Licensed Contractor Working at a Part 50-Licensed Facility
HPPOS-71	Control of Radioactively Contaminated Material
HPPOS-72	Guide on "How Hard You Have to Look" as Part of Radioactive Contamination Control Program
HPPOS-73	Surveys of Wastes from Nuclear Reactor Facilities Before Disposal
HPPOS-79	Contamination of Nonradioactive System and Resulting Potential for Unmonitored, Uncontrolled Release of Radioactivity to the Environment
HPPOS-88	Corrections for Sample Conditions for Air and Gas Monitoring
HPPOS-106	Use of Hydro Nuclear Service Dry Active Waste Disposal
HPPOS-122	Clarification of Regulatory Guide 1.21, Section C.10, "Sensitivity"
HPPOS-138	Interpretation of 10 CFR 20.201(b), "Survey Requirements"
HPPOS-186	Determination of Radiation Exposure from Dosimeters
HPPOS-223	Consideration of Measurement Uncertainty When Measuring Radiation Levels Approaching Regulatory Limits
HPPOS-233	Applicability of Regulatory Position 1.3 of Regulatory Guide 8.32 to Nuclear Reactor Facilities
HPPOS-250	Monitoring at Nuclear Power Plants for Contamination by Radionuclides that Decay by Electron Capture
HPPOS-255	Airborne Thorium From Welding Rods
HPPOS-296	Technical Assistance Request Concerning Posting per 10 CFR 34.42 and Surveys per 10 CFR 20.201

HPPOS-300	Letter Dated May 20, 1992, Regarding Alternative Method of Disposal for Contaminated Plastic Test Tubes
HPPOS-318	Technical Assistance Request, Authorization of Employee Eating and Drinking Areas in Labs at Veterans Administration Medical Center, Martinez, California
IN 83-59	Dose Assignment for Workers in Non-Uniform Radiation Fields
IN 91-30	Inadequate Calibration of TLDs Utilized to Monitor Extremity Dose at Uranium Processing and Fabrication Facilities
IN 93-39	Radiation Beams From Power Reactor Biological Shields
IN 94-16	Recent Incidents Resulting in Offsite Contamination
IN 95-51	Recent Incidents Involving Potential Loss of Control of Licensed Material
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials And External Exposure Due to Inadequate Control of Work
IN 98-18	Recent Contamination Incidences Resulting from Failure to Perform Adequate Surveys
Q&A 98	Historical Basis to Require Internal Monitoring at Power Plants
Q&A 458	"Weighted" and "Effective" DACs to Determine Dose

3.20.1501(b) INSTRUMENT CALIBRATION

Statement of Requirement:
(b) The licensee shall ensure that instruments and equipment used for quantitative radiation measurements (e.g., dose rate and effluent monitoring) are calibrated periodically for the radiation measured.

Discussion:
Licensees must ensure that instruments used to measure radiation levels or analyze for radioactivity are capable of accurately detecting the radiation or radioactivity of interest. This is normally accomplished by periodically comparing an instrument's output (e.g., scale reading) against a known quantity of radiation or radioactivity and adjusting the output to indicate values that are within acceptable tolerances (e.g., percent error). This comparison is known as a calibration. While this regulation does not specify the frequency of such calibrations, other parts of 10 CFR do specify such frequencies, e.g., 10 CFR 34.25 for industrial radiography licensees.

Statement of Applicability:
This section is applicable to all licensees who are required to perform quantitative radiation measurements, such as area dose rate measurements, surveys for non-fixed radioactive contamination, or concentrations of radioactive materials in effluents.

Guidance Statement:
Instruments used for quantitative measurements must be calibrated to ensure that they are capable of accurately determining the quantity of radiation or radioactivity that may be present. Several NRC guidance documents (e.g., the NUREG-1556 series of consolidated guidance for materials licenses) provide model procedures for performing instrument calibrations and suggest frequencies for performing such calibrations. When developing a calibration frequency for its own use, a licensee must consider several factors, including, but not limited to, the stability of the instrument output over time (e.g., direct-reading dosimeters versus electrometers) and the environment in which the instrument will be used (e.g., stationary, laboratory counting equipment versus field radiography survey instruments). NRC has typically recommended that inherently stable instruments used with care should be calibrated every 12 months. Instruments that are less stable or are used in rugged environments should be calibrated more frequently.

List of Existing Regulatory Guidance:

NUREG-1556	Consolidated Guidance About Materials Licenses, all applicable final volumes
Reg. Guide 8.6	Standard Test Procedure for Geiger-Muller Counters

List of Implementing Guidance:

Bulletin 97-001	Potential for Erroneous Calibration, Dose Rate, or Radiation Exposure Measurements with Certain Victoreen Model 530 and 530SI Electrometer/Dose-Meters

HPPOS-1	Proposed Guidance for Calibration and Surveillance Requirements to Meet Item II.F.1 of NUREG-0737
HPPOS-88	Corrections for Sample Conditions for Air and Gas Monitoring
HPPOS-279	Technical Assistance Request Regarding Electronic Calibration of Survey Instruments
HPPOS-328	Proper Operation and Use of Alarm Dosimeters at Nuclear Power Plants
IN 93-30	NRC Requirements for Evaluation of Wipe Test Results; Calibration of Count Rate Survey Instruments
Q&A 147	Calibration Frequency
Q&A 209	Calibration Frequency

3.20.1501(c) DOSIMETRY PROCESSING

Statement of Requirement:
(c) All personnel dosimeters (except for direct and indirect reading pocket ionization chambers and those dosimeters used to measure the dose to the extremities) that require processing to determine the radiation dose and that are used by licensees to comply with 10 CFR 20.1201, with other applicable provisions of this chapter, or with conditions specified in a license must be processed and evaluated by a dosimetry processor:

(1) Holding current personnel dosimetry accreditation from the National Voluntary Laboratory Accreditation Program (NVLAP) of the National Institute of Standards and Technology; and

(2) Approved in this accreditation process for the type of radiation or radiations included in the NVLAP program that most closely approximates the type of radiation or radiations for which the individual wearing the dosimeter is monitored.

Discussion:
Licensees who use personnel dosimetry devices (except as noted below) that require processing to determine worker exposures to radiation must have the dosimeters processed by someone who holds the required accreditation. Licensees may process their own dosimeters, as long as they hold the accreditation. The accreditation must be for the type of radiation for which dosimetry is provided. For example, if the exposure is from high energy gamma rays, then the processor's accreditation must include that type of radiation. It is the licensee's responsibility to ensure that the processor holds the appropriate accreditation. Without specific approval from NRC, such as through an exemption, licensees may not use dosimetry to provide required monitoring from processors who do not hold NVLAP accreditation.

Statement of Applicability:
This regulation is applicable to all licensees who are required to provide dosimetry equipment to monitor worker radiation exposures and who use equipment that must be processed in order to determine the dose. Devices used to monitor extremity exposures are excluded from the accreditation requirements, as are monitors that do not require processing, such as direct and indirect reading pocket ionization chambers and electronic dosimeters.

Guidance Statement:
No additional guidance necessary.

List of Existing Regulatory Guidance:
Reg. Guide 8.4 Direct-Reading and Indirect-Reading Pocket Dosimeters

Reg. Guide 8.14 Personnel Neutron Dosimeters

Reg. Guide 8.28 Audible Alarm Dosimeters

Reg. Guide 8.34 Monitoring Criteria and Methods to Calculate Occupational Radiation Doses

List of Implementing Guidance:

HPPOS-186 Determination of Radiation Exposure from Dosimeters

HPPOS-224 Blind Spiking of Personnel Dosimeters and the Inspection Program

HPPOS-268 Technical Assistance Request, BP International Limited Request for and Exemption from 10 CFR 20.202(c)

HPPOS-328 Proper Operation and Use of Alarm Dosimeters at Nuclear Power Plants

Q&A 210 DOELAP Accreditation

3.20.1502(a) CONDITIONS REQUIRING INDIVIDUAL MONITORING OF EXTERNAL OCCUPATIONAL DOSE

Statement of Requirement:
Each licensee shall monitor exposures to radiation and radioactive material at levels sufficient to demonstrate compliance with the occupational dose limits of this part. As a minimum:

(a) Each licensee shall monitor occupational exposure to radiation from licensed and unlicensed radiation sources under the control of the licensee and shall supply and require the use of individual monitoring devices by:

(1) Adults likely to receive, in 1 year from sources external to the body, a dose in excess of 10% of the limits in 10 CFR 20.1201(a);

(2) Minors likely to receive, in 1 year, from radiation sources external to the body, a deep-dose equivalent in excess of 0.1 rem (1 mSv), a lens-dose equivalent in excess of 0.15 rem (1.5 mSv), or a shallow-dose equivalent to the skin or to the extremities in excess of 0.5 rem (5 mSv);

(3) Declared pregnant women likely to receive during the entire pregnancy, from radiation sources external to the body, a deep-dose equivalent in excess of 0.1 rem (1 mSv)[5]; and

(4) Individuals entering a high or very high radiation area.

Discussion:
Licensees are required to monitor the occupational exposures of workers who are likely to exceed the applicable dose thresholds specified in the regulation. For NRC licensees, the exposure to individuals involved in licensed activities could be from either licensed or unlicensed sources of radiation. Licensed sources include those authorized by either a specific license issued by the Commission or a general license specified in the regulations (e.g., 10 CFR 31.5). Unlicensed sources include radioactive materials distributed to persons exempt from the requirements for a license (e.g., small sources used to check detection instrumentation response to radiation) and electrically produced radiation (e.g., X-ray machines). In addition, individuals entering high or very high radiation areas must be monitored, even though the duration of the entry would not result in a measurable radiation dose.

Statement of Applicability:
This regulation is applicable to all licensees whose activities, both licensed and unlicensed, would likely result in occupational exposures in excess of the specified thresholds or who allow individuals to enter high or very high radiation areas.

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[5] All of the occupational doses in 10 CFR 20.1201 continue to be applicable to the declared pregnant worker as long as the embryo/fetus dose limit is not exceeded.

Guidance Statement:
Licensees typically decide either to monitor all workers who are likely to be exposed to sources of radiation external to the body, regardless of the magnitude of the exposure, or to issue monitoring devices to only those individuals who are likely to receive exposures in excess of the specified thresholds. In the latter case, licensees must make a determination prior to the exposure, in accordance with 10 CFR 20.1501(a), as to which workers must be monitored. In making that determination, licensees must consider all sources of radiation, including that from byproduct, source, or special nuclear material authorized under a specific license or a general license (licensed sources), as well as from non-NRC-licensed sources, such as naturally occurring or accelerator produced radioactive material (also known as NORM or NARM), electrically produced radiation (X-rays), or exempt quantities that are under the control of the licensee. Occupational dose does not include contributions from background radiation or radiation exposure from medical procedures that the worker may receive as a patient.

List of Existing Regulatory Guidance:

Reg. Guide 8.2	Guide for Administrative Practices in Radiation Monitoring
Reg. Guide 8.19	Occupational Radiation Dose Assessment in Light-Water Reactor Power Plants – Design State Man-Rem Estimates
Reg. Guide 8.34	Monitoring Criteria and Methods to Calculate Occupational Radiation Doses
Reg. Guide 8.36	Radiation Dose to the Embryo/Fetus
Reg. Guide 8.38	Control of Access to High and Very High Radiation Areas of Nuclear Plants

List of Implementing Guidance:

Generic Letter 95-09 Materials	Monitoring and Training of Shippers and Carriers of Radioactive
Generic Letter 95-09	Monitoring and Training of Shippers and Carriers of Radioactive Materials (Supplement 1)
HPPOS-2	Overexposure of Diver During Work in Fuel Storage Pool
HPPOS-47	Personnel Monitoring Requirements for an NRC/Agreement State Licensed Contractor Working at a Part 50-Licensed Facility
HPPOS-186	Determination of Radiation Exposure from Dosimeters
HPPOS-273	Technical Assistance Request, Evaluation of Comments on NRC Information Notice for Ophthalmic Applicators
HPPOS-328	Proper Operation and Use of Alarm Dosimeters at Nuclear Power Plants
IN 83-59	Dose Assignment for Workers in Non-Uniform Radiation Fields
IN 91-30	Inadequate Calibration of TLDs Utilized to Monitor Extremity Dose at Uranium Processing and Fabrication Facilities

PART 20

IN 93-39	Radiation Beams From Power Reactor Biological Shields
Q&A 81	Monitoring of Declared Pregnant Women (***Note:*** Threshold for monitoring raised to 0.1 rem from 0.05 rem since this Q&A published)
Q&A 82	Conditions Requiring Monitoring – Controlled Area
Q&A 100	Conditions Requiring Monitoring – Eye Dose Equivalent
Q&A 114	Conditions Requiring Monitoring – Accounting for Previous Dose
Q&A 126	Conditions Requiring Monitoring
Q&A 211	Monitoring of Declared Pregnant Women
Q&A 212	Improper Use of Monitors by Workers When Dosimetry Not Required
Q&A 213	Monitoring of Service Company Personnel
Q&A 214	Monitoring of Transient Workers
Q&A 215	Monitoring of Workers with Multiple Employers
Q&A 216	Monitoring of Workers with Multiple Employers
Q&A 429	Conditions Requiring Monitoring – External Dose from Effluents
Q&A 444	Conditions Requiring Monitoring
Q&A 445	Conditions Requiring Monitoring
Q&A 446	Discontinuance of Monitoring

3.20.1502(b) CONDITIONS REQUIRING INDIVIDUAL MONITORING OF INTERNAL OCCUPATIONAL DOSE

Statement of Requirement:
Each licensee shall monitor exposures to radiation and radioactive material at levels sufficient to demonstrate compliance with the occupational dose limits of this part. As a minimum:

(b) Each licensee shall monitor (see 10 CFR 20.1204) the occupational intake of radioactive material by and assess the CEDE to:

(1) Adults likely to receive, in 1 year, an intake in excess of 10% of the applicable ALI(s) in Table 1, Columns 1 and 2, of Appendix B to 10 CFR 20.1001-20.2402;

(2) Minors likely to receive, in 1 year, a CEDE in excess of 0.1 rem (1 mSv); and

(3) Declared pregnant women likely to receive, during the entire pregnancy, a CEDE in excess of 0.1 rem (1 mSv).

Discussion:
Licensees are required to monitor the occupational intakes of workers who are likely to exceed the applicable annual limit on intake or CEDE thresholds specified in the regulation. For NRC licensees, the intakes by individuals involved in licensed activities may be from either licensed or unlicensed materials. Licensed materials include those authorized by either a specific license issued by the Commission or a general license specified in the regulations (e.g., 10 CFR 31.11). Unlicensed sources include radioactive materials distributed to persons exempt from the requirements for a license and naturally occurring or accelerator produced radioactive materials (NORM or NARM). Occupational dose does not include contributions from background radiation or radiation exposure from medical procedures that the worker may receive as a patient.

Statement of Applicability:
The regulation is applicable to all licensees whose activities might result in occupational intakes of radioactive material above the thresholds specified in the regulation.

Guidance Statement:
NUREG-1400, "Air Sampling in the Workplace," provides guidance for determining the circumstances in which intakes above 10% of an annual limit on intake (ALI) are likely to occur. The guidance in the NUREG suggests that licensees establish a threshold for monitoring workers for intakes based on the quantity of material handled by a worker in a year. The threshold should be based on the ALI of the material(s) handled, multiplied by a modifying factor. This factor must be adjusted to account for the specifics of the process, including the form of the material (e.g., surface contamination, volatile materials, a sealed source), whether some type of energy is introduced that would affect the likelihood of intakes (e.g., grinding, smelting, exothermic chemical reactions), and the containment of the system in which the material is handled (e.g., open bench top, inside a fume hood or glovebox). When performing these analyses, licensees

must consider the total quantity of material expected to be used by the individual in a year and the likelihood and severity of accidental intakes. In addition, licensees may be aware of and should consider other factors that could increase or decrease the likelihood of intakes during normal operations at their facilities. Licensees should consult NUREG-1400 for specific guidance in applying the modifying factors to their analyses.

List of Current Existing Regulatory Guidance:

NUREG-1400	Air Sampling in the Workplace
Reg. Guide 8.9	Acceptable Concepts, Models, Equations and Assumptions for a Bioassay Program
Reg. Guide 8.15	Acceptable Programs for Respiratory Protection
Reg. Guide 8.25	Air Sampling in the Workplace
Reg. Guide 8.34	Monitoring Criteria and Methods to Calculate Occupational Radiation Doses
Reg. Guide 8.36	Radiation Dose to the Embryo/Fetus

List of Outdated Existing Regulatory Guidance:

Reg. Guide 8.11	Applications of Bioassay for Uranium
Reg. Guide 8.20	Applications of Bioassay for I-125 and I-131
Reg. Guide 8.22	Bioassay at Uranium Mills
Reg. Guide 8.26	Applications of Bioassay for Fission and Activation Products
Reg. Guide 8.32	Criteria for Establishing a Tritium Bioassay Program

List of Implementing Guidance:

HPPOS-47	Personnel Monitoring Requirements for an NRC/Agreement State Licensed Contractor Working at a Part 50-Licensed Facility
HPPOS-233	Applicability of Regulatory Position 1.3 of Regulatory Guide 8.32 to Nuclear Reactor Facilities
HPPOS-255	Airborne Thorium From Welding Rods
IN 95-51	Recent Incidents Involving Potential Loss of Control of Licensed Material
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials And External Exposure Due to Inadequate Control of Work
Q&A 43	Prospective Analyses
Q&A 44	Annual Prospective Analyses
Q&A 54	Respiratory Protection Credit

Q&A 75	Transient Worker Internal Dose Recordkeeping
Q&A 81	Monitoring of Declared Pregnant Women (***Note:*** Threshold for monitoring raised to 0.1 rem from 0.05 rem since this Q&A published)
Q&A 98	Historical Basis to Require Internal Monitoring at Power Plants
Q&A 114	Conditions Requiring Monitoring – Accounting for Previous Dose
Q&A 126	Inclusion of External Doses from Effluents
Q&A 211	Monitoring of Declared Pregnant Women
Q&A 213	Monitoring of Service Company Personnel
Q&A 214	Monitoring of Transient Workers
Q&A 372	"Suitable and Timely" Measurements
Q&A 374	Use of Internal Monitoring to Assess Respirator Effectiveness
Q&A 375	Acceptable Bioassay Frequency
Q&A 398	Transient Worker Internal Dose Recordkeeping
Q&A 458	"Weighted" and "Effective" DACs to Determine Dose
Q&A 461	Applicable ALIs

3.20.1601 CONTROL OF ACCESS TO HIGH RADIATION AREAS

Statement of Requirement:
(a) The licensee shall ensure that each entrance or access point to a high radiation area has one or more of the following features:

(1) A control device that, upon entry into the area, causes the level of radiation to be reduced below that level at which an individual might receive a deep-dose equivalent of 0.1 rem (1 mSv) in 1 hour at 30 centimeters from the radiation source or from any surface that the radiation penetrates;

(2) A control device that energizes a conspicuous visible or audible alarm signal so that the individual entering the high radiation area and the supervisor of the activity are made aware of the entry; or

(3) Entryways that are locked, except during periods when access to the areas is required, with positive control over each individual entry.

Discussion:
The regulation provides three options for controlling workers' access to high radiation areas (HRAs). One or more of these options must be used. A licensee can: (1) use a control device to reduce radiation levels when a worker enters the area; or (2) use an alarm to alert the worker and the supervisor of the activity when an entry is made; or (3) keep the areas locked and maintain positive control over each individual entry.

Statement of Applicability:
All licensees whose possession of radioactive materials could result in accessible areas where doses in excess of 100 mrem could be received within 1 hour.

Guidance Statement:
Access to and work within HRAs need to be properly controlled to protect individuals from unplanned, uncontrolled exposures that could lead to overexposures. Maintaining positive control over access to HRAs means limiting entries to the area only to authorized individuals who have been trained and are aware of the radiation hazards. In addition to these access controls for authorized entries, licensees use physical controls (barriers) to prevent unauthorized entries.

List of Existing Regulatory Guidance:
Reg. Guide 8.38 Control of Access to High and Very High Radiation Areas in Nuclear Power Plants

List of Implementing Guidance:
HPPOS-002 Overexposure of Diver During Work in Fuel Storage Pool

HPPOS-014	Access Control to High Radiation Areas (provides licensees some latitude as to where access controls can be established for HRAs)
HPPOS-016	Applicability of Access Controls for Spent Fuel Pools (clarifies that access to a spent fuel pool does not have to be controlled as HRAs, unless divers are in the pool)
HPPOS-235	HP Position on Controlling Beam Ports, Thermal Columns, and Flux Traps as High Radiation Areas (discusses need to control radiation beams and beam ports as HRAs)
HPPOS-245	Access Controls for Spent Fuel Storage Pools (discusses controls needed to ensure materials stored underwater in a fuel storage area do not cause unnecessary worker exposures)
IE Bulletin 78-08	Radiation Levels from Fuel Element Transfer Tubes
IE Bulletin 84-03	Refueling Cavity Water Seal
IE Circular 76-03	Radiation Exposures in Reactor Cavities
IE IN 82-31	Overexposure of Diver During Work in Fuel Storage Pool
IE IN 82-51	Overexposures in PWR Cavities
IE IN 84-19	Two Events Involving Unauthorized Entries into PWR Reactor Cavities
IE IN 84-61	Overexposure of Diver in Pressurized Water Reactor (PWR) Refueling Cavity
IE IN 84-93	Potential for Loss of Water From the Refueling Cavity
IE IN 86-107	Entry into PWR Cavity with Retractable Incore Detector Thimbles Withdrawn
IE IN 87-13	Potential for High Radiation Fields Following Loss of Water from Fuel Pool
IN 87-29	Recent Safety-related Incidents at Large Irradiators
IN 88-63	High Radiation Hazards from Irradiated Incore Detectors and Cables (includes supplements)
IN 88-79	Misuse of Flashing Lights for High Radiation Area Controls
IN 89-82	Recent Safety-related Incidents at Large Irradiators
IN 90-33	Sources of Unexpected Occupational Radiation Exposure at Spent Fuel Storage Pools
IN 91-14	Recent Safety-related Incidents at Large Irradiators
IN 91-23	Accidental Radiation Overexposures to Personnel Due to Industrial Radiography Accessory Equipment Malfunctions

IN 91-49	Enforcement of Safety Requirements For Radiographers
IN 93-05	Locking Of Radiography Exposure Devices
IN 93-39	Radiation Beams From Power Reactor Biological Shields
IN 93-69	Radiography Events at Operating Power Plants
IN 95-56	Shielding Deficiency in Spent Fuel Transfer Canal at a Boiling-Water Reactor
IN 96-25	Traversing In-Core Probe Overwithdrawn at LaSalle County Station, Unit 1
IN 97-68	Loss of Control of Diver in a Spent Fuel Storage Pool
IN 98-16	Inadequate Operational Checks of Alarm Ratemeters
IN 99-04	Unplanned Radiation Exposures to Radiographers, Resulting From Failures to Follow Proper Radiation Safety Procedures
NRC Bulletin 93-01	Release of Patients After Brachytherapy Treatment with Remote Afterloading Devices
Q&A 74	Explains that DDE is the appropriate dose focus in defining HRAs
Q&A 218	Clarifies the "control device" option, relative to when the device should activate
Q&A 373	Provides explanation of what constitutes adequate access restrictions (barriers) to prevent inadvertent or unauthorized HRA entry
Q&A 385	Discusses use of barriers and posting for HRAs at nuclear power plants, relative to individual HRAs within larger HRAs
Q&A 430	Notes that Q&A 373 was directed primarily to nuclear power plants
Q&A 431	Discusses applicability of Q&A 385 to non-power reactor licensees
Q&A 482	Explains the meanings of specific words and phrases in the definition of high radiation area (in Section 20.1003)
Q&A 483	Discusses the terms "accessible" and "major portion of the whole body," relative to assigning deep dose equivalent
Q&A 488	Discusses HRA posting requirements for primary containments at nuclear power plants
Q&A 489	Describes acceptable cocooning barriers for an area that otherwise would be an HRA

Statement of Requirement:

(b) In place of the controls required by Paragraph (a) of this section for a high radiation area, the

licensee may substitute continuous direct or electronic surveillance capable of preventing unauthorized entry.

Discussion:
Any licensee may use direct (visual) or electronic (e.g., closed-circuit TV) surveillance to prevent unauthorized entry into high radiation areas, instead of the controls in 20.1601(a).

Statement of Applicability:
All licensees whose possession of radioactive materials could result in accessible areas where doses in excess of 100 mrem could be received within 1 hour.

Guidance Statement:
When using electronic surveillance, the licensee must have the ability to remotely prevent entry into the area. The licensee should have the capability to warn individuals that their attempted entry is unauthorized, and then to alert the proper authorities of the improper entry attempt.

List of Existing Regulatory Guidance:
Reg. Guide 8.38 Control of Access to High and Very High Radiation Areas in Nuclear Power Plants

List of Implementing Guidance:
N/A.

Statement of Requirement:
(c) A licensee may apply to the Commission for approval of alternative methods for controlling access to high radiation areas.

Discussion:
If the licensee wants to control access to high radiation areas in a manner that differs from that specified in these regulations, it may request approval from NRC.

Statement of Applicability:
This option is available to all licensees whose possession of radioactive materials could result in accessible areas where doses in excess of 100 mrem could be received within 1 hour.

Guidance Statement:
The requirements of 10 CFR 20.1601(a) for access controls to HRAs may cause unnecessary restrictions on the operation of a licensee's facility. Accordingly, under this section, any licensee may apply to NRC for approval of alternative methods for HRA access control. The alternative controls must satisfy 20.1601(d). For nuclear power plants, Regulatory Guide 8.38, Section 2.4, provides an example of an acceptable method of alternative controls for HRAs. However, before any licensee implements these alternative controls, it first must apply and receive specific Agency review and approval.

List of Existing Regulatory Guidance:

Reg. Guide 8.38	Control of Access to High and Very High Radiation Areas in Nuclear Power Plants

List of Implementing Guidance:

HPPOS-014	Access Control to High Radiation Areas – Turkey Point (provides licensees some latitude as to where access controls can be established for HRAs)
HPPOS-015	Safety Evaluation of the Proposed Yankee Atomic Power Company's Modification of their Technical Specifications Relating to High Radiation Areas (provides one early example of nuclear power plant alternative controls for HRA, and includes description of duties of "individuals qualified in radiation protection procedures")
HPPOS-068	Response to Region II Interpretation for Control of High Radiation Areas (explains that radiation protection technician continuous work coverage in an HRA does not mean direct, line-of-sight coverage all the time)
HPPOS-180	Applicability of 10 CFR 20.203(c) [20.1601(c) in current regulations] to Plants With STS 6.12 (clarifies that a licensee with an approved alternative HRA access control program (1601(c)), may still control HRAs in accordance with other provisions of 20.1601)
HPPOS-234	Access Control to High Radiation Areas at Nuclear Power Plants (explains what a "barricade" is, as related to alternative controls for HRA used at nuclear power plants)
HPPOS-237	Request for Comments on Responses to Licensee Questions on High Radiation Area Controls (addresses questions concerning use of temporary shielding and the use of magnetic computer cards (in lieu of mechanical locks)
HPPOS-328	Proper Operation and Use of Alarm Dosimeters at Nuclear Power Plants
IE Bulletin 78-08	Radiation Levels from Fuel Element Transfer Tubes
IE IN 82-31	Overexposure of Diver During Work in Fuel Storage Pool
IE IN 82-51	Overexposures in PWR Cavities
IE IN 84-19	Two Events Involving Unauthorized Entries into PWR Reactor Cavities
IE IN 84-61	Overexposure of Diver in Pressurized Water Reactor (PWR) Refueling Cavity
IE IN 84-93	Potential for Loss of water From the Refueling Cavity
IE IN 86-107	Entry into PWR Cavity with Retractable Incore Detector Thimbles Withdrawn
IE IN 87-13	Potential for High Radiation Fields Following Loss of Water from Fuel Pool
IN 88-63	High Radiation Hazards from Irradiated Incore Detectors and Cables (includes supplements)

IN 88-79	Misuse of Flashing Lights for High Radiation Area Controls
IN 93-39	Radiation Beams From Power Reactor Biological Shields
IN 93-69	Radiography Events At Operating Power Plants
IN 95-56	Shielding Deficiency in Spent Fuel Transfer Canal At a Boiling-Water Reactor
IN 96-25	Traversing In-Core Probe Overwithdrawn at LaSalle County Station, Unit 1
IN 97-68	Loss of Control of Diver in a Spent Fuel Storage Pool
IN 98-16	Inadequate Operational Checks of Alarm Ratemeters
Q&A 373	Provides explanation of what constitutes adequate access restrictions (barriers) to prevent inadvertent or unauthorized HRA entry
Q&A 385	Discusses use of barriers and posting for HRAs at nuclear power plants, relative to individual HRAs within larger HRAs
Q&A 430	Notes that Q&A 373 was directed primarily to power reactor HRA controls
Q&A 484	Describes criteria used by the NRC staff to review a licensee application for alternative controls, as allowed by 20.1601(c)

Statement of Requirement:
(d) The licensee shall establish the controls required by Paragraphs (a) and (c) of this section in a way that does not prevent individuals from leaving a high radiation area.

Discussion:
If the licensee controls access to an HRA by using a locked or chained accessway (door), then an individual must always be able to open the door from inside the HRA. The access controls used must not trap any individual inside a locked HRA.

Statement of Applicability:
All licensees whose possession of radioactive materials could result in accessible areas where doses in excess of 100 mrem could be received within 1 hour.

Guidance Statement:
One common way licensees satisfy this requirement is by the use of standard inner "crash bars" on locked doors. If the doors are self-locking, then personnel must be able to open them without a key.

List of Existing Regulatory Guidance:

Reg. Guide 8.38	Control of Access to High and Very High Radiation Areas in Nuclear Power Plants

List of Implementing Guidance:
N/A.

Statement of Requirement:
(e) Control is not required for each entrance or access point to a room or other area that is a high radiation area solely because of the presence of radioactive materials prepared for transport and packaged and labeled in accordance with the regulations of the Department of Transportation provided that:

(1) The packages do not remain in the area longer than 3 days; and

(2) The dose rate at 1 meter from the external surface of any package does not exceed 0.01 rem (0.1 mSv) per hour.

Discussion:
If the HRA is caused only by radioactive materials that are properly packaged and labeled for transport as required by DOT, then the licensee does not have to control the area as an HRA as long as the following conditions are met:

(1) The packages ready for shipment are in the area for no more than 3 days.

(2) The dose rate one meter from the surface of any of the packages is less than 10 mrem/hr.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
Licensees should be aware that this exception from HRA access controls does not relieve them from maintaining doses ALARA and that all other Part 19 and Part 20 requirements remain in effect.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

Statement of Requirement:
(f) Control of entrance or access to rooms or other areas in hospitals is not required solely because of the presence of patients containing radioactive material, provided that there are personnel in attendance who will take the necessary precautions to prevent the exposure of individuals to radiation or radioactive material in excess of the limits established in this part and to operate within the ALARA provisions of the licensee's radiation protection program.

Discussion:
A licensee does not have to implement HRA access controls for rooms or other areas in hospitals if the only radiation is from patients administered radioactive materials or undergoing treatment using sealed sources. However, the licensee must ensure that visitors and other hospital

personnel do not receive doses exceeding the occupational and public dose limits in Part 20. Additionally, the licensee must ensure that attending personnel carry out the ALARA provisions of the radiation protection program.

Statement of Applicability:
All NRC medical licensees.

Guidance Statement:
Licensees should be aware that this exception from HRA access controls does not relieve them from maintaining doses ALARA and that all other Part 19 and Part 20 requirements remain in effect.

List of Existing Regulatory Guidance:

Reg. Guide 10.8, Rev. 2	Guide for the Preparation of Applications for Medical Use Programs (Appendix X)

List of Implementing Guidance:

Q&A 219	Provides guidance and acceptable controls for the requirement to have "...personnel in attendance..." who will take certain specified precautions

3.20.1602 CONTROL OF ACCESS TO VERY HIGH RADIATION AREAS

Statement of Requirement:
In addition to the requirements in 10 CFR 20.1601, the licensee shall institute additional measures to ensure that an individual is not able to gain unauthorized or inadvertent access to areas in which radiation levels could be encountered at 500 rads (5 grays) or more in 1 hour at 1 meter from a radiation source or any surface through which the radiation penetrates.

Discussion:
The requirements for HRA access control also apply to very high radiation areas (VHRAs). Licensees must provide additional ways to prevent unauthorized or unintentional access to areas with radiation levels equal to or greater than 500 rads in 1 hour. This dose rate is measured at one meter from the radiation source or one meter away from the surface of the shielding.

Statement of Applicability:
All licensees whose radioactive materials could result in accessible areas where doses are equal to or greater than 500 rads in one hour, measured at one meter from the source of radiation or any surface through which the radiation penetrates, such as walls or shielding. Note that 10 CFR Part 36, Subpart C, *Design and Performance Requirements of Irradiators,* provides specific requirements that satisfy this section for irradiators.

Guidance Statement:
VHRAs require much stricter controls, since failure to implement effective radiological controls adequately can result in individuals receiving doses that pose significant health risks, or even death. Because of the potential for life-threatening exposures to individuals, licensees must institute additional measures to ensure that individuals are not able to gain unauthorized or inadvertent access to VHRA. To the extent possible, entry should be forbidden unless there is a sound operational or safety reason for entry.

List of Existing Regulatory Guidance:

Reg. Guide 8.38	Control of Access to High and Very High Radiation Areas in Nuclear Power Plants

List of Implementing Guidance:

HPPOS-002	Overexposure of Diver During Work in Fuel Storage Pool (discusses diver overexposure during work in fuel storage pool)
HPPOS-016	Applicability of Access Controls for Spent Fuel Pools (clarifies that access to a spent fuel pool does not have to be controlled as an HRA, unless divers are in the pool)
HPPOS-235	HPPOS on Controlling of Beam Ports, Thermal Columns, and Flux Traps as High Radiation Areas (discusses need to control radiation beams and beam ports as HRAs)

HPPOS-245	Access Controls to Spent Fuel Storage Pools (discusses controls needed to ensure materials stored underwater in a fuel storage area do not cause unnecessary worker exposures)
IE Bulletin 78-08	Radiation Levels from Fuel Element Transfer Tubes
IE Bulletin 84-03	Refueling Cavity Water Seal
IE Circular 76-03	Radiation Exposures in Reactor Cavities
IE IN 82-31	Overexposure of Diver During Work in Fuel Storage Pool
IE IN 82-51	Overexposures in PWR Cavities
IE IN 84-19	Two Events Involving Unauthorized Entries into PWR Reactor Cavities
IE IN 84-61	Overexposure of Diver in Pressurized Water Reactor (PWR) Refueling Cavity
IE IN 84-93	Potential for Loss of Water From the Refueling Cavity
IE IN 86-107	Entry into PWR Cavity with Retractable Incore Detector Thimbles Withdrawn
IE IN 87-13	Potential for High Radiation Fields Following Loss of Water from Fuel Pool
IE IN 87-29	Recent Safety-related Incidents at Large Irradiators
IN 88-63	High Radiation Hazards from Irradiated Incore Detectors and Cables (includes supplements)
IN 89-82	Recent Safety-related Incidents at Large Irradiators
IN 90-33	Sources of Unexpected Occupational Radiation Exposure at Spent Fuel Storage Pools
IN 91-14	Recent Safety-related Incidents at Large Irradiators
IN 93-39	Radiation Beams From Power Reactor Biological Shields
IN 95-56	Shielding Deficiency in Spent Fuel Transfer Canal At a Boiling-Water Reactor
IN 96-25	Traversing In-Core Probe Overwithdrawn at LaSalle County Station, Unit 1
IN 97-68	Loss of Control of Diver in a Spent Fuel Storage Pool
Q&A 49	Refers to draft Regulatory Guide 8.N10, now RG 8.38
Q&A 57	Points out that the absorbed dose of interest for VHRA is the deep-dose equivalent
Q&A 74	Explains that DDE is the appropriate dose focus in defining HRAs

Q&A 92	Agrees with a method used by a nuclear power plant to comply with this requirement, when controlling the primary containment
Q&A 218	Clarifies the "control device" option, relative to when the device should activate
Q&A 220	Discusses and points out that teletherapy rooms and radiography are VHRA when dose rates meet or exceed the criteria
Q&A 373	Provides explanation of what constitutes adequate access restrictions (barriers) to prevent inadvertent or unauthorized HRA entry
Q&A 423	Points out that alternative access controls (under 20.1601(c)) for HRA at nuclear power plants are not adequate to meet the additional controls requirements of this section
Q&A 430	Notes that Q&A 373 was directed primarily to nuclear power plants
Q&A 447	Discusses under what conditions a spent fuel pool is required to be posted and controlled as a VHRA
Q&A 448	Discusses control for irradiated components stored in spent fuel storage pools
Q&A 483	Discusses the terms "accessible" and "major portion of the whole body," relative to assigning deep dose equivalent
Q&A 485	Discusses some examples of additional measures for controlling a VHRA resulting from a radiation beam at a non-power reactor
Q&A 487	Discusses VHRA accessibility relative to use of ladders or stairways
Q&A 488	Discusses VHRA posting requirements for primary containments at nuclear power plants
Q&A 489	Describes acceptable cocooning barriers for an area that otherwise would be a VHRA

3.20.1700 SUBPART H – RESPIRATORY PROTECTION AND CONTROLS TO RESTRICT INTERNAL EXPOSURE IN RESTRICTED AREAS

3.20.1701 USE OF PROCESS OR OTHER ENGINEERING CONTROLS

Statement of Requirement:
The licensee shall use, to the extent practical, process or other engineering controls (e.g., containment, decontamination or ventilation) to control the concentrations of radioactive material in air.

Discussion:
The licensee must make reasonable efforts to control the concentration of airborne, radioactive materials in the workplace. This should include eliminating or reducing the source of airborne, radioactive materials by exhaust ventilation; or enclosing, containing, or cleaning up the source of those materials.

Statement of Applicability:
All licensees whose operations could result in accessible airborne radioactivity areas or for whom the routine use of respirators is planned to reduce worker intakes or as required by the facility's emergency plan.

Guidance Statement:
Licensees whose activities create airborne hazards are required, to the extent practical, to maintain the internal component of occupational doses ALARA. To achieve this goal, licensees must use work practices and controls, contamination controls, and installed process and portable equipment, to reasonably minimize the level of airborne radioactive materials.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:

IN 85-87	Hazards of Inerting Atmospheres
IN 94-26	Personnel Hazards and Other Problems From Smoldering Fire-Retardant Material in the Drywell of a Boiling Water Reactor
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials and External Exposure Due to Inadequate Control of Work

IN 98-20	Problems with Emergency Preparedness Respiratory Protection Programs
IN 99-05	Inadvertent Discharge of Carbon Dioxide Fire Protection System and Gas Migration
Q&A 90	Explains why use of potassium iodide is not acceptable process or engineering control
Q&A 115	Describes NRC's reason for adding examples to section

List of Outdated Implementing Guidance:

IN 92-75	Unplanned Intakes of Airborne Radioactive Material by Individuals at Nuclear Power Plants

3.20.1702 USE OF OTHER CONTROLS

Statement of Requirement:
(a) When it is not practical to apply process or other engineering controls to control the concentrations of radioactive material in air to values below those that define an airborne radioactivity area, the licensee shall, consistent with maintaining the total effective dose equivalent ALARA, increase monitoring and limit intakes by one or more of the following means:

(1) Control of access;

(2) Limitation of exposure times;

(3) Use of respiratory protection equipment; or

(4) Other controls.

(b) If the licensee performs an ALARA analysis to determine whether or not respirators should be used, the licensee may consider safety factors other than radiological factors. The licensee should also consider the impact of respirator use on workers' industrial health and safety.

Discussion:
When engineering and processing controls do not reduce the levels of airborne, radioactive materials below 1 DAC (or when a worker could receive 12 DAC-hrs/week), then the licensee must use other methods to protect the worker and, at the same time, to reasonably balance internal and external exposure (keeping the TEDE ALARA). These methods to limit intakes include one or more of the following: (1) limiting and controlling access; (2) limiting stay times; (3) using respirators; and (4) using other reasonable methods.

If the licensee decides to consider the use of respirators, then the licensee may take into account non-radiological factors. The factors that should be considered in this evaluation include heat stress, fall hazards, impaired communication (e.g., visual, voice), and other work safety factors that may be present.

Statement of Applicability:
All licensees whose operations could result in accessible airborne radioactivity areas or for whom the routine use of respirators is planned to reduce worker intakes or as required by the facility's emergency plan.

Guidance Statement:
Engineering controls that reasonably limit airborne radioactive materials are generally preferable to the use of personal respiratory protection. The use of respirators can impose physiological and psychological stresses on workers, reduce worker efficiency, and make communicating difficult. These burdens can increase the risk of physical injury. Licensees may factor these risks into the evaluation and decision-making regarding the use of respirators to maintain the TEDE ALARA.

The NRC staff acknowledges that TEDE ALARA evaluations are not exact, and many assumptions (work efficiency, estimated intakes) are not precisely predictable. Therefore, when the evaluation does not show a clear decision path, then the licensee's professional judgment should be exercised.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:

Circular 80-03	Protection From Toxic Gas Hazards
IN 81-26, Part 4	Personnel Entry Into Inerted Containment
IN 85-87	Hazards of Inerting Atmospheres
IN 94-26	Personnel Hazards and Other Problems From Smoldering Fire-Retardant Material in the Drywell of a Boiling Water Reactor
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials and External Exposure Due to Inadequate Control of Work
IN 98-20	Problems with Emergency Preparedness Respiratory Protection Programs
IN 99-05	Inadvertent Discharge of Carbon Dioxide Fire Protection System and Gas Migration
Q&A 145	Discusses uses of the very sensitive personal contamination monitors as checks for inadvertent personal intakes
Q&A 387	Allows for the consideration of risk other than from radiation to be considered when doing TEDE ALARA evaluation
Q&A 388	Explains how respirators can be used to reduce radioiodine uptakes
Q&A 449	Discusses and allows licensees to use cost/benefit analysis when deciding whether to use respirators
Q&A 493	Explains how to comply with ALARA requirements, relative to level of effort in controlling airborne concentrations

List of Outdated Implementing Guidance:

IN 92-75	Unplanned Intakes of Airborne Radioactive Material by Individuals at Nuclear Power Plants
Q&A 386	Provides interim NRC policy for allowing issuance of respirators until workers make transition shift

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3.20.1703 USE OF INDIVIDUAL RESPIRATORY PROTECTION EQUIPMENT

Statement of Requirement:
If the licensee assigns or permits the use of respiratory protection equipment to limit the intake of radioactive material:

(a) The licensee shall use only respiratory protection equipment that is tested and certified by the National Institute for Occupational Safety and Health (NIOSH) except as otherwise noted in this part.

(b) If the licensee wishes to use equipment that has not been tested or certified by NIOSH, or for which there is no schedule for testing or certification, the licensee shall submit an application to NRC for authorized use of that equipment, except as provided in this part. The application must include evidence that the material and performance characteristics of the equipment are capable of providing the proposed degree of protection under anticipated conditions of use. This must be demonstrated either by the licensee testing or on the basis of reliable test information.

Discussion:
If the licensee chooses to use respirators to limit worker intakes, then the devices used must be certified by NIOSH. If a licensee identifies a need for a respirator, but this device is not NIOSH-certified, then the licensee may request NRC approval to allow the licensee to use the respirator. To get this approval, the licensee must submit evidence for NRC review that the respirator can provide the needed worker protection, i.e., that the device's construction and performance are adequate for its intended use. Documentation of the respirator's design and performance must be supported by actual test data.

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
Licensees need to evaluate the existing or potential airborne concentrations of radioactive material (from routine operations, likely operational occurrences, and credible emergency conditions) and determine whether a Part 20, Subpart H program would have been required to limit the worker intake. If this analysis shows that respiratory protection would not be needed to protect workers from radiological hazards (limit the intake), then the licensee need not have a respiratory protection program.

Workers are not allowed to use non-NIOSH-certified respirators to limit radioactive material intake, unless NRC has granted specific approval for such use as provided by this section. When requesting such approval, the licensee should explain why no existing NIOSH-certified device meets the licensee's need and that the use of the respirator will not cause the wearer undue physical or psychological stress or undue hazard. The testing information provided to NRC may

be the work of the licensee, a respiratory manufacturer or a reliable third party (independent testing laboratory). If NRC has previously approved a device for use by another licensee, then the licensee may use the test data from that existing approval.

List of Existing Regulatory Guidance Documents:

NUREG/CR-0041 Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)

Reg. Guide 8.15 Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:

*HPPOS-037 Farley 1 & 2 – 10 CFR Part 20 Exemption Request, MSA GMR-I Canister Radioiodine Protection Factor (describes example of NRC approval process to use non-NIOSH approved equipment to protect against radio-iodine gases and vapors)

HPPOS-118 Airflow Measurement and Control for Supplied-Air Respirators (provides guidance to use and control air-line respirators effectively)

HPPOS-147 Respirator User's Notice – Use of Unapproved Subassemblies (NIOSH warns against the use of unapproved subassemblies (parts and components) and unauthorized modification for/of approved respirators)

*HPPOS-226 Intent of the QA Testing of Respirator HEPA Filters, as discussed in NUREG-0041 (provides intent of QA testing of respirator filters prior to use (or reuse))

*IN 80-19 NIOSH Recall of Recirculating-Mode (Closed-Circuit) Self-Contained Breathing Apparatus (Rebreather)

IN 83-68 Respirator User Warning: Defective Self-Contained Breathing Apparatus Air Cylinders

IN 84-34 Respirator User Warning: Defective Self-Contained Breathing Apparatus Air Cylinders

IN 84-56 Respirator Users Notice for Certain 5-Minute Emergency Escape Self-Contained Breathing Apparatus

IN 85-48 Respirator User Warning: Defective Self-Contained Breathing Apparatus Air Cylinders

IN 86-103 Respirator Coupling Nut Assembly Failures

IN 89-47 Potential Problems with Worn or Distorted Hose Clamps on Self-Contained Breathing Apparatus

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* Needs minor updating, but basic message is still applicable – provides good staff guidance.

IN 94-35	NIOSH Respirator User Notices, "Inadvertent Separation of the Mask-Mounted Regulator (MMR) from the Facepiece of the Mine Safety Appliances (MSA) Company Self-Contained Breathing Apparatus (SCBA) and Status Update"
IN 95-01	DOT Safety Advisory: High Pressure Aluminum Seamless and Aluminum Composite Hoop-Wrapped Cylinders
*Q&A 91	Clarifies the need to comply with programmatic requirements when using respirators
*Q&A 124	Notes that this section's requirements apply to respirators used during emergencies
*Q&A 418	Explains that licensees need a formal program whenever a respirator is used to limit intake

List of Outdated Implementing Guidance:

Bulletin 78-07	Protection Afforded By Airline Respirators and Supplied-Air Hoods
Circular 79-09	Occurrences of Split or Punctured Regulator Diaphragms In Certain Self-Contained Breathing Apparatus
Circular 79-15	Bursting of High Pressure Hose and Malfunction of Relief Valve and "O" Ring In Certain Self-Contained Breathing Apparatus
HPPOS-225	Footnote g of Appendix A to 10 CFR 20 Concerning Protection Factor for Respirator (discusses NRC policy on use of non-elastomeric (disposable) half-facepieces)
IN 82-36	Respirator User Warning for Certain 5-Minute Emergency Escape SCBA
IN 83-21	Defective Emergency-Use Respirator
IN 83-67	Emergency-Use Respirator Material Defect Causes Production of Noxious Gas
IN 84-60	Failure of Air-Purifying Respirator Filter to Meet Efficiency Requirement
IN 85-60	Defective Negative-Pressure, Air-Purifying Full Facepiece Respirators
IN 86-24	Respirator User Warning: Increased Inspection Frequency for Certain Self-Contained Breathing Apparatus Air Cylinders

Statement of Requirement:

(c) The licensee shall implement and maintain a respiratory protection program that includes:

(1) Air sampling sufficient to identify the potential hazard, permit proper equipment selection, and estimate doses;

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* Needs minor updating, but basic message is still applicable – provides good staff guidance.

(2) Surveys and bioassays, as necessary, to evaluate actual intakes;

(3) Testing of respirators for operability (user seal check for face-sealing devices and functional check for others) immediately prior to each use.

Discussion:
The licensee's respiratory protection program must include air sampling so that 1) the airborne hazards can be known and the correct respiratory protective equipment can be available for use; and 2) with controls in place, worker intake of radioactive materials can be estimated, so that worker internal dose can be estimated.

When necessary, the licensee must be able to evaluate actual worker intakes. This will require surveys to evaluate and quantify the levels of workplace hazardous airborne materials and workplace loose contamination levels. In addition, as necessary, the licensee must be able to determine what kinds, how much, and the location of radioactive materials in a worker. This bioassay information may be obtained by direct measurement of the worker and/or from analysis of body waste products (e.g., urine and feces).

Before using a face-sealing (tight-fitting) respirator in the workplace, the user must check to see whether the respirator is properly sealed to his face. If the respirator is not a tight-fitting type (e.g., air-supplied hood), then other personnel must assist in performing an operational check to see that the respirator is functioning properly.

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
Air sampling must be representative – sampling in the worker's breathing zone provides the most accurate information (short of bioassay) for evaluating intakes, when coupled with accurate stay-time data. Air sampling must also be timely (relative to the work activity), with the appropriate filter (or other collection media) and of sufficient duration (volume sampled).

See Part 20, Subpart F for survey guidance and 20.1204 for bioassay guidance.

User seal checks just after donning a tight-fitting (full or half-face) respirator help ensure a proper face-to-respirator seal. This check is not a substitute for the required fit test. Various methods are available for checking the seal immediately prior to use, and these are part of the required worker training program.

Functional checks are required for non-face-sealing respirators to ensure proper operation of the devices. For example, on a hood supplied by an airline, the functional check should include support people ensuring proper air flow to the hood and that the wearer feels comfortable that the hood is supplying adequate air.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
NUREG-1400	Air Sampling in the Workplace
Reg. Guide 8.9	Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program
Reg. Guide 8.9	Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)
Reg. Guide 8.25	Air Sampling in the Workplace (Revision 1)

List of Implementing Guidance:

HPPOS-118	Airflow Measurement and Control for Supplied-Air Respirators (provides guidance to use and control airline respirators effectively)
IN 79-08	Interconnection of Contaminated Systems with Service Air Systems Used as the Source of Breathing Air
IN 81-26, Part 4	Personnel Entry Into Inerted Containment
*IN 84-24	Physical Qualification of Individuals to Use Respiratory Protective Devices
IN 84-34	Respirator User Warning: Defective Self-Contained Breathing Apparatus Air Cylinders
IN 84-56	Respirator Users Notice for Certain 5-Minute Emergency Escape Self-Contained Breathing Apparatus
*Q&A 91	Clarifies the need to comply with programmatic requirements when using respirators
*Q&A 124	Notes that this section's requirements apply to respirators used during emergencies
*Q&A 131	Relates how user seal check can be performed
*Q&A 132	Explains how to comply with requirement to identify "potential hazards" when sampling for airborne radioactive materials
*Q&A 374	Provides NRC views on how a licensee can monitor it's program's effectiveness
*Q&A 418	Explains that licensees need a formal program whenever a respirator is used to limit intake

* Needs minor updating, but basic message is still applicable – provides good staff guidance.

Q&A 479	Discusses increased likelihood of facial contaminations as the use of respirators decreases
IN 85-06	Contamination of Breathing Air Systems
IN 85-87	Hazards of Inerting Atmospheres
IN 86-43	Problems With Silver Zeolite Sampling of Airborne Radioiodine
*IN 92-75	Unplanned Intakes of Airborne Radioactive Material by Individuals at Nuclear Power Plants
IN 94-26	Personnel Hazards and Other Problems From Smoldering Fire-Retardant Material in the Drywell of a Boiling Water Reactor
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials and External Exposure Due to Inadequate Control of Work
IN 99-05	Inadvertent Discharge of Carbon Dioxide Fire Protection System and Gas Migration

List of Outdated Implementing Guidance:

HPPOS-146	Updated Guidance on Fit Testing of Biopak 60-P Respirator Users (provides specific guidance and acceptance criteria for fit testing users of a positive pressure, recirculating SCBA)
IN 84-60	Failure of Air-Purifying Respirator Filters to Meet Efficiency Requirement

Statement of Requirement:

(c)(4) Written procedures regarding:

(i) Monitoring, including air sampling and bioassays;

(ii) Supervision and training of respirator users;

(iii) Fit testing;

(iv) Respirator selection;

(v) Breathing air quality;

(vi) Inventory and control;

(vii) Storage, issuance, maintenance, repair, testing and quality assurance of respiratory protection equipment;

* Needs minor updating, but basic message is still applicable – provides good staff guidance.

(viii) Recordkeeping; and

(ix) Limitations on periods of respirator use and relief from respirator use.

Discussion:
If the licensee is going to use respirators to limit workers' intake of radioactive materials, then the licensee program must have implementing procedures that include each of the above line items.

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
These implementing procedures should be reviewed and approved by the supervisor or staffer responsible as the program administrator. Part 20.1101 requires an annual review of the radiation program, and this section's procedures are part of that program. As such, the procedures should be periodically revised and upgraded when needed. Each required line item above need not have its own, separate procedure.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
NUREG-1400	Air Sampling in the Workplace
Reg. Guide 8.9	Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program
Reg. Guide 8.9	Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)
Reg. Guide 8.25	Air Sampling in the Workplace (Revision 1)

List of Implementing Guidance:

*Circular 80-03	Protection From Toxic Gas Hazards
*HPPOS-226	Intent of the QA Testing of Respirator HEPA Filters, as discussed in NUREG-0041 (provides intent of QA testing of respirator filters prior to use (or reuse))
IN 79-08	Interconnection of Contaminated Systems with Service Air Systems Used as the Source of Breathing Air
IN 81-26, Part 4	Personnel Entry Into Inerted Containment

* Needs minor updating, but basic message is still applicable – provides good staff guidance.

*IN 84-24	Physical Qualification of Individuals to Use Respiratory Protective Devices
IN 85-06	Contamination of Breathing Air Systems
IN 85-87	Hazards of Inerting Atmospheres
IN 86-43	Problems With Silver Zeolite Sampling of Airborne Radioiodine
IN 86-46	Improper Cleaning and Decontamination of Respiratory Protection Equipment
*IN 92-75	Unplanned Intakes of Airborne Radioactive Material by Individuals at Nuclear Power Plants
IN 94-26	Personnel Hazards and Other Problems From Smoldering Fire-Retardant Material in the Drywell of a Boiling Water Reactor
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials and External Exposure Due to Inadequate Control of Work
IN 98-20	Problems with Emergency Preparedness Respiratory Protection Programs
IN 99-05	Inadvertent Discharge of Carbon Dioxide Fire Protection System and Gas Migration
*Q&A 91	Clarifies the need to comply with programmatic requirements when using respirators
*Q&A 124	Notes that this section's requirements apply to respirators used during emergencies
*Q&A 131	Relates how user seal check can be performed
*Q&A 132	Explains how to comply with requirement to identify "potential hazards" when sampling for airborne radioactive materials
*Q&A 374	Provides NRC views on how a licensee can monitor it's program's effectiveness
*Q&A 418	Explains that licensees need a formal program whenever a respirator is used to limit intake
Q&A 479	Discussed increased likelihood of facial contaminations as the use of respirators decreases
Q&A 480	Discusses methods to provide facial protection from contamination.

* Needs minor updating, but basic message is still applicable – provides good staff guidance.

List of Outdated Implementing Guidance:

HPPOS-146 Updated Guidance on Fit Testing of Biopak 60-P Respirator Users (provides specific guidance and acceptance criteria for fit testing users of a positive pressure, recirculating SCBA)

HPPOS-175 Acceptability of New Technology Respirator Fit Testing Devices (provides NRC position on acceptability of fit testing methods)

IN 83-67 Emergency-Use Respirator Material Defect Causes Production of Noxious Gas

Statement of Requirement:

(c)(5) Determination by a physician that the individual user is medically fit to use respiratory protection equipment before:

(i) The initial fitting of a face-sealing respirator;

(ii) Before the first field use of non-face-sealing respirators; and

(iii) Either every 12 months thereafter or periodically at a frequency determined by a physician.

Discussion:

Before a worker is fit-tested for a face-sealing (tight-fitting) respirator or uses a non-face-sealing respirator, a medical doctor must decide that the worker is medically fit to use a respirator. This fitness determination is repeated every 12 months, or periodically as directed by the doctor.

Statement of Applicability:

All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:

The use of respirators does impose additional physical and psychological stresses on workers. Physicians decide what constitutes minimum health standards for respirator wearers. These standards vary as a function of the type of respirator used, physical conditions, type of work and environment, and other factors. A medical evaluation program should be carried out either by the physician or by a certified, medically trained individual (under the physician's direction and oversight). This evaluation should effectively screen out individuals from using respirators, without further evaluation from the responsible physician. After a reevaluation, the physician may then decide that a worker may not use any respiratory equipment, or may simply allow use of only one specific type of respirator.

List of Existing Regulatory Guidance:

NUREG/CR-0041 Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)

Reg. Guide 8.15 Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:

HPPOS-061 Guidance Regarding Physicians' Determination of Physical Qualification of Respiratory Equipment Users (provides guidance on physician's fitness determination responsibility for the worker)

*HPPOS-103 Request for Clarification of Guidance Regarding Physicians' Determination for Physical Qualification of Respiratory Equipment Users (clarifies administrative questions and degree of involvement of responsible physician for worker fitness determination for respirator use)

*IN 84-24 Physical Qualification of Individuals to Use Respiratory Protective Devices

IN 98-20 Problems with Emergency Preparedness Respiratory Protection Programs

IN 99-05 Inadvertent Discharge of Carbon Dioxide Fire Protection System and Gas Migration

List of Outdated Implementing Guidance:

HPPOS-117 Medical Surveillance for Respirator Users (medical examination guidance for users)

Statement of Requirement:

(c)(6) Fit testing, with a fit factor greater than or equal to 10 times the APF for negative pressure devices, and a fit factor greater than or equal to 500 for any positive pressure, continuous flow and pressure-demand devices, before the first field use of tight fitting, face-sealing respirators and periodically thereafter at a frequency not to exceed 1 year. Fit testing must be performed with the facepiece operating in the negative pressure mode.

Discussion:

Each worker must be able to get a good fit with a face-sealing (tight-fitting) respirator before using that respirator in the field (in actual work place conditions) to limit radioactive material intake. For negative pressure respirators (the user breathes in and creates negative pressure inside the mask), the fit test result must be greater than or equal to 10 times the assigned protection factor (APF). For example, for a half-face respirator (APF=10), a worker's fit factor results must be greater than or equal to 100.

For positive pressure, continuous flow, or pressure-demand face-sealing respirators, the worker must obtain a fit factor of 500 or greater. All respirator user fits must be periodically re-checked, and the time between retests shall not exceed 12 months.

Statement of Applicability:

All licensees that use respirators to limit worker intakes of radioactive materials.

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* Needs minor updating, but basic message is still applicable – provides good staff guidance.

Guidance Statement:
Fit testing should be conducted after the user has been trained in how to don and use the respirator properly. When a worker successfully passes a fit test (performed in a controlled, laboratory environment), then the licensee can be confident that the worker can obtain and maintain the assumed APF (in the working environment), given that other programmatic factors have been adequately accomplished (e.g., user training, adequate user seal check, mask maintenance, and quality assurance (QA)/quality control (QC)).

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
Reg. Guide 8.15	Acceptable Programs for Respiratory Protection (Revision 1)

List of Implementing Guidance:

*HPPOS-037	Farley 1 & 2 – 10 CFR Part 20 Exemption Request, MSA GMR-I Canister Radioiodine Protection Factor (describes example of NRC approval process to use non-NIOSH approved equipment to protect against radioiodine gases and vapors)
*Q&A 131	Relates how user seal check can be performed.

List of Outdated Implementing Guidance:

HPPOS-146	Updated Guidance on Fit Testing of Biopak 60-P Respirator Users (provides specific guidance and acceptance criteria for fit testing users of a positive pressure, recirculating SCBA)
HPPOS-175	Acceptability of New Technology Respirator Fit Testing Devices (provides NRC position on acceptability of fit testing methods)

Statement of Requirement:
(d) The licensee shall advise each respirator user that the user may leave the area at any time for relief from respirator use in the event of equipment malfunction, physical or psychological distress, procedural or communication failure, significant deterioration of operating conditions, or any other conditions that might require such relief.

Discussion:
The licensee must tell each worker that if any of the following events occur while wearing a respirator, the worker may the leave the work area and take off the respirator:

(1) The respirator doesn't work properly;

(2) The worker feels physically ill (sick) or claustrophobic (doesn't like being confined in respirator);

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* Needs minor updating, but basic message is still applicable – provides good staff guidance.

(3) The work is not going as planned or understood, and work conditions continue to deteriorate;

(4) The worker cannot communicate with fellow workers or others, when needed;

(5) Any other similar situation or problem.

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
Given the additional stress and burdens placed on respirator wearers, each such user must be informed of the right to exit the "respiratory protection required" work area, if problems occur. However, each worker should be instructed and understand that (for given situations) the worker must keep the respirator on until the worker has cleared the area. For example, if a worker is inside a highly contaminated tent, and his powered air-purifying respirator (PAPR) battery runs low and the blower stops, the worker should leave the facepiece on and use the respirator in the negative pressure-mode until he leaves the tent.

List of Existing Regulatory Guidance:
NUREG/CR-0041 Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)

Reg. Guide 8.15 Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:
N/A.

Statement of Requirement:
(e) The licensee shall also consider limitations appropriate to the type and mode of use. When selecting respiratory devices the licensees shall provide for vision correction, adequate communications, low temperature work environments, and concurrent use of other safety or radiological protection equipment. The licensee shall use equipment in such a way as not to interfere with the proper operation of the respirator.

Discussion:
The licensee must consider working conditions when selecting and issuing respirators. Each worker should be able to see well and speak to fellow workers. If the workplace is at or below freezing, then the likelihood of respirator problems must be considered and controlled. When other safety equipment must be used at the same time as a respirator, this additional equipment must not get in the way of or hinder the proper operation of the worker's respirator.

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
It is vital that a respirator wearer be able to see clearly and communicate well with fellow workers and supervisors. Vision spectacle kits specific for each respirator types are available, and contact lens are allowed to be used. When using respirators in low temperature environs, lens fogging/frosting can occur unless compensatory measures are taken. Cold temperatures can cause another serious problem: exhalation valve freezing, which (if in the "open" position) could allow contaminant penetration into the mask (and other problems, specific to the type of respirator).

When additional safety equipment is required, the use of such equipment shall not interfere with the form, fit or function of the respirator. For example, unless the communication device is specifically approved for use by the manufacturer (and thus part of the NIOSH approval process), if the device is attached to the respirator, it is likely to void the certification.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:

Q&A 479	Discusses increased likelihood of facial contaminations as the use of respirators decreases
Q&A 480	Discusses methods to provide facial protection from contamination
IN 96-18	Compliance with 10 CFR Part 20 for Airborne Thorium
IN 97-66	Failure to Provide Special Lenses for Operators Using Respirator or Self-Contained Breathing Apparatus During Emergency Operations
IN 98-20	Problems with Emergency Preparedness Respiratory Protection Programs
IN 99-05	Inadvertent Discharge of Carbon Dioxide Fire Protection System and Gas Migration

List of Outdated Implementing Guidance:

HPPOS-162	Use of Contact Lenses with Respirators (removed prohibition of using contact lenses (***Note:*** RG 8.15, Rev 1 now supports use)).

Statement of Requirement:
(f) Standby rescue persons are required whenever one-piece atmosphere-supplying suits, or any combination of supplied air respiratory protection device and personnel protective equipment, are used from which an unaided individual would have difficulty extricating himself or herself. The standby persons must be equipped with respiratory protection devices or other apparatus appropriate for the potential hazards. The standby rescue persons shall observe or otherwise maintain continuous communication with the workers (visual, voice, signal line, telephone, radio, or other suitable means) and be immediately available to assist them in case of a failure of

the air supply or for any other reason that requires relief from distress. A sufficient number of standby rescue persons must be immediately available to assist all users of this type of equipment and to provide effective emergency rescue, if needed.

Discussion:
Sufficient numbers of rescue people must be ready to provide immediate help to get workers out of air-supplied, one-piece body suits (or other hoods that are hard to take off by oneself). These rescuers must have their own respirators and other safety equipment to do the job and must be at all times in some form of close communication with the respirator users.

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
When the external air supply fails to a one-piece suit or tightly worn (tucked-in seal) hood, the user has no more than about one minute to get out of the respirator (or get fresh air in) before oxygen depletion and carbon dioxide buildup cause a potentially life-threatening situation. The standby rescuers should be trained on how to provide the immediate aid and be fully cognizant of the time-sensitive dangers to the respirator user.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:

HPPOS-118	Airflow Measurement and Control for Supplied-Air Respirators (provides guidance to use and control airline respirators effectively).
IN 97-66	Failure to Provide Special Lenses for Operators Using Respirator or Self-Contained Breathing Apparatus During Emergency Operations
IN 98-20	Problems with Emergency Preparedness Respiratory Protection Programs
IN 99-05	Inadvertent Discharge of Carbon Dioxide Fire Protection System and Gas Migration

Statement of Requirement:
(g) Atmosphere-supplying respirators must be supplied with respirable air of grade D quality or better as defined by the Compressed Gas Association in publication G-7.1, "Commodity Specification for Air," 1997 and included in the regulations of the Occupational Safety and Health Administration (29 CFR 1910.134(i)(1)(ii)(A) through (E)). Grade D quality air criteria include:

(1) Oxygen contents (v/v) of 19.5 - 23.5%;

(2) Hydrocarbon (condensed) content of 5 milligrams per cubic meter of air or less;

(3) Carbon monoxide (CO) content of 10 ppm or less;

(4) Carbon dioxide content of 1,000 ppm or less;

(5) Lack of noticeable odor.

Discussion:
Respirator-provided air that is separate from the normal air in the workplace must be as good or better than Grade D air. The United States Department of Labor's Occupational Safety and Health Administration (OSHA) requires Grade D air, which has limits on oil levels (condensed hydrocarbons) and carbon dioxide and monoxide, and must not have any detectable odor. Oxygen must be within normal levels and below a certain percentage (to avoid the chance of a fire on or inside the respirator).

Statement of Applicability:
All licensees that use supplied air respirators to limit worker intakes of radioactive materials.

Guidance Statement:
Breathing air is normally supplied by two modes. Compressed air is provided for individual SCBA bottles, and airline respirators are fed from an installed air distribution system (compressor) or a cascade of air cylinders. In any case, the licensee must assure at least Grade D air quality either by contractor assurance (for air bottles filled offsite) or sampling the onsite air compressor output. When using an installed air distribution system, licensees are cautioned to take steps to avoid contaminating the system internals.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:

HPPOS-118	Airflow Measurement and Control for Supplied-Air Respirators (provides guidance to use and control airline respirators effectively)
IN 79-08	Interconnection of Contaminated Systems with Service Air Systems Used as the Source of Breathing Air
IN 85-06	Contamination of Breathing Air Systems
IN 85-87	Hazards of Inerting Atmospheres

IN 94-26 Personnel Hazards and Other Problems From Smoldering Fire-Retardant Material in the Drywell of a Boiling Water Reactor

*Q&A 124 Notes that this section's requirements apply to respirators used during emergencies

Statement of Requirement:
(h) The licensee shall ensure that no objects, materials or substances, such as facial hair, or any conditions that interfere with the face-to-facepiece seal or valve function, and that are under the control of the respirator wearer, are present between the skin of the wearer's face and the sealing surface of the tight-fitting respirator facepiece.

Discussion:
When using a tight-fitting respirator, the user must be clean-shaven, and nothing is allowed to interfere with the face sealing area or the operation of any inlet or exhalation valves.

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
This prohibition includes all types of respirators, including air purifying and atmosphere supplying respirators that are tight-fitting. A single strand of hair can cause an exhalation valve malfunction, which would allow for serious degradation of respirator function. Maintaining a good face-to-respirator facepiece fit is vital to ensure that an adequate degree of protection is provided – any interference in this interface area could seriously degrade wearer protection.

Workers assigned to emergency response teams (e.g., fire brigades) that must provide immediate response should not be allowed to grow and maintain beards. Given the nature and timing of the response required, it is not acceptable to take the time to shave the beard before responding.

List of Existing Regulatory Guidance:
NUREG/CR-0041 Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)

Reg. Guide 8.15 Acceptable Programs For Respiratory Protection (Revision 1)

List of Current Implementing Guidance:
IN 97-66 Failure to Provide Special Lenses for Operators Using Respirator or Self-Contained Breathing Apparatus During Emergency Operations

IN 98-20 Problems with Emergency Preparedness Respiratory Protection Programs

* Needs minor updating, but basic message is still applicable – provides good staff guidance.

List of Outdated Implementing Guidance:

HPPOS-094	Guidance Concerning 10 CFR 20.1703 and use of Pressure Demand SCBAs (discussed problems with facial hair, when using SCBA (current rule prohibits beards, etc. in seal area))
HPPOS-116	OSHA Interpretation: Beards and Tight-Fitting Respirators (provides technical, safety basis for not allowing bearded respirator users)
HPPOS-162	Use of Contact Lenses with Respirators (removes prohibition of using contact lenses (***Note:*** RG 8.15, Rev 1 now supports use))

Statement of Requirement:
(i) In estimating the dose to individuals from intake of airborne radioactive materials, the concentration of radioactive material in the air that is inhaled when respirators are worn is initially assumed to be the ambient concentration in air without respiratory protection, divided by the assigned protection factor. If the dose is later found to be greater than the estimated dose, the corrected value must be used. If the dose is later found to be less than the estimated dose, the corrected value may be used.

Discussion:
When the licensee is making the initial estimate of dose received by workers using respirators, the licensee must divide the measured workplace airborne radioactive material concentration (without any respiratory protection) by the APF of the respirator. If the dose is later found to be greater, the licensee must record the higher corrected dose. If the dose is later found to be lower, then the licensee may (but is not required to) use the lower corrected value as the dose of record

Statement of Applicability:
All licensees that use respirators to limit worker intakes of radioactive materials.

Guidance Statement:
For personnel who must be monitored for internal dose (per 10 CFR 20.1502, likely to receive 10% of an ALI in a year), any intake (dose) must be recorded as specified in 10 CFR 20.1204.

List of Existing Regulatory Guidance:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
NUREG-1400	Air Sampling in the Workplace
Reg. Guide 8.9	Acceptable Concepts, Models, Equations, and Assumptions for a Bioassay Program (Revision 1)
Reg. Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)
Reg. Guide 8.25	Air Sampling in the Workplace (Revision 1)
Reg. Guide 8.34	Monitoring Criteria and Methods to Calculate Occupational Radiation Dose

List of Implementing Guidance:

IN 85-06	Contamination of Breathing Air Systems
IN 86-43	Problems With Silver Zeolite Sampling of Airborne Radioiodine
*IN 92-75	Unplanned Intakes of Airborne Radioactive Material by Individuals at Nuclear Power Plants
IN 97-36	Unplanned Intakes by Worker of Transuranic Airborne Radioactive Materials and External Exposure Due to Inadequate Control of Work
*Q&A 60	Provides guidance for required records of TEDE ALARA evaluations
*Q&A 132	Explains how to comply with requirement to identify "potential hazards" when sampling for airborne radioactive materials
*Q&A 374	Provides NRC views on how a licensee can monitor their program's effectiveness
Q&A 479	Discusses increased likelihood of facial contaminations as the use of respirators decreases
Q&A 480	Discusses methods to provide facial protection from contamination

* Needs minor updating, but basic message is still applicable – provides good staff guidance.

3.20.1704 FURTHER RESTRICTIONS ON THE USE OF RESPIRATORY PROTECTION EQUIPMENT

Statement of Requirement:
The Commission may impose restrictions in addition to those in 10 CFR 20.1702, 20.1703, and Appendix A to Part 20 to:

(1) Ensure that the respiratory protection program of the licensee is adequate to limit doses to individuals from intakes of airborne radioactive materials consistent with maintaining total effective dose equivalent ALARA; and

(2) Limit the extent to which a licensee may use respiratory protection equipment instead of process or other engineering controls.

Discussion:
In addition to all the requirements imposed on licensees who wish to use respirators, NRC may impose additional restrictions to ensure that the licensee's program is adequate to protect workers from airborne, radioactive materials and, at the same time, to properly balance external and internal exposure. NRC may also limit the licensee's ability to use respirators, if the licensee is not making good use of the preferred engineering controls (e.g., decontamination, containment, and ventilation).

Statement of Applicability:
All licensees whose operations could result in accessible airborne radioactivity areas or for whom the routine use of respirators is planned to reduce worker intakes or as required by the facility's emergency plan.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1705 APPLICATION FOR USE OF HIGHER ASSIGNED PROTECTION FACTORS

Statement of Requirement:
The licensee shall obtain authorization from the Commission before using assigned respiratory protection factors in excess of those specified in Appendix A to Part 20. The Commission may authorize a licensee to use higher protection factors on receipt of an application that:

(1) Describes the situation for which a need exists for higher protection factors; and

(2) Demonstrates that the respiratory protection equipment provides these higher protection factors under the proposed conditions of use.

Discussion:
A licensee may request NRC to approve and to allow the use of APFs greater than those listed in Appendix A. However, the licensee must explain the need for the higher APFs, and the licensee must show that the respirator will provide the higher degree of protection when used under the conditions expected.

Statement of Applicability:
Any licensees may apply for specific approval to use higher APFs.

Guidance Statement:
None.

List of Existing Regulatory Guidance Documents:

NUREG/CR-0041	Manual of Respiratory Protection Against Airborne Radioactive Materials (Revision 1)
Regulatory Guide 8.15	Acceptable Programs For Respiratory Protection (Revision 1)

List of Implementing Guidance:
N/A.

3.20.1801 SECURITY OF STORED MATERIAL

Statement of Requirement:
The licensee shall secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas.

Discussion:
For licensed material in storage, licensees shall take measures (e.g., providing locks) to ensure that unauthorized individuals cannot access or remove licensed material from storage.

Statement of Applicability:
This section is applicable to all NRC-licensed programs, including some general licensees (i.e., those that fall under 10 CFR 31.3 and 31.8). It is also important to note that, unlike the requirements for posting and for labeling, the requirement to secure material is unrelated to the quantity of licensed material involved.

Guidance Statement:
"Securing licensed material from unauthorized removal" means taking measures to prevent the unauthorized removal of the material. Passively controlling access to the material (e.g., by using ropes or posting signs) does not physically secure stored material from unauthorized removal or from access, in accordance with this requirement. Only active measures, such as locking the door to a room or locking a refrigerator (and controlling the distribution of the key to the locks) would be sufficient to demonstrate compliance with this requirement.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

IE Circular No. 78-01	Loss of Well Logging Source
IN No. 95-51	Recent Incidents Involving Potential Loss of Control of Licensed Material
IN No. 98-01	Thefts of Portable Gauges
Q&A 129	Quantities of material where requirement imposed
Q&A 419	Quantities of material where requirement imposed
Q&A 450	Security of licensed materials in controlled areas

3.20.1802 CONTROL OF MATERIAL NOT IN STORAGE

Statement of Requirement:
The licensee shall control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.

Discussion:
This section, unlike the previous section, pertains to licensed material in controlled or unrestricted areas that is *not* in storage. Such material must, at all times, be under the surveillance and control of the licensee.

Statement of Applicability:
This section applies to all licensees.

Guidance Statement:
Many reports of loss or theft of licensed material, or of damage to devices containing licensed material, are the result of licensees not maintaining the appropriate control and surveillance over licensed material when it is not in storage. If licensed material is being used in a controlled or in an unrestricted area, the licensee must have the ability to take physical control over it at all times, and the licensee must maintain visual contact with it. A typical example of this is when a portable gauge user at a temporary job site walks back to his or her truck, or when he or she turns to talk to someone while the gauge is in use. For the purposes of this regulation, while the gauge user's back is turned on the device, the user is not maintaining constant surveillance and has lost control of the gauge.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

IE Circular No. 81-07	Control of Radioactively Contaminated Material
IN No. 85-57	Lost Iridium-192 Source Resulting in the Death of Eight Persons in Morocco
IN No. 87-55	Portable Moisture/Density Gauges: Recent Incidents of Portable Gauges Being Stolen or Lost
IN No. 88-02	Lost or Stolen Gauges
IN No. 89-35	Loss and Theft of Unsecured Licensed Material
IN No. 93-18	Portable Moisture-Density Gauge User Responsibilities During Field Operations

3.20.1901 CAUTION SIGNS

Statement of Requirement:
(a) *Standard radiation symbol.* Unless otherwise authorized by the Commission, the symbol prescribed by this part shall use the colors magenta, or purple, or black on yellow background. The symbol prescribed by this part is the three-bladed design:

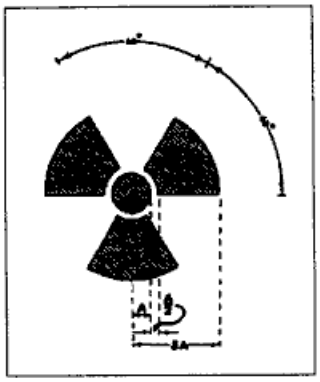

Figure 1901.1 Radiation Symbol.

(1) Cross-hatched area is to be magenta, or purple, or black; and

(2) The background is to be yellow.

(b) *Exception to color requirements for standard radiation symbol.* Notwithstanding the requirements of Paragraph (a) of this section, licensees are authorized to label sources, source holders, or device components containing sources of licensed materials that are subjected to high temperatures, with conspicuously etched or stamped radiation caution symbols and without a color requirement.

(c) *Additional information on signs and labels.* In addition to the contents of signs and labels prescribed in this part, the licensee may provide, on or near the required signs and labels, additional information, as appropriate, to make individuals aware of potential radiation exposures and to minimize the exposures.

Discussion:
The standard radiation symbol had remained unchanged for decades. Recent changes to NRC regulations have allowed the use of black, as well as magenta or purple.

Statement of Applicability:
The section is applicable to all licensees.

Guidance Statement:
No further guidance is necessary. The applicability of the exemption stated in 20.1901(b) will be determined during the licensing process.

List of Outdated Existing Regulatory Guidance:
Reg. Guide 8.1 Radiation Symbol

List of Implementing Guidance:
N/A.

3.20.1902 POSTING REQUIREMENTS

Statement of Requirement:
(a) *Posting of radiation areas*. The licensee shall post each radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIATION AREA."

(b) *Posting of high radiation areas.* The licensee shall post each high radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, HIGH RADIATION AREA" or "DANGER, HIGH RADIATION AREA."

(c) *Posting of very high radiation areas.* The licensee shall post each very high radiation area with a conspicuous sign or signs bearing the radiation symbol and words "GRAVE DANGER, VERY HIGH RADIATION AREA."

(d) *Posting of airborne radioactivity areas.* The licensee shall post each airborne radioactivity area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, AIRBORNE RADIOACTIVITY AREA" or "DANGER, AIRBORNE RADIOACTIVITY AREA."

(e) *Posting of areas or rooms in which licensed material is used or stored.* The licensee shall post each area or room in which there is used or stored an amount of licensed material exceeding 10 times the quantity of such material specified in Appendix C to Part 20 with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)."

Discussion:
The purpose of this section is to specify those areas of a licensee's facility that are required to be posted with warning signs. The intent is to alert personnel to the presence of radiological hazards and to aid them in minimizing exposures. The circumstances of each case must be evaluated to ensure that posting practices do not detract from this intent by: (1) desensitizing personnel through over-posting; or (2) failing to sufficiently alert personnel to the presence and location of radiological hazards. Thus, these postings should warn individuals of specific radiological hazards in the immediate vicinity.

Statement of Applicability:
The requirements of this section are applicable to all licensees. More specific requirements regarding posting appear in other parts of the regulations (e.g., Part 34 for industrial radiography and Part 36 for irradiators).

Guidance Statement:
The precise location and extent of posting is subjective and depends on the circumstances of each posting situation. For example, posting only the entrance to a building or other large area may meet the literal requirements of this section, but this may fail to adequately inform workers of the

radiological hazards in their work areas. It is counter-productive to post areas with caution signs when the areas do not contain the radiological hazards described by the postings. Since the regulations do not provide implementing details such as whether a room or building containing a radiation area may be posted at the entrance or whether every discrete radiation area must be posted, the following is provided as guidance: Posting the entrances to a very large room or building is inappropriate if most of the area is not a radiation area and only discrete areas or individual rooms actually meet the criteria for a radiation area. If discrete areas or rooms within a large area or building can be reasonably posted to alert individuals to radiation areas, these discrete areas or rooms should be posted individually.

Licensees may establish controls, such as posting, at locations beyond the immediate boundaries of an area to take advantage of natural or existing barriers. For example, it may be appropriate for a licensee to post a reactor containment as a high radiation area even though only certain areas of containment are high radiation areas. In such a circumstance, the licensee would have to maintain administrative controls (i.e., controlling personnel access and keeping the entrance locked) as though the entire containment were a high radiation area.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

HPPOS-014	Access Control to High Radiation Areas
HPPOS-036	Posting of Entrances to a Large Room or Building as a Radiation Area
HPPOS-066	Guidance for Posting Radiation Areas
HPPOS-210	Hot Spot Interpretation
HPPOS-242	Health Physics Position of Posting of High Radiation Areas
IN No. 84-82	Guidance for Posting Radiation Areas
Q&A 53	Posting requirement for packages labeled for transport
Q&A 85	Posting based on which "dose equivalent"
Q&A 221	Posting for low energy beta radiation
Q&A 379	Posting of airborne radioactivity areas and noble gases
Q&A 459	Same as Q&A 379
Q&A 460	Use of stochastic DAC's for posting purposes

List of Outdated Implementing Guidance:

Q&A 27	Posting of controlled areas

3.20.1903 EXCEPTIONS TO POSTING REQUIREMENTS

Statement of Requirement:
(a) A licensee is not required to post caution signs in areas or rooms containing radioactive materials for periods of less than 8 hours, if each of the following conditions is met:

(1) The materials are constantly attended during these periods by an individual who takes the precautions necessary to prevent the exposure of individuals to radiation or radioactive materials in excess of the limits established in this part; and

(2) The area or room is subject to the licensee's control.

(b) Rooms or other areas in hospitals that are occupied by patients are not required to be posted with caution signs pursuant to 10 CFR 20.1902 provided that the patient could be released from licensee control pursuant to 10 CFR 35.75 of this chapter.

(c) A room or area is not required to be posted with a caution sign because of the presence of a sealed source provided the radiation level at 30 centimeters from the surface of the source container or housing does not exceed 0.005 rem (0.05 mSv) per hour.

(d) Rooms in hospitals or clinics that are used for teletherapy are exempt from the requirement to post caution signs under 10 CFR 20.1902 if:

(1) Access to the room is controlled pursuant to 10 CFR 35.615; and

(2) Personnel in attendance take necessary precautions to prevent the inadvertent exposure of workers, other patients, and members of the public to radiation in excess of the limits established in this part.

Discussion:
NRC recognizes that in certain circumstances, posting may not be necessary. This section provides specific scenarios in which posting of caution signs is not required.

Statement of Applicability:
This requirement is applicable to all licensees who would normally be subject to the posting requirements of 10 CFR 20.1902. Note that, pursuant to 10 CFR Part 34, these exemptions do not apply to industrial radiography licensees.

Guidance Statement:
Licensees who work with radioactive materials for short periods of time (less than 8 hours) are not required to post caution signs such as the "Caution-Radioactive Materials" sign. However, the licensee must ensure that the materials are constantly attended by someone adequately trained to take precautions necessary to prevent the exposure of individuals to radiation or radioactive materials in excess of Part 20 limits.

For hospitals, 10 CFR Part 35 allows licensees to release patients containing radiopharmaceuticals or implants when the dose to any other individual is not likely to exceed 0.5 rem (5 millisieverts). For this reason, rooms occupied by these patients would not need to be posted if that person remained hospitalized for some reason unrelated to the radiation.

Also, rooms used for teletherapy must meet certain requirements regarding access control. If the licensee meets these requirements, adequate precautions regarding exposure will exist, and the licensee is not subject to the posting requirements of 10 CFR 20.1902.

Finally, if the presence of a sealed source of licensed material results in a small radiation risk, i.e., the radiation level near the surface of the source container is less than 5 millirem (0.05 millisieverts) per hour, the posting of the room with a caution sign would be of limited value and is therefore unnecessary.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
Q&A 223 Exemption from posting at temporary field sites

Q&A 224 "Danger" vs. "Caution" for very high radiation areas

List of Outdated Implementing Guidance:
Q&A 35 Posting of hospital rooms

3.20.1904 LABELING CONTAINERS

Statement of Requirement:
(a) The licensee shall ensure that each container of licensed material bears a durable, clearly visible label bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL" or "DANGER, RADIOACTIVE MATERIAL." The label must also provide sufficient information (such as the radionuclide(s) present, an estimate of the quantity of radioactivity, the date for which the activity is estimated, radiation levels, kinds of materials, and mass enrichment) to permit individuals handling or using the containers, or working in the vicinity of the containers, to take precautions to avoid or minimize exposures.

(b) Each licensee shall, prior to removal or disposal of empty uncontaminated containers to unrestricted areas, remove or deface the radioactive material label or otherwise clearly indicate that the container no longer contains radioactive materials.

Discussion:
The purpose of this section is to ensure that adequate information is available to workers to enable them to handle radioactive materials safely and minimize exposure. The section also addresses the importance of removing or defacing labels on empty containers, since labels on such containers found in the public domain may cause undue alarm on the part of the public.

Statement of Applicability:
This section applies to all NRC licensees. Note that certain licensees are required to follow other regulatory requirements regarding labeling (e.g., Part 35 for syringe and vial shields).

Guidance Statement:
A label required pursuant to 10 CFR 20.1904 must bear the radiation caution symbol and the words "CAUTION, RADIOACTIVE MATERIAL" or "DANGER, RADIOACTIVE MATERIAL," as well as provide sufficient information to permit individuals handling or using the container or working in the area to take necessary precautions to avoid or minimize exposure and ensure worker safety.

Since there is no special definition of "container" in 10 CFR Part 20, the usual (dictionary) meaning of the term applies (i.e., a container is "a thing in which material is held or carried"). For example, in a laboratory situation, vials, beakers, bottles and other such containers need to be labeled to ensure that everyone knows what is present. In general, a container should be labeled when the radioactive material is added to it. However, NRC acknowledges that certain conditions may exist when the addition of appropriate information to the label may necessitate some delay. For example, dose rate information may not be available to add to the label until the container is filled, or the final dose rate information may not be available until the container can be moved to a low-background area for measurement.

The removal or defacing of labels on empty containers released from radiological control is of particular importance. Licensees and regulatory agencies have responded to numerous events

involving labeled containers found in the public domain that were later determined to be free of any radioactive material. In addition to unnecessarily raising public alarm, such responses have an impact on the radiation safety resources of licensees and regulatory agencies. One exception, as discussed in Information Notice 97-03, concerns used syringes/needles, which are considered both biohazardous and radioactive waste. In such cases, the Information Notice provides specific guidance for meeting the intent of this requirement while avoiding any biohazard.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

HPPOS-027	10 CFR 20.203 (f) Enforcement Guidance for Container Labels
HPPOS-028	Further Guidance on Labeling Requirements
IN 97-03	Defacing of Labels to Comply with 10 CFR 20.1904(b)
Q&A 127	Labeling fission and activation product containers
Q&A 128	Labeling of low specific activity (LSA) packages
Q&A 226	Definition of "container"

3.20.1905 EXEMPTIONS TO LABELING REQUIREMENTS

Statement of Requirement:
A licensee is not required to label:

(1) Containers holding licensed material in quantities less than the quantities listed in Appendix C to Part 20; or

(2) Containers holding licensed material in concentrations less than those specified in Table 3 of Appendix B to Part 20; or

(3) Containers attended by an individual who takes the precautions necessary to prevent the exposure of individuals in excess of the limits established by this part; or

(4) Containers when they are in transport and packaged and labeled in accordance with the regulations of the Department of Transportation[6], or

(5) Containers that are accessible only to individuals authorized to handle or use them, or to work in the vicinity of the containers, if the contents are identified to these individuals by a readily available written record (examples of containers of this type are containers in locations such as water-filled canals, storage vaults, or hot cells). The record must be retained as long as the containers are in use for the purpose indicated on the record; or

(6) Installed manufacturing or process equipment, such as reactor components, piping, and tanks.

Discussion:
This section provides exemptions from labeling requirements for situations where: (1) the amount of radioactivity is small enough not to present a significant radiation hazard; (2) packages are labeled pursuant to other applicable regulations (i.e., DOT) that provide for adequate labeling; or (3) equipment for which the type of equipment or the type of accessibility of the equipment may make labeling impractical.

Statement of Applicability:
This section applies to all NRC licensees.

Guidance Statement:
No additional guidance is required.

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[6] Labeling of packages containing radioactive materials is required by the Department of Transportation (DOT) if the amount and type of radioactive material exceeds the limits for an excepted quantity or article as defined and limited by DOT regulations 49 CFR 173.403 (m) and (w) and 173.421 - 424.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.1906 PROCEDURES FOR RECEIVING AND OPENING PACKAGES

Statement of Requirement:
(a) Each licensee who expects to receive a package containing quantities of radioactive material in excess of a Type A quantity, as defined in 10 CFR 71.4 and Appendix A to Part 71 of this chapter, shall make arrangements to receive:

(1) The package when the carrier offers it for delivery; or

(2) Notification of the arrival of the package at the carrier's terminal and to take possession of the package expeditiously.

(b) Each licensee shall:

(1) Monitor the external surfaces of a labeled[7] package for radioactive contamination unless the package contains only radioactive material in the form of a gas or in special form as defined in 10 CFR 71.4;

(2) Monitor the external surfaces of a labeled[7] package for radiation levels unless the package contains quantities of radioactive material that are less than or equal to the Type A quantity, as defined in 10 CFR 71.4 and Appendix A to Part 71 of this chapter; and

(3) Monitor all packages known to contain radioactive material for radioactive contamination and radiation levels if there is evidence of degradation of package integrity, such as packages that are crushed, wet, or damaged.

(c) The licensee shall perform the monitoring required by Paragraph (b) of this section as soon as practical after receipt of the package, but not later than 3 hours after the package is received at the licensee's facility if it is received during the licensee's normal working hours, or not later than 3 hours from the beginning of the next working day if it is received after working hours.

(d) The licensee shall immediately notify the final delivery carrier and the NRC Operations Center (301-816-5100), by telephone, when:

(1) Removable radioactive surface contamination exceeds the limits of 10 CFR 71.87(i) of this chapter; or

(2) External radiation levels exceed the limits of 10 CFR 71.47 of this chapter.

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[7] Labeled with a Radioactive White I, Yellow II, or Yellow III label as specified in U.S. Department of Transportation regulations, 49 CFR 172.403 and 172.436 - 440.

(e) Each licensee shall:

(1) Establish, maintain, and retain written procedures for safely opening packages in which radioactive material is received; and

(2) Ensure that the procedures are followed and that due consideration is given to special instructions for the type of package being opened.

(f) Licensees transferring special form sources in licensee-owned or licensee-operated vehicles to and from a work site are exempt from the contamination monitoring requirements of Paragraph (b) of this section, but are not exempt from the survey requirement in Paragraph (b) of this section for measuring radiation levels that is required to ensure that the source is still properly lodged in its shield.

Discussion:
This section describes the requirements for receiving packages containing radioactive materials. It includes the necessity for making arrangements to receive packages at the licensee's facility or to pick up packages at the carrier's facility in a timely manner. This section also establishes the occasions when packages are to be monitored upon receipt and/or upon opening.

Statement of Applicability:
The requirements of this section are applicable to all specific licensees.

Guidance Statement:
The purpose of Paragraph (a) of this regulation is to ensure that packages containing licensed materials in excess of Type A quantities are promptly transferred by the carrier to the licensee so the package does not enter the public domain. For example, a package that is delivered by a commercial service may not be placed in a location outside of the licensee's controlled area. This reduces the likelihood of theft or mishandling of the package by unauthorized individuals. Also, packages left at a carrier's terminal may be more subject to being lost or to being misdirected.

The requirements for monitoring packages containing licensed material are described in the table below.

Table 1906.1 Package Monitoring Requirements.

Package	Contents	Survey Type	Survey Time[a]
Labeled (White I, Yellow II, Yellow III)	Gas or Special Form Greater Than Type A	Radiation Level	As soon as practicable, but not later than 3 hours after receipt of package
Labeled (White I, Yellow II, Yellow III)	Neither Gas Nor Special Form Greater Than Type A	Contamination Radiation Level	As soon as practicable, but not later than 3 hours after receipt of package

Package	Contents	Survey Type	Survey Time[a]
Labeled (White I, Yellow II, Yellow III)	Gas or Special Form Less Than Type A	None	None
Labeled (White I, Yellow II, Yellow III)	Neither Gas Nor Special Form Less Than Type A	Contamination	As soon as practicable, but not later than 3 hours after receipt of package
Not Labeled	Licensed Material	None	None
Damaged	Licensed Material	Contamination Radiation Level	As soon as practicable, but not later than 3 hours after receipt of package

[a] Assumes packages are received during normal working hours. If packages are received outside of normal working hours, the licensee has three hours after the beginning of the next work day to perform the required surveys.

If contamination surveys of packages from non exclusive use shipments reveal levels exceeding either one time or ten times the values in Table 11 of Title 49 CFR Part 173.443 (below), the licensee must notify the carrier and NRC. (For packages shipped as exclusive-use shipments by rail or highway, the removable radioactive surface contamination at any time during transport may not exceed 10 times the limits for non-exclusive use shipments.)

Title 49 CFR Part 173.443(a)(1) requires the wiping of an area of 300 cm^2; for such an assessment, the contamination limits for non-exclusive use shipments are the values in Table 11. Title 49 CFR Part 173.443(a)(2) provides for the use of other methods of assessment of equal or greater efficiency, in which case the efficiency of the sample collection method used must be taken into account. For such assessments, the contamination limits for non-exclusive use shipments are ten times the values in Table 11. In every determination, the licensee must account for the counting efficiency of the instrumentation used.

Table 1906.2 Table 11 of 49 CFR 173.443.

Contaminant	Maximum permissible limits		
	Bq/cm^2	$\mu Ci/cm^2$	dpm/cm^2
Beta and gamma emitters and low toxicity alpha emitters	0.4	10^{-5}	22
All other alpha-emitting radionuclides	0.04	10^{-6}	2.2

Likewise, for radiation-level surveys indicating levels above 200 millirem/hour (2 millisieverts/hour) at the surface of the package or 10 millirem/hour (0.1 millisieverts/hour) at one meter from the package, the licensee must notify the carrier and NRC. For exclusive-use shipments, see the requirements of 10 CFR 71.47 (b).

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

IN No. 85-07	Contaminated Radiography Source Shipments
IN No. 85-46	Clarification of Several Aspects of Removable Radioactive Surface Contamination Limits for Transport Packages
Q&A 36	Monitoring labeled packages
Q&A 108	Surveys to show compliance with 20.1906(f)
Q&A 227	Surveying gauge packages
Q&A 228	Surveys of licensee-transported material
Q&A 229	Wipe test vs. leak test upon receipt
Q&A 230	Monitoring Type A packages

3.20.2000 SUBPART K – WASTE DISPOSAL

3.20.2001 GENERAL REQUIREMENTS

Statement of Requirement:
(a) A licensee shall dispose of licensed material only:

(1) By transfer to an authorized recipient as provided in 10 CFR 20.2006 or in the regulations in Parts 30, 40, 60, 61, 70, or 72 of this chapter; or

Discussion:
An authorized recipient is a person or an organization licensed to possess the material being transferred in the form and in the quantity being transferred. The licensee is responsible for ensuring that the recipient is authorized to receive the material being transferred. This may be done by reviewing the recipient's license or, if that leaves doubt, by contacting the NRC Regional Office or applicable Agreement State Office that issued the recipient's license. Other approved methods of verifying licensure are covered in 10 CFR 30.41, 40.51, 70.42, and 76.83.

Statement of Requirement:
(2) By decay in storage; or

Discussion:
"Decay in storage" means that the material is stored at the licensee's facility or under the licensee's control for a period sufficiently long that the activity decays to levels that permit the use of other disposal options or that permit disposal of the material as ordinary, non-radioactive waste. Disposal in the latter case is permitted only after surveys show no detectable radioactivity. The appropriate method of survey to show no detectable radioactivity will depend on the specific circumstances.

The length of time that the material may be stored for decay is not specified in this part, but license conditions normally specify the length of time permitted to decay material in storage and any controls and other safety measures that must be instituted during the period of storage. Part 35 also addresses decay in storage. The licensee must, therefore, review the applicable regulations and the license conditions to determine applicable constraints on decay in storage for its operation.

Statement of Requirement:
(3) By release in effluents within the limits in 10 CFR 20.1301; or

Discussion:
In this context, "effluents" means releasing the radioactive material into the atmosphere if it is in gaseous or airborne particulate form, or into a body of water if it is in liquid form. Releases to the sanitary sewer, as discussed below, are not considered effluents and are subject to their own

specific requirements. However, disposal by incineration is considered to produce air effluents, which are then subject to restrictions by NRC and EPA. The ash produced by the incineration of licensed material may be disposed of in landfills, provided it complies with NRC's rules and ash disposal guidance.

Statement of Requirement:
(4) As authorized under 10 CFR 20.2002, 20.2003, 20.2004, and 20.2005.

Discussion:
It should be noted that the four options listed in this paragraph are the only methods approved by NRC for disposing of licensed material, regardless of the amount of such material. Other options for disposal must be approved by NRC on a case-by-case basis.

Statement of Requirement:
(b) A person must be specifically licensed to receive waste containing licensed material from other persons for:

(1) Treatment prior to disposal; or

(2) Treatment or disposal by incineration; or

(3) Decay in storage; or

(4) Disposal at a land disposal facility licensed under Part 61 of this chapter; or

(5) Disposal at a geologic repository under Part 60 of this chapter.

Discussion:
It is acceptable for a licensee to transfer licensed material to another person or entity who, in turn, disposes of that material in an NRC-approved manner. However, the person or entity receiving the licensed material must be authorized by an NRC license to receive such material in the form and in the quantity being transferred.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
NRC does not permit the disposal of licensed material in any manner other than those methods listed above. If the licensee wishes to use a method that is not listed, then an application must be submitted to NRC for authorization. The application should fully describe the proposed method and its expected environmental impacts. Licensed materials that may have decayed or whose activity may have otherwise diminished below an exempt quantity listed in another part of the regulation are not exempt from this section. Exemption of certain types, quantities, or concentrations of materials from the licensing requirements applies to the initial decision of whether or not the material should be licensed. However, once licensed, no quantity of that material, however small, is exempt from the applicable regulations in this section.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

HPPOS-131	No License is Required for a Person to Receive Exempt Quantity Byproduct Material
HPPOS-189	Transfer of Exempt Quantities of Byproduct Material from a Nuclear Power Plant
HPPOS-190	Disposal of Exempt Quantities of Byproduct Material
HPPOS-203	Transfer of Reactor-Activated Materials to Exempt Persons
HPPOS-239	Clarification of Generic Letter 81-38, "Storage of Low-Level Radioactive Wastes at Power Reactor Sites"
HPPOS-278	Technical Assistance Request, Department of the Interior, Salt lake City, UT, Apparent Request to Store Low-Level Waste Decay for More Than Five Years

3.20.2002 METHOD FOR OBTAINING APPROVAL OF PROPOSED DISPOSAL PROCEDURES

Statement of Requirement:
A licensee or applicant for a license may apply to the Commission for approval of proposed procedures, not otherwise authorized in the regulations in this chapter, to dispose of licensed material generated in the licensee's activities. Each application shall include:

(1) A description of the waste containing licensed material to be disposed of, including the physical and chemical properties important to risk evaluation, and the proposed manner and conditions of waste disposal; and

(2) An analysis and evaluation of pertinent information on the nature of the environment; and

(3) The nature and location of other potentially affected licensed and unlicensed facilities; and

(4) Analyses and procedures to ensure that doses are maintained ALARA and within the dose limits in this part.

Discussion:
This section permits licensees to apply to NRC for authorization to dispose of licensed material in a manner not listed in this subpart. The submittal must contain sufficient information to permit NRC to perform an independent assessment of the possible impacts of the proposed method on members of the public, on the environment, and on any other groups or facilities that may be affected by the proposed method.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
For current information and guidance, contact the Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.2003 DISPOSAL BY RELEASE INTO SANITARY SEWERAGE

Statement of Requirement:
(a) A licensee may discharge licensed material into sanitary sewerage if each of the following conditions is satisfied:

Discussion:
This section of the regulations applies to disposal to public sanitary disposal facilities but not to private sewer disposal facilities that the licensee may be operating on site or that are under the licensee's control.

Statement of Requirement:
(1) The material is readily soluble (or is readily dispersible biological material) in water; and

Discussion:
"Readily soluble" has not been defined in the regulations, but NRC requires that an evaluation be made by any appropriate means to determine the solubility, in water, of the material to be disposed to the sewers. As indicated in NRC guidance, the evaluation may be theoretical, i.e., based on knowing the chemical characteristics of the compounds to be disposed, or on experimental determinations conducted by the licensee or any other reliable entity.

Guidance Statement:
Readily dispersible biological material was included in the regulation to permit disposal of certain research waste products, such as animal carcasses or tissues that have been finely ground. Such biological material is not normally water soluble, but the regulations permit its disposal if it is in a form that will disperse in the sewer water.

The intent of this part of the regulation is to minimize reconcentration of the disposed material in the sewage system. Such reconcentration may cause a radiological hazard to treatment plant and other workers and the general public, as well as require extensive effort to decontaminate. The sludge produced by sewage treatment has economic value, but may not be useable if contaminated. If in doubt about the effects of disposals to the sewers, and to avoid future problems, it may be advantageous to consult with the sewerage treatment facility.

Some NRC licensees have been limited in their ability to dispose of licensed material to the sewers by the treatment plant operators, and in some cases such disposal was forbidden by the sewerage treatment facility. Although it remains unclear whether sewerage treatment plants have the legal authority to take such action, it is appropriate for NRC licensees to be aware of the rules and operating procedures of their local sewerage treatment facility.

Statement of Requirement:

(2) The quantity of licensed or other radioactive material that the licensee releases into the sewer in 1 month divided by the average monthly volume of water released into the sewer by the licensee does not exceed the concentration listed in Table 3 of Appendix B to Part 20; and

Discussion:

The average monthly volume of water released is specified in this paragraph because the evaluation of the average concentration must be conducted prior to actual releases. The licensee must therefore have an estimate of the water volume that will dilute the licensed material disposed during the month.

Guidance Statement:

The average monthly volume of water must, to the licensee's knowledge, be representative of the actual expected flow during that month. If sewer flow at the licensee's facility has changed substantially, then allowances must be made for such a change when estimating the average monthly flow.

If the licensee's sewer system is such that there is more than one sewer system branch, with each branch flowing to a different site outflow, then each branch must be treated separately. The reason is that the values in Table 3 of Appendix B were established using certain assumptions regarding the use of the water at the site outfall as a source of drinking water, and the dose resulting from such use. Because each site outfall may be used independently for drinking water, each must be assessed separately for concentration.

Statement of Requirement:

(3) If more than one radionuclide is released, the following conditions must also be satisfied:

(i) The licensee shall determine the fraction of the limit in Table 3 of Appendix B to Part 20 represented by discharges into sanitary sewerage by dividing the actual monthly average concentration of each radionuclide released by the licensee into the sewer by the concentration of that radionuclide listed in Table 3 of Appendix B to Part 20; and

(ii) The sum of the fractions for each radionuclide required by Paragraph (a)(3)(i) of this section does not exceed unity; and

Discussion:

This condition may be expressed as follows:

$$C_1/\text{Tabulated Value}_1 + C_2/\text{Tabulated Value}_2 + \ldots . \leq 1$$

where C_i is the average monthly concentration of nuclide i, and Tabulated Value_i is the value of the concentration of that radionuclide listed in Table 3 of Appendix B to Part 20.

Statement of Requirement:

(4) The total quantity of licensed and other radioactive material that the licensee releases into the sanitary sewerage system in a year does not exceed 5 curies (185 GBq) of hydrogen-3, 1 curie (37 GBq) of carbon-14, and 1 curie (37 GBq) of all other radioactive materials combined.

Discussion:

In addition to limiting the average monthly concentrations to those shown in Table 3, Appendix B, and as described in (3)(i) and (3)(ii) above, the licensee must also limit the total quantities of radioactive material released to the sewer during the year to those stated in this paragraph. (***Note:*** 1 GBq = 10^9 Bq.)

Statement of Requirement:

(b) Excreta from individuals undergoing medical diagnosis or therapy with radioactive material are not subject to the limitations contained in Paragraph (a) of this section.

Discussion:

This section applies to members of the public who are administered licensed material. The administered radioactive material will be excreted from the body via the urine or feces over periods that vary in duration from days to weeks depending on the material and its chemical form. These excreta, most of which are voided at the patient's house, are not subject to this section of the regulations.

Statement of Applicability:

All NRC licensees.

Guidance Statement:

N/A.

List of Existing Regulatory Guidance:

N/A.

List of Implementing Guidance:

HPPOS-158,

10 CFR 20.303(d)	Disposal by Release Into Sanitary Sewerage Systems
IN 94-07	Solubility Criteria for Liquid Effluent Releases to Sanitary Sewerage Under the Revised 10 CFR Part 20
Q&A 39	Biological Materials
Q&A 376	Decay in Storage
Q&A 432	Decay in Storage for Non-power Reactors

3.20.2004 TREATMENT OR DISPOSAL BY INCINERATION

Statement of Requirement:
(a) A licensee may treat or dispose of licensed material by incineration only:

(1) As authorized by Paragraph (b) of this section; or

(2) If the material is in a form and concentration specified in 10 CFR 20.2005; or

(3) As specifically approved by the Commission pursuant to 10 CFR 20.2002.

Discussion:
This section specifies that incineration of licensed material is not permitted without case-by-case approval from NRC, except for specific situations for which prior approval is not required. These specific situations are listed in items (1) and (2) of this paragraph. Item (1) applies to incineration of certain types of lubricating oil used in nuclear reactors, and item (2) applies to liquid scintillation fluids and animal wastes that contain low concentrations of tritium or carbon-14.

Statement of Applicability:
All NRC Licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
Policy and Guidance Directive PG 8-10, Disposal of Incineration Ash as Ordinary Waste.

Statement of Requirement:
(b)(1) Waste oils (petroleum derived or synthetic oils used principally as lubricants, coolants, hydraulic or insulating fluids, or metalworking oils) that have been radioactively contaminated in the course of the operation or maintenance of a nuclear power reactor licensed under Part 50 of this chapter may be incinerated on the site where generated provided that the total radioactive effluents from the facility, including the effluents from such incineration, conform to the requirements of Appendix I to Part 50 of this chapter and the effluent release limits contained in applicable license conditions other than effluent limits specifically related to incineration of waste oil. The licensee shall report any changes or additions to the information supplied under 10 CFR 50.34 and 50.34a of this chapter associated with this incineration pursuant to 10 CFR 50.71 of this chapter, as appropriate. The licensee shall also follow the procedures of 10 CFR 50.59 of this chapter with respect to such changes to the facility or procedures.

(2) Solid residues produced in the process of incinerating waste oils must be disposed of as provided by 10 CFR 20.2001.

(3) The provisions of this section authorize onsite waste oil incineration under the terms of this section and supersede any provision in an individual plant license or technical specification that may be inconsistent.

Discussion:
This section applies to incineration of oil that was contaminated as a result of use in a nuclear reactor facility. It is very specific and does not apply to any other situation involving contaminated oils.

Statement of Applicability:
Part 50 reactor licensees.

Guidance Statement:
The contaminated oil may be disposed of by incineration on site. This is often accomplished by adding the contaminated oil to the fuel used for on-site auxiliary boilers. The effluents from the boilers, or other incineration facility, must comply with the off-site dose restrictions specified in Appendix I to Part 50 and any other applicable restrictions or license conditions on effluents, but the constraint on effluents in 10 CFR Part 20.1101(d) does not apply.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.2005 DISPOSAL OF SPECIFIC WASTES

Statement of Requirement:
(a) A licensee may dispose of the following licensed material as if it were not radioactive:

(1) 0.05 microcurie (1.85 kBq), or less, of hydrogen-3 or carbon-14 per gram of medium used for liquid scintillation counting; and

(2) 0.05 microcurie (1.85 kBq), or less, of hydrogen-3 or carbon-14 per gram of animal tissue, averaged over the weight of the entire animal.

(b) A licensee may not dispose of tissue under Paragraph (a)(2) of this section in a manner that would permit its use either as food for humans or as animal feed.

(c) The licensee shall maintain records in accordance with 10 CFR 20.2108.

Discussion:
This section states that liquid scintillation fluids and animal tissues containing less than 50 nCi/gm hydrogen-3 or carbon-14 may be considered to be nonradioactive for the purposes of disposal. The licensee may dispose of these wastes in any appropriate manner, subject to any restrictions based on the chemical nature of the materials. Calculation of the specific activity, or activity-per-unit weight of material, is to be based on the weight of the scintillation fluid containing the radioactive material or the weight of the entire contaminated animal but it may not include the weight of any packaging material or container. (***Note:*** 1kBq = 10^3 Bq.)

An additional restriction on the disposal of contaminated animals is that the licensee must be sure that the disposed animal will not be used as food in the human food chain, either by direct consumption or by consumption of products from animals fed on the disposed material.

It should be noted that although this part of the regulation permits disposal of liquid scintillation fluids or animal tissue as not radioactive if the concentrations of hydrogen-3 or carbon-14 are less than 50 nCi/gm, the exemption from shipping requirements in Part 71 is at less than 2 nCi/gm. It should also be noted that, when disposing of animal tissue under this exemption, the concentration is to be calculated for each animal separately. Averaging the concentration over several animals is not permitted. The exemption is also quite specific in that it applies only to liquid scintillation medium and to animal tissue.

Statement of Applicability:
All NRC licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
HPPOS-043 Disposal of Exempt Quantities of Radioactive Materials
HPPOS-127 Transfer and/or Disposal of Spent Generators
HPPOS-150 Disposal Requirements for Specific and Exempt Licensed Smoke Detectors

3.20.2006 TRANSFER FOR DISPOSAL AND MANIFESTS

Statement of Requirement:
(a) The requirements of this section and Appendix G to 10 CFR Part 20 are designed to:

(1) Control transfers of low-level radioactive waste by any waste generator, waste collector, or waste processor licensee, as defined in this part, who ships low-level waste either directly, or indirectly through a waste collector or waste processor, to a licensed low-level waste land disposal facility (as defined in Part 61 of this chapter);

(2) Establish a manifest tracking system; and

(3) Supplement existing requirements concerning transfers and recordkeeping for those wastes.

(b) Any licensee shipping radioactive waste intended for ultimate disposal at a licensed land disposal facility must document the information required on NRC's Uniform Low-Level Radioactive Waste Manifest and transfer this recorded manifest information to the intended consignee in accordance with Appendix G to 10 CFR Part 20.

(c) Each shipment manifest must include a certification by the waste generator as specified in Section II of Appendix G to 10 CFR Part 20.

(d) Each person involved in the transfer for disposal and disposal of waste, including the waste generator, waste collector, waste processor, and disposal facility operator, shall comply with the requirements specified in Section III of Appendix G to 10 CFR Part 20.

Discussion:
This section states that all waste transferred to a land disposal facility, either directly from the licensee to that facility or through one or more intermediaries, must be accompanied by a shipping manifest. Intermediaries include any waste processors, such as facilities that package the waste in suitable form, compact the waste, or provide some other form of waste treatment that makes it suitable for land disposal. This manifest must accompany the shipment until it reaches its destination at the land disposal facility and must be provided even if the carrier is part of the licensee's organization. The manifest must provide descriptions of the waste, its classification for land disposal, packages and other relevant shipping specifications, and a telephone number and other means of contacting the shipper in case of questions or emergencies during shipment. The information required to be included in the manifest is described in detail in Appendix G of Part 20. Appendix G also describes some minor exceptions for shipments that do not require manifests. An example is the shipment of low-level wastes to a processor, if the waste is to be returned to the licensee after processing. Another example is the transfer of waste to another licensee, who then assumes responsibility for proper disposal of the waste.

Statement of Applicability:
All NRC Licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

HPPOS-127	Transfer and/or Disposal of Spent Generators
HPPOS-131	No License is Required for a Person to Receive Exempt Quantity Byproduct Material
HPPOS-142	Licensing of Dial Painting Activities by Jewelers and Watch Repairers
HPPOS-189	Transfer of Exempt Quantities of By-product Material from a Nuclear Power Plant
HPPOS-203	Transfer of Reactor Activated Materials to Persons Exempt

3.20.2007 COMPLIANCE WITH ENVIRONMENTAL AND HEALTH PROTECTION REGULATIONS

Statement of Requirement:
Nothing in this subpart relieves the licensee from complying with other applicable Federal, State, and local regulations governing any other toxic or hazardous properties of materials that may be disposed of under this subpart.

Discussion:
N/A.

Statement of Applicability:
All NRC Licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.2100 SUBPART L – RECORDS

3.20.2101 GENERAL PROVISIONS

Statement of Requirement:
(a) Each licensee shall use the units: curie, rad, rem, including multiples and subdivisions, and shall clearly indicate the units of all quantities on records required by this part.

(b) In the records required by this part, the licensee may record quantities in SI units in parentheses following each of the units specified in Paragraph (a) of this section. However, all quantities must be recorded as stated in Paragraph (a) of this section.

(c) Not withstanding the requirements of Paragraph (a) of this section, when recording information on shipment manifests, as required in 10 CFR 20.2006(b), information must be recorded in the International System of Units (SI) or in SI and units as specified in Paragraph (a) of this section.

(d) The licensee shall make a clear distinction among the quantities entered on the records required by this part (e.g., total effective dose equivalent, shallow-dose equivalent, lens-dose equivalent, deep-dose equivalent, CEDE).

Discussion:
The section provides the units that the licensee must use on records, as required by Part 20. Licensees must use the special units on records required by Part 20 but may also use the SI units in parentheses following each of the special units. The exception to this is shipping manifests required by 10 CFR 20.2006. SI units, or SI and special units, must be used on shipping manifests. Do not use special units only.

Statement of Applicability:
All licensees must comply with this section.

Guidance Statement
Licensees should note that the use of special units on records required by Part 20 is not consistent with the NRC's metrification policy, which requires that dual units be used, noting the SI units first, followed by the special units in parentheses.

List of Existing Regulatory Guidance
Reg. Guide 8.7 Instructions for Recording and Reporting Occupational Radiation Exposure Data

List of Implementing Guidance:

Q&A 96	Use of special units
Q&A 117	Use of curies versus dpm
Q&A 428	Use of special units

3.20.2102 RECORDS OF RADIATION PROTECTION PROGRAMS

Statement of Requirement:
(a) Each licensee shall maintain records of the radiation protection program, including:

(1) The provisions of the program; and

(2) Audits and other reviews of program content and implementation.

(b) The licensee shall retain the records required by Paragraph (a)(1) of this section until the Commission terminates each pertinent license requiring the record. The licensee shall retain the records required by Paragraph (a)(2) of this section for 3 years after the record is made.

Discussion:
All licensees must keep records of their radiation protection programs, complete with the program's provisions (e.g., policies and procedures) and its audits and reviews. The records of program provisions must be kept until the license is terminated. Records of audits and reviews must be kept for three years.

Statement of Applicability:
All licensees must comply with this section.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
All applicable Series 8 Regulatory Guides.

List of Implementing Guidance:

HPPOS-205	Record Retention at Ex-Licensee After License has been Terminated
Q&A Subpart B	Radiation Protection Programs

3.20.2103 RECORDS OF SURVEYS

Statement of Requirement:
(a) Each licensee shall maintain records showing the results of surveys and calibrations required by 10 CFR 20.1501 and 20.1906(b). The licensee shall retain these records for 3 years after the record is made.

(b) The licensee shall retain each of the following records until the Commission terminates each pertinent license requiring the record:

(1) Records of the results of surveys to determine the dose from external sources and used, in the absence of or in combination with individual monitoring data, in the assessment of individual dose equivalents. This includes those records of results of surveys to determine the dose from external sources and used, in the absence of or in combination with individual monitoring data, in the assessment of individual dose equivalents required under the standards for protection against radiation in effect prior to January 1, 1994; and

(2) Records of the results of measurements and calculations used to determine individual intakes of radioactive material and used in the assessment of internal dose. This includes those records of the results of measurements and calculations used to determine individual intakes of radioactive material and used in the assessment of internal dose required under the standards for protection against radiation in effect prior to January 1, 1994; and

(3) Records showing the results of air sampling, surveys, and bioassays required pursuant to 10 CFR 20.1703(a)(3)(i) and (ii)[8]. This includes those records showing the results of air sampling, surveys, and bioassays required under the standards for protection against radiation in effect prior to January 1, 1994; and

(4) Records of the results of measurements and calculations used to evaluate the release of radioactive effluents to the environment. This includes those records of the results of measurements and calculations used to evaluate the release of radioactive effluents to the environment required under the standards for protection against radiation in effect prior to January 1, 1994.

Discussion:
This section specifies the record retention requirements for surveys conducted to show compliance with Part 20. All licensees, until their license is terminated, must keep records of: 1) radiation surveys to determine the dose from external sources, in the absence of or in combination with individual monitoring data, in the assessment of individual dose equivalents; 2) measurements and calculations used to determine individual intakes of radioactive material

[8] The current CFR rule text is in error. The reference should be to "the results of air sampling, surveys, and bioassays required pursuant to 10 CFR 20.1703(c)." The CFR rule text for 10 CFR 20.2103 (b)(3) will be corrected in the next revision to 10 CFR Part 20.

used in the assessment of internal dose; 3) air sampling, surveys, and bioassays; and 4) measurements and calculations used to evaluate the release of radioactive effluents to the environment. This requirement includes all records of surveys, measurements, calculations, and bioassays conducted or performed prior to January 1, 1994.

Statement of Applicability:
This section applies to all licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
Reg. Guide 8.7 Instructions for Recording and Reporting Occupational Radiation Exposure Data

List of Implementing Guidance:
HPPOS-205 Record Retention at Ex-Licensee After License has been Terminated

3.20.2104 DETERMINATION OF PRIOR OCCUPATIONAL DOSE

Statement of Requirement:
(a) For each individual who is likely to receive in a year, an occupational dose requiring monitoring pursuant to 10 CFR 20.1502 the licensee shall:

(1) Determine the occupational radiation dose received during the current year; and

(2) Attempt to obtain the records of cumulative occupational radiation dose.

(b) Prior to permitting an individual to participate in a planned special exposure, the licensee shall determine:

(1) The internal and external doses from all previous planned special exposures; and

(2) All doses in excess of the limits (including doses received during accidents and emergencies) received during the lifetime of the individual.

(c) In complying with the requirements of Paragraph (a) of this section, a licensee may:

(1) Accept, as a record of the occupational dose that the individual received during the current year, a written signed statement from the individual, or from the individual's most recent employer for work involving radiation exposure, that discloses the nature and the amount of any occupational dose that the individual may have received during the current year;

(2) Accept, as the record of cumulative radiation dose, an up-to-date NRC Form 4, or equivalent, signed by the individual and countersigned by an appropriate official of the most recent employer for work involving radiation exposure, or the individual's current employer (if the individual is not employed by the licensee); and

(3) Obtain reports of the individual's dose equivalent(s) from the most recent employer for work involving radiation exposure, or the individual's current employer (if the individual is not employed by the licensee) by telephone, telegram, electronic media, or letter. The licensee shall request a written verification of the dose data if the authenticity of the transmitted report cannot be established.

(d) The licensee shall record the exposure history of each individual, as required by Paragraph (a) of this section, on NRC Form 4, or other clear and legible record, including all of the information required by NRC Form 4[9].

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[9] Licensees are not required to partition historical dose between external dose equivalent(s) and internal committed dose equivalent(s). Further, occupational exposure histories obtained and recorded on NRC Form 4 before January 1, 1994, might not have included effective dose equivalent, but may be used in the absence of specific information on the intake of radionuclides by the individual.

The form or record must show each period in which the individual received occupational exposure to radiation or radioactive material and must be signed by the individual who received the exposure. For each period for which the licensee obtains reports, the licensee shall use the dose shown in the report in preparing NRC Form 4. For any period in which the licensee does not obtain a report, the licensee shall place a notation on NRC Form 4 indicating the periods of time for which data are not available.

(e) If the licensee is unable to obtain a complete record of an individual's current and previously accumulated occupational dose, the licensee shall assume:

(1) In establishing administrative controls under 10 CFR 20.1201(f) for the current year, that the allowable dose limit for the individual is reduced by 1.25 rems (12.5 mSv) for each quarter for which records were unavailable and the individual was engaged in activities that could have resulted in occupational radiation exposure; and

(2)That the individual is not available for planned special exposures.

(f) The licensee shall retain the records on NRC Form 4 or equivalent until the Commission terminates each pertinent license requiring this record. The licensee shall retain records used in preparing NRC Form 4 for 3 years after the record is made. This includes records required under the standards for protection against radiation in effect prior to January 1, 1994.

Discussion:
All licensees must obtain records of the current-year dose for those individuals who are likely to exceed 500 mrem occupational exposure. Acceptable records of current-year dose may be: (1) a written, signed statement from the individual or that individual's previous employer that notes the nature and amount of any occupational dose received during the year; (2) an up-to-date NRC Form 4, signed by the individual and countersigned by an official of the most recent employer; (3) a phone call, telegram, message via electronic media, or letter from the individual's most recent or current employer.

Licensees must have complete records of prior years' dose for those individuals participating in PSEs, or those individuals cannot participate. These licensees must also determine the internal and external doses from all previous PSEs, and all doses in excess of the limits during the lifetime of the individual. In both cases, the information must be recorded on an NRC Form 4.

If complete records cannot be obtained for the current year, then the licensee must decrease the individual's allowable dose for the remainder of the current year by 1.25 rem per quarter. If complete records for an individual cannot be obtained for the current and previous years, then this individual cannot perform any PSEs.

NRC Form 4s must be retained until the license is terminated. Records used in the preparation of NRC Form 4 must be retained for three years.

Statement of Applicability:
This section is applicable to all licensees who hire new employees or contract workers who will likely receive occupational exposures in excess of 10% of the applicable limits.

Guidance Statement:
Prior exposure history is not required for individuals who are unlikely to receive an occupational exposure exceeding 500 mrem in a year.

List of Existing Regulatory Guidance:

Reg. Guide 8.7	Instructions for Recording and Reporting Occupational Radiation Exposure Data

List of Implementing Guidance:

HPPOS-047	Personnel Monitoring Requirements for an NRC/Agreement State Licensed Contractor Working at a Part 50-Licensed Facility
HPPOS-050	Guidance – Use of NRC Form 4 – Listing of Exposure Periods
Q&A 6	DOE Employee Exposure Records for NRC Licensees
Q&A 10	Form 4 Requirement
Q&A 51	Occupational dose received prior to revision of Part 20
Q&A 55	Pro-rating dose for other annual limits
Q&A 63	Doses in excess of Part 20 from the time period prior to the revision of Part 20
Q&A 64	Records of lifetime cumulative dose
Q&A 76	Former DOE lab worker internal exposures
Q&A 83	Former DOE lab worker internal exposures
Q&A 113	Former DOE lab worker exposures
Q&A 139	Incorrect in-vivo measurements
Q&A 142	Acceptable attempt to obtain records
Q&A 143	Obtaining data from the most recent facility
Q&A 192	Determination of Prior Dose for a PSE
Q&A 371	False written signed statements of dose from workers that result in overexposures
Q&A 408	Use of TEDE for prior year's exposures
Q&A 414	Assessment of 5 rem dose for the year that would restrict any further occupational exposure
Q&A 420	Generic use of "dose"

Q&A 436 What to do when dose categories on NRC Form 5 are left blank or "not recorded" (NR) or "not determined" (ND) is used

Q&A 441 Determination of dose for a declared pregnant woman (DPW)

Q&A 451 Use of NR and ND

List of Outdated Implementing Guidance:

Q&A 179 Evaluation of internal dose prior for the purpose of determining TEDE for the year

3.20.2105 RECORDS OF PLANNED SPECIAL EXPOSURES

Statement of Requirement:
(a) For each use of the provisions of 10 CFR 20.1206 for planned special exposures, the licensee shall maintain records that describe:

(1) The exceptional circumstances requiring the use of a planned special exposure; and

(2) The name of the management official who authorized the planned special exposure and a copy of the signed authorization; and

(3) What actions were necessary; and

(4) Why the actions were necessary; and

(5) How doses were maintained ALARA; and

(6) What individual and collective doses were expected to result, and the doses actually received in the planned special exposure.

(b) The licensee shall retain the records until the Commission terminates each pertinent license requiring these records.

Discussion:
This requirement discusses those issues that need to be documented and recorded for planned special exposures authorized by the licensee.

These records must be retained until the license is terminated.

Statement of Applicability:
Any licensee who authorizes a planned special exposure must comply with this section.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
Reg. Guide 8.35 Planned Special Exposures

List of Implementing Guidance:

Q&A 6	DOE Employee Exposure Records for NRC Licensees
Q&A 8	Circumstances for PSEs
Q&A 24	Routine use of PSEs not permitted
Q&A 109	Cardiologists use of PSEs
Q&A 110	Radiographic source retrieval and PSEs

Q&A 135	Trying to justify a PSE based on reduction of collective dose
Q&A 136	Informed decision to participate in a PSE
Q&A 137	Obtaining a ruling from the Region prior to approving a PSE
Q&A 191	Use of separate dosimeters during a PSE
Q&A 192	Not permitting participation in PSEs if prior doses exceed PSE limit
Q&A 414	Assessment of 5 rem dose for the year that would restrict any further occupational exposure

List of Outdated Implementing Guidance:

Q&A 63	Doses in excess of Part 20 from the time period prior to the revision of Part 20
Q&A 179	Evaluation of internal dose prior for the purpose of determining TEDE for the year

3.20.2106 RECORDS OF INDIVIDUAL MONITORING RESULTS

Statement of Requirement:
(a) *Recordkeeping requirement.* Each licensee shall maintain records of doses received by all individuals for whom monitoring was required pursuant to 10 CFR 20.1502, and records of doses received during planned special exposures, accidents, and emergency conditions. These records[10] must include, when applicable:

(1) The deep-dose equivalent to the whole body, lens-dose equivalent, shallow-dose equivalent to the skin, and shallow-dose equivalent to the extremities;

(2) The estimated intake of radionuclides (see 10 CFR 20.1202);

(3) The CEDE assigned to the intake of radionuclides;

(4) The specific information used to assess the CEDE pursuant to 10 CFR 20.1204(a) and (c), and when required by 10 CFR 20.1502;

(5) The total effective dose equivalent when required by 10 CFR 20.1202; and

(6) The total of the deep-dose equivalent and the committed dose to the organ receiving the highest total dose.

(b) *Recordkeeping frequency.* The licensee shall make entries of the records specified in Paragraph (a) of this section at least annually.

(c) *Recordkeeping format.* The licensee shall maintain the records specified in Paragraph (a) of this section on NRC Form 5, in accordance with the instructions for NRC Form 5, or in clear and legible records containing all the information required by NRC Form 5.

(d) *Privacy protection.* The records required under this section should be protected from public disclosure because of their personal privacy nature. These records are protected by most State privacy laws and, when transferred to NRC, are protected by the Privacy Act of 1974, Public Law 93-579, 5 U.S.C. 552a, and the Commission's regulations in 10 CFR Part 9.

(e) The licensee shall maintain the records of dose to an embryo/fetus with the records of dose to the declared pregnant woman. The declaration of pregnancy shall also be kept on file, but may be maintained separately from the dose records.

(f) The licensee shall retain the required form or record until the Commission terminates each pertinent license requiring this record. This includes records required under the standards for protection against radiation in effect prior to January 1, 1994.

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[10] Assessments of dose equivalent and records made using units in effect before the licensee's adoption of this part need not be changed.

Discussion:
All licensees must keep records of exposure for those individuals for whom monitoring was required in accordance with 20.1502, whether the exposure occurred during normal operations, planned special exposures, accidents, or emergency conditions.

The above information must be entered into these records at least once a year.

NRC Form 5 or REMIT are the suggested methods for maintaining these records.

Individual monitoring records are covered by various State privacy laws and cannot be made public without the individual's written consent. If these records are received by NRC, they are covered by the Privacy Act of 1974.

Records of embryo/fetus dose and declared pregnant woman dose must also be kept. The declaration may be kept in another file from the dose records.

All of the records described in this section, including those made before January 1, 1994, must be retained until the license is terminated.

Statement of Applicability:
All licensees who provide required monitoring.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:

Reg. Guide 8.7	Instructions for Recording and Reporting Occupational Radiation Exposure Data

List of Implementing Guidance:

HPPOS-047	Personnel Monitoring Requirements for an NRC/Agreement State Licensed Contractor Working at a Part 50-Licensed Facility
Q&A 399	Use of multiple license numbers on NRC Form 5
Q&A 400	Use "V" for Vapor on NRC Form 5
Q&A 401	Use of signature on file for NRC Form 5
Q&A 402	Use of the comment block on NRC Form 5
Q&A 403	Cutoff in the calculation of CEDE (CEDE)
Q&A 404	Use of intake data by NRC

3.20.2107 RECORDS OF DOSE TO INDIVIDUAL MEMBERS OF THE PUBLIC

Statement of Requirement:
(a) Each licensee shall maintain records sufficient to demonstrate compliance with the dose limit for individual members of the public (see 10 CFR 20.1301).

(b) The licensee shall retain the records required by Paragraph (a) of this section until the Commission terminates each pertinent license requiring the record.

Discussion:
All licensees must keep records to show that they have maintained doses to the public that are at, or below, 100 mrem of the total effective dose equivalent.

These records must be retained until the license is terminated.

Statement of Applicability:
All licensees must comply with this section.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
Q&A 391 Records to demonstrate compliance with 20.2107

3.20.2108 RECORDS OF WASTE DISPOSAL

Statement of Requirement:
(a) Each licensee shall maintain records of the disposal of licensed materials made under 10 CFR 20.2002, 20.2003, 20.2004, 20.2005, and 10 CFR Part 61 and disposal by burial in soil, including burials authorized before January 28, 1981[11].

(b) The licensee shall retain the records required by Paragraph (a) of this section until the Commission terminates each pertinent license requiring the record. Requirements for disposition of these records, prior to license termination, are located in 10 CFR 30.51, 40.61, 70.51, and 72.80 for activities licensed under these parts.

Discussion:
This section pertains to the maintenance and to the retention of waste disposal records. These records must be retained until the license is terminated.

Statement of Applicability:
All licensees who dispose of radioactive waste in accordance with the regulations in Part 20.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
HPPOS-035 Scope of Exemption in 10 CFR 20.303(d) for Disposal of Patient Excreta in Sanitary Sewers

[11] A previous 10 CFR 20.304 permitted burial of small quantities of licensed materials in soil before January 28, 1981, without specific Commission authorization.

3.20.2109 RESERVED

3.20.2110 FORM OF RECORDS

Statement of Requirement:
Each record required by this part must be legible throughout the specified retention period. The record may be the original or a reproduced copy or a microform provided that the copy or microform is authenticated by authorized personnel and that the microform is capable of producing a clear copy throughout the required retention period. The record may also be stored in electronic media with the capability for producing legible, accurate, and complete records during the required retention period. Records, such as letters, drawings, and specifications, must include all pertinent information, such as stamps, initials, and signatures. The licensee shall maintain adequate safeguards against tampering with and loss of records.

Discussion:
All licensees must keep applicable records in a format that can be read over the length of the retention period.

Statement of Applicability:
All licensees must comply with this requirement.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
Q&A 141 Electronic systems of records

3.20.2201 REPORTS OF THEFT OR LOSS OF LICENSED MATERIAL

Statement of Requirement:
(a) Telephone reports.

(1) Each licensee shall report by telephone as follows:
(i) Immediately after its occurrence becomes known to the licensee, any lost, stolen, or missing licensed material in an aggregate quantity equal to or greater than 1,000 times the quantity specified in Appendix C to Part 20 under such circumstances that it appears to the licensee that an exposure could result to persons in unrestricted areas; or

(ii) Within 30 days after the occurrence of any lost, stolen, or missing licensed material becomes known to the licensee, all licensed material in a quantity greater than 10 times the quantity specified in Appendix C to Part 20 that is still missing at this time.

(2) Reports must be made as follows:
(i) Licensees having an installed Emergency Notification System shall make the reports to the NRC Operations Center in accordance with 10 CFR 50.72 of this chapter; and

(ii) All other licensees shall make reports by telephone to the NRC Operations Center (301-951-0550).

Discussion:
Licensees must notify NRC immediately after discovery that quantities of licensed material, equal to or greater than 1,000 times the quantity specified in Appendix C to Part 20, are lost, stolen, or missing under circumstances when exposure in unrestricted areas may occur. Paragraph 20.2201(a)(i) does not specify an amount of the potential exposure. If there is a potential for an exposure that would not otherwise occur, the reporting threshold has been met.

Licensees must notify NRC within 30 days after quantities of licensed materials greater than 10 times the quantity specified in Appendix C to Part 20 are discovered to be lost, stolen, or missing and that are still missing at this time.

Statement of Requirement:
(b) Written reports.

(1) Each licensee required to make a report under Paragraph (a) of this section shall, within 30 days after making the telephone report, make a written report setting forth the following information:
(i) A description of the licensed material involved, including kind, quantity, and chemical and physical form; and

(ii) A description of the circumstances under which the loss or theft occurred; and

(iii) A statement of disposition, or probable disposition, of the licensed material involved; and

(iv) Exposures of individuals to radiation, circumstances under which the exposures occurred, and the possible total effective dose equivalent to persons in unrestricted areas; and

(v) Actions that have been taken, or will be taken, to recover the material; and

(vi) Procedures or measures that have been, or will be, adopted to ensure against a recurrence of the loss or theft of licensed material.

(2) Reports must be made as follows:

(i) For holders of an operating license for a nuclear power plant, the events included in Paragraph (b) of this section must be reported in accordance with the procedures described in 10 CFR 50.73(b), (c), (d), (e), and (g) of this chapter and must include the information required in Paragraph (b)(1) of this section, and

(ii) All other licensees shall make reports to the Administrator of the appropriate NRC Regional Office listed in Appendix D to Part 20.

Discussion:
Thirty-Day Written Reports – Licensees that have made a telephone report or a report using the Emergency Notification System must also submit a written report within 30 days of the initial report. The written report must contain the who, what, where, and when, of the loss; how much material was lost, stolen or missing; and how much exposure was received by anyone involved. The written report must also include actions taken to prevent recurrence.

Statement of Requirement:
(c) A duplicate report is not required under Paragraph (b) of this section if the licensee is also required to submit a report pursuant to 10 CFR 30.55(c), 40.64(c), 50.72, 50.73, 70.52, 73.27(b), 73.67(e)(3)(vi), 73.67(g)(3)(iii), 73.71, or 10 CFR 150.19(c) of this chapter.

Discussion:
If a licensee is required by some other part of the regulations to send in a report, then it does not have to send in the report required by this part.

Statement of Requirement:
(d) Subsequent to filing the written report, the licensee shall also report any additional substantive information on the loss or theft within 30 days after the licensee learns of such information.

Discussion:
If significant information relating to the event becomes known, it must be reported to NRC within 30 days.

Statement of Requirement:
(e) The licensee shall prepare any report filed with the Commission pursuant to this section so that names of individuals who may have received exposure to radiation are stated in a separate and detachable part of the report.

Discussion:
Licensees must include personal privacy information as a separable part of these reports.

Statement of Applicability:
All licensees involved in such situations must comply with these requirements.

Guidance Statement:
A report under this section does not require an actual exposure.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
HPPOS-153 Lost or Stolen Radioactive Sources Involved in Transportation

IN 89-35 Loss and Theft of Unsecured Licensed Material

3.20.2202 NOTIFICATION OF INCIDENTS

Statement of Requirement:
(a) Immediate notification. Notwithstanding any other requirements for notification, each licensee shall immediately report any event involving byproduct, source, or special nuclear material possessed by the licensee that may have caused or threatens to cause any of the following conditions:

(1) An individual to receive:
  (i) A total effective dose equivalent of 25 rems (0.25 Sv) or more; or
  (ii) A lens-dose equivalent of 75 rems (0.75 Sv) or more; or
  (iii) A shallow-dose equivalent to the skin or extremities of 250 rads (2.5 Gy) or more; or

(2) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for 24 hours, the individual could have received an intake five times the annual limit on intake (the provisions of this paragraph do not apply to locations where personnel are not normally stationed during routine operations, such as hot-cells or process enclosures).

Discussion:
The licensee must notify NRC immediately of any event that could potentially result in an exposure in excess of five times any occupational dose limit, whether or not the licensee has completed its evaluation and concluded that the dose limit was exceeded. [***Note:*** For (iii), the 250 rads (2.5 Gy) is a dose, not a dose equivalent. In addition to the required notifications, licensees may notify NRC on a voluntary basis of any unusual conditions that may be of interest to NRC.]

Statement of Requirement:
(b) Twenty-four hour notification. Each licensee shall, within 24 hours of discovery of the event, report any event involving loss of control of licensed material possessed by the licensee that may have caused, or threatens to cause, any of the following conditions:

(1) An individual to receive, in a period of 24 hours:
  (i) A total effective dose equivalent exceeding 5 rems (0.05 Sv); or
  (ii) A lens-dose equivalent exceeding 15 rems (0.15 Sv); or
  (iii) A shallow-dose equivalent to the skin or extremities exceeding 50 rems (0.5 Sv); or

(2) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for 24 hours, the individual could have received an intake in excess of one occupational annual limit on intake (the provisions of this paragraph do not apply to locations where personnel are not normally stationed during routine operations, such as hot-cells or process enclosures).

Discussion:
The licensee must notify NRC within 24 hours of any event that could potentially result in an exposure in excess of any occupational dose limit, whether or not the licensee has completed its evaluation and concluded that the dose limit was exceeded. For the purposes of this requirement, the exposure must occur within a period of 24 hours.

Statement of Requirement:
(c) The licensee shall prepare any report filed with the Commission pursuant to this section so that names of individuals who have received exposure to radiation or radioactive material are stated in a separate and detachable part of the report.

Discussion:
Licensees must include personal privacy information as a separable part of these reports.

Statement of Requirement:
(d) Reports made by licensees in response to the requirements of this section must be made as follows:

(1) Licensees having an installed Emergency Notification System shall make the reports required by Paragraphs (a) and (b) of this section to the NRC Operations Center in accordance with 10 CFR 50.72: and

(2) All other licensees shall make the reports required by Paragraphs (a) and (b) of this section by telephone to the NRC Operations Center (301) 816-5100.

(e) The provisions of this section do not include doses that result from planned special exposures, that are within the limits for planned special exposures, and that are reported under 10 CFR 20.2204.

Discussion:
N/A.

Statement of Applicability:
All licensees involved in such situations must comply with these requirements.

Guidance Statement:
In instances where the inspector points out the reportable incident, the licensee is still required to make notification in accordance with 10 CFR 2202(d).

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

HPPOS-236 The Meaning of "... May Have Caused or Threatens to Cause..." in 10 CFR 20.403

Q&A 56 Periodically patrolled areas

3.20.2203 REPORTS OF EXPOSURES, RADIATION LEVELS, AND CONCENTRATIONS OF RADIOACTIVE MATERIAL EXCEEDING THE CONSTRAINTS OR LIMIT

Statement of Requirement:
(a) Reportable events. In addition to the notification required by 10 CFR 20.2202, each licensee shall submit a written report within 30 days after learning of any of the following occurrences:

(1) Any incident for which notification is required by 10 CFR 20.2202; or

(2) Doses in excess of any of the following:
(i) The occupational dose limits for adults in 10 CFR 20.1201; or

(ii) The occupational dose limits for a minor in 10 CFR 20.1207; or

(iii) The limits for an embryo/fetus of a declared pregnant woman in 10 CFR 20.1208; or

(iv) The limits for an individual member of the public in 10 CFR 20.1301; or

(v) Any applicable limit in the license; or

(vi) The ALARA constraints for air emissions established under 10 CFR 20.1101(d); or

(3) Levels of radiation or concentrations of radioactive material in:
(i) A restricted area in excess of any applicable limit in the license; or

(ii) An unrestricted area in excess of 10 times any applicable limit set forth in this part or in the license (whether or not involving exposure of any individual in excess of the limits in 10 CFR 20.1301); or

(4) For licensees subject to the provisions of EPA's generally applicable environmental radiation standards in 40 CFR Part 190, levels of radiation or releases of radioactive material in excess of those standards, or of license conditions related to those standards.

(b) Contents of reports.

(1) Each report required by Paragraph (a) of this section must describe the extent of exposure of individuals to radiation and radioactive material, including, as appropriate:
(i) Estimates of each individual's dose; and

(ii) The levels of radiation and concentrations of radioactive material involved; and

(iii) The cause of the elevated exposures, dose rates, or concentrations; and

(iv) Corrective steps taken or planned to ensure against a recurrence, including the schedule for achieving conformance with applicable limits, ALARA constraints, generally applicable environmental standards, and associated license conditions.

(2) Each report filed pursuant to Paragraph (a) of this section must include for each occupationally overexposed[12] individual: the name, Social Security account number, and date of birth. The report must be prepared so that this information is stated in a separate and detachable part of the report.

(c) For holders of an operating license for a nuclear power plant, the occurrences included in Paragraph (a) of this section must be reported in accordance with the procedures described in 10 CFR 50.73(b), (c), (d), (e), and (g) of this chapter and must also include the information required by Paragraph (b) of this section. Occurrences reported in accordance with 10 CFR 50.73 of this chapter need not be reported by a duplicate report under Paragraph (a) of this section.

(d) All licensees, other than those holding an operating license for a nuclear power plant, who make reports under Paragraph (a) of this section shall submit the report in writing to the U.S. Nuclear Regulatory Commission, Document Control Desk, Washington, DC 20555, with a copy to the appropriate NRC Regional Office listed in Appendix D to Part 20.

Discussion:
Licensees who have made notifications in accordance with 10 CFR 20.2202 must also submit a written report of the event within 30 days. In addition, a written report is required for the following:

- Doses in excess of dose limits
- Levels of materials in excess of applicable limits
- Release material in excess of environmental limits.

Licensees must include information on the exposure of individuals by:

- Estimate of dose
- Amount of material involved
- Cause of dose
- Corrective actions taken.

As stated in previous sections for individuals who were exposed to radiation, licensees must provide those individuals' names, Social Security numbers, and dates of birth as a separable part of the report. Reactor licensees subject to the reporting requirements in 10 CFR 50.73 do not need to submit a duplicate report to satisfy this section requirement. All other licensees must

[12] With respect to the limit for the embryo-fetus (10 CFR 20.1208), the identifiers should be those of the declared pregnant woman.

submit reports to the Document Control Desk at Headquarters and to their respective Regional Offices.

Statement of Applicability:
Any licensee who has made notification in accordance with 10 CFR 20.2202.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:

HPPOS-236	The Meaning of "... May Have Caused or Threatens to Cause..." in 10 CFR 20.403
Q&A 122	Effluent release and public exposure limits

3.20.2204 REPORTS OF PLANNED SPECIAL EXPOSURES

Statement of Requirement:
The licensee shall submit a written report to the Administrator of the appropriate NRC Regional Office listed in Appendix D to Part 20 within 30 days following any planned special exposure conducted in accordance with 10 CFR 20.1206, informing the Commission that a planned special exposure was conducted and indicating the date the planned special exposure occurred and the information required by 10 CFR 20.2105.

Discussion:
A licensee who conducts a PSE must submit a report to the Regional Administrator who administers licenses, within 30 days of the PSE. The report must include the date of the PSE and all of the information required by 10 CFR 20.2105.

Statement of Applicability:
This section is applicable to any licensee who has conducted a PSE.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:

Reg. Guide 8.35	Planned Special Exposures
Reg. Guide 8.7	Instructions for Recording and Reporting Occupational Radiation Exposure Data

List of Implementing Guidance:

Q&A 383	Reports of Planned Special Exposures

3.20.2205 REPORTS TO INDIVIDUALS OF EXCEEDING DOSE LIMITS

Statement of Requirement:
When a licensee is required, pursuant to the provisions of 10 CFR 20.2203, 20.2204, or 20.2206, to report to the Commission any exposure of an identified occupationally exposed individual, or an identified member of the public, to radiation or radioactive material, the licensee shall also provide a copy of the report submitted to the Commission to the individual. This report must be transmitted at a time no later than the transmittal to the Commission.

Discussion:
Licensees must send a copy of an individual's exposure report to the individual when a copy is sent to the Commission, whether that individual was exposed occupationally or as a member of the public.

Statement of Applicability:
All licensees who are required to report exposures to NRC, whether associated with routine occupational exposure or events involving exposure in excess of any limit.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.2206 REPORTS OF INDIVIDUAL MONITORING

Statement of Requirement:

(a) This section applies to each person licensed by the Commission to:

(1) Operate a nuclear reactor designed to produce electrical or heat energy pursuant to 10 CFR 50.21(b) or 10 CFR 50.22 of this chapter or a testing facility as defined in 10 CFR 50.2 of this chapter; or

(2) Possess or use byproduct material for purposes of radiography pursuant to Parts 30 and 34 of this chapter; or

(3) Possess or use at any one time, for purposes of fuel processing, fabricating, or reprocessing, special nuclear material in a quantity exceeding 5,000 grams of contained uranium-235, uranium-233, or plutonium, or any combination thereof pursuant to Part 70 of this chapter; or

(4) Possess high-level radioactive waste at a geologic repository operations area pursuant to Part 60 of this chapter; or

(5) Possess spent fuel in an independent spent fuel storage installation (ISFSI) pursuant to Part 72 of this chapter; or

(6) Receive radioactive waste from other persons for disposal under Part 61 of this chapter; or

(7) Possess or use at any time, for processing or manufacturing for distribution pursuant to Parts 30, 32, 33 or 35 of this chapter, by-product material in quantities exceeding any one of the following quantities:

Radionuclide	Quantity of radionuclide[a] in curies
Cesium-137	1
Cobalt-60	1
Gold-198	100
Iodine-131	1
Iridium-192	10
Krypton-85	1,000
Promethium-147	10
Technetium-99m	1,000

[a] The commission may require as a license condition, or by rule, regulation, or order pursuant to 10 CFR 20.2302, reports from licensees who are licensed to use radionuclides not on this list, in quantities sufficient to cause comparable radiation levels.

(b) Each licensee in a category listed in Paragraph (a) of this section shall submit an annual report of the results of individual monitoring carried out by the licensee for each individual for whom monitoring was required by 10 CFR 20.1502 during that year. The licensee may include additional data for individuals for whom monitoring was provided but not required. The licensee shall use Form NRC 5 or electronic media containing all the information required by Form NRC 5.

(c) The licensee shall file the report required by 10 CFR 20.2206(b), covering the preceding year, on or before April 30 of each year. The licensee shall submit the report to the REIRS Project Manager, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Discussion:
Commercial nuclear power reactors; fuel processors and fabricators; independent, spent fuel storage facilities; industrial radiographers; manufacturers and distributors of specified quantities of by-product material; or operators of low-level waste disposal sites must submit occupational radiation exposure reports by April 30 of each year, following the year in which the exposures occurred. These reports must be submitted for individuals who are required to be monitored. Research reactors not classified as testing facilities are not required to submit to NRC reports of individual monitoring.

Statement of Applicability:
This section is applicable to commercial nuclear power and test reactors, fuel processors and fabricators, independent spent fuel storage facilities, industrial radiographers, manufacturers and distributors of specified quantities of by-product material, and low-level waste disposal site operators.

Guidance Statement:
Separate NRC Form 5s must be submitted for each individual who was provided monitoring; otherwise a 3½" disk or a compact disk must be submitted that contains all of the information contained on an NRC Form 5 for each individual in separate records on the disk. Licensees should use a disk to submit this information and follow the recommended data format presented in Appendix A of Regulatory Guide 8.7. Submitting the reports in this manner will prevent data entry errors that may occur with reports submitted on paper. Also, NRC has provided two key pieces of software to help with these submittals. The first is REMIT, a database that will generate Form 5s in electronic format. The second is REIRView, which permits review of electronic data files prior to submitting them to NRC. This software is available free of charge from NRC's radiation exposure web site at <http://www.saic.com:80/home/nrc_rad>.

List of Existing Regulatory Guidance:

NUREG/CR-6050	Radiation Exposure Monitoring and Information Transmittal System, REMIT
Reg. Guide 8.7	Instructions for Recording and Reporting Occupational Radiation Exposure Data

List of Implementing Guidance:

Q&A 383 Reports of Planned Special Exposures

Q&A 392 Monitoring Period

Q&A 393 Reporting of Monitoring Results That Were Performed But Not Required

Q&A 394 Declared Pregnant Woman and Embryo/Fetus Dose Records

Q&A 395 Transient Workers

3.20.2300 SUBPART N – EXEMPTIONS AND ADDITIONAL REQUIREMENTS

3.20.2301 APPLICATIONS FOR EXEMPTIONS

Statement of Requirement:
The Commission may, upon application by a licensee or upon its own initiative, grant an exemption from the requirements of the regulations in this part if it determines the exemption is authorized by law and would not result in undue hazard to life or property.

Discussion:
None required.

Statement of Applicability:
This section is applicable to any licensee who believes that its operations warrant an exemption from certain requirements of 10 CFR Part 20.

Guidance Statement:
When requesting exemptions from specific requirements of 10 CFR Part 20, licensees and applicants should provide basic information to facilitate NRC's review of the request. The request should include the specific requirement from which the licensee or the applicant requests the exemption. The request should also include the reason that the licensee or the applicant cannot meet the requirement and the compensatory measures proposed by the licensee or the applicant that provide a margin of safety equivalent to that which would have been provided by compliance with the original requirement. On a case-by-case basis, NRC may ask the licensee or the applicant for additional information, in order to evaluate the exemption request properly.

List of Existing Regulatory Guidance Documents:
N/A.

List of Implementing Guidance:
HPPOS-68 Technical Assistance Request, BP International Limited Request for and Exemption from 10 CFR 20.202(c)

HPPOS-296 Technical Assistance Request Concerning Posting per 10 CFR 34.42 and Surveys per 10 CFR 20.201

3.20.2302 ADDITIONAL REQUIREMENTS

Statement of Requirement:
The Commission may, by rule, regulation, or order, impose requirements on a licensee, in addition to those established in the regulations in this part, as it deems appropriate or necessary to protect health or to minimize danger to life or property.

Discussion:
N/A.

Statement of Applicability:
As determined necessary by NRC staff.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
N/A.

List of Implementing Guidance:
N/A.

3.20.2401 VIOLATIONS

Statement of Requirement:
(a) The Commission may obtain an injunction or other court order to prevent a violation of the provisions of:

(1) The Atomic Energy Act of 1954, as amended;

(2) Title II of the Energy Reorganization Act of 1974, as amended; or

(3) A regulation or order issued pursuant to those Acts.

(b) The Commission may obtain a court order for the payment of a civil penalty imposed under Section 234 of the Atomic Energy Act:

(1) For violations of:
   (i) Sections 53, 57, 62, 63, 81, 82, 101, 103, 104, 107 or 109 of the Atomic Energy Act of 1954, as amended;

   (ii) Section 206 of the Energy Reorganization Act;

   (iii) Any rule, regulation, or order issued pursuant to the sections specified in Paragraph (b)(1)(i) of this section; and

   (iv) Any term, condition, or limitation of any license issued under the sections specified in Paragraph (b)(1)(i) of this section.

(2) For any violation for which a license may be revoked under Section 186 of the Atomic Energy Act of 1954, as amended.

Discussion:
N/A.

Statement of Applicability:
All licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:

Inspection Manual — The NRC Inspection Manual includes procedures for issuing Notices of Enforcement Discretion (NOEDs) for Power Reactors and Gaseous Diffusion Plants. Manual Chapter 9900

- Implementing Procedures for Power Reactor NOEDs
- Implementing Procedures for Gaseous Diffusion Plant NOEDs

NUREG/BR-0195	Enforcement Manual (Rev. 1)
NUREG-1600	Enforcement Policy (Rev. 1)

List of Implementing Guidance:
N/A.

3.20.2402 CRIMINAL PENALTIES

Statement of Requirement:
(a) Section 223 of the Atomic Energy Act of 1954, as amended, provides for criminal sanctions for willful violation of, attempted violation of, or conspiracy to violate, any regulation issued under Sections 161b, 161i, or 161o of the Act. For purposes of Section 223, all the regulations in 10 CFR 20.1001 through 20.2402 are issued under one or more of Sections 161b, 161i, or 161o, except for the sections listed in Paragraph (b) of this section.

(b) The regulations in 10 CFR 20.1001 through 20.2402 that are not issued under Sections 161b, 161i, or 161o for the purposes of Section 223 are as follows: 10 CFR 20.1001, 20.1002, 20.1003, 20.1004, 20.1005, 20.1006, 20.1007, 20.1008, 20.1009, 20.1405, 20.1704, 20.1903, 20.1905, 20.2002, 20.2007, 20.2301, 20.2302, 20.2401, and 20.2402.

Discussion:
N/A.

Statement of Applicability:
All licensees.

Guidance Statement:
N/A.

List of Existing Regulatory Guidance:
NUREG-1600 Enforcement Policy (Rev. 1)

List of Implementing Guidance:
N/A.

List of Outdated Regulatory Guidance:
NUREG/BR-0195[13] Enforcement Manual (Rev. 2)

[13] The current version of the manual is available at NRC's public web site (http://www.nrc.gov/OE). Published copies of the manual should be discarded.