

**From:** Morris, Thomas W  
**Sent:** Monday, January 31, 2011 12:29 PM  
**To:** 'jackie.rogers@hq.doe.gov.'  
**Subject:** Comments proposed rule changes to 10 CFR 850

Regarding Federal Register  
Chronic Beryllium Disease Prevention Program  
Office of Health, Safety and Security, of Department Energy

Part II, Questions of comment

1. Should the Department of Energy continue to use the OSHA permissible exposure limit (PEL) for beryllium?

Answer: The use of OSHA's PEL is not shown to protect the worker from beryllium. DOE is using an action level that is 10 times more restrictive and the number of beryllium effected is still increasing.

2. Should Department use the 2010 ACGIH threshold limit value (TLV) of 0.05ug/m<sup>3</sup> (TWA) in inhalable particulate matter, per cubic meter of air, for its allowable exposure limit? Answer: Yes, DOE should use the most protective and conservative level available. It should also consider doing away with Time Weighted Average (TWA), for beryllium, because there is not enough evidence to prove that even a small one time exposure to beryllium, regardless of time, will not lead to sensitization or disease.

3. Should an airborne action level that is different from the 2010 ACGIH TLV for beryllium be established?

Answer: Yes, but once again I believe that it should be considered without 8 hour Time Weighted Average.

4. Should the Department require the use of wet wipes?

Answer: Yes where it is possible to do so. Wet wipes might not be able to be used in Radiation Zones.

5. Wipe sampling:

Answer: Wipe sampling is a good tool to aid in finding beryllium contamination on surfaces. Both wipe sampling and bulk sampling should be used together to help detect where there is beryllium is and could be used to help define what controls are necessary to keep it from becoming a health hazard.

6. What is the best method for sampling and analyzing inhalable beryllium?

Answer: The use of wipe and bulk sampling along with personal air sampling seems to be the best we currently have. Area sampling also has a valid place with the other sampling methods.

7. How should fractional exposure data be compared to fractional exposure measurements?

Answer: Any beryllium particle could become airborne if disturbed and therefore become a hazard.

8: Should surface area action limits be established?

Answer: Yes, Any beryllium contamination on surfaces has the chance to become airborne if disturbed. Setting action levels will further protect workers.

9. Should warning labels be required for the transfer, to either another DOE entity or to an entity to whom this rule does not apply?

Answer: Yes, warning labels should be required so that whomever receives it knows what the status is and that there is a potential hazard and that they know what it is. Such things should not be released to any entity that is not aware of the hazards.

10. Should the Department establish both surface and aggressive air sampling criteria for releasing areas in a facility, or should the Department consider only aggressive air sampling criteria?

Answer: The Department should establish the use of both aggressive and surface sampling. It seem to work well with asbestos so it should also work with beryllium.

11. Should the Department continue to require the worker's consent for medical removal?

Answer: Because of the nature of medical removal the employee should be consulted with and wherever possible should be removed to a place where they will no longer be exposed. It is the responsibility of the US DOE to protect the worker and this should be done to protect not only the worker but also their job and lively hood.

I would like the Department to- consider changing the definition of beryllium in the rule to include the beryllium in waste tanks such as we have at Hanford.

Submitted: Thomas W Morris 1/31/2011