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(64FR40295)

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September 21, 1999

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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AD

Attention: Rulemakings and Adjudications Staff

Subject: COMMENTS ON NRC PROPOSED RULE 64 FR 40295

Ladies and Gentlemen:

Section 31.5 (8) (iii) While the Boeing Company understands the NRC desire to track certain generally licensed devices, we think the requirement to obtain written NRC approval prior to transferring an item to a licensee's specific license will be unnecessarily costly, time consuming, and cumbersome. When the specific license already authorizes possession of the type of material in question a notification to the NRC of the transfer, in lieu of obtaining permission, will still enable the NRC to track the devices. A notification in this case will be more cost effective and efficient for industry.

Section 31.5 (c) (15) Persons holding generally licensed devices that have been in storage for more than two years will be in immediate noncompliance if this rule is implemented in it's present form. Public safety will be better served if General Licensees are given a reasonable amount of time after implementation of this rule to properly dispose of the material. If the storage provisions become effective two years after the passage of the rule General Licensees with material currently in storage will have the same amount of time as General Licensees with newly acquired devices to arrange for proper disposition of the devices.

Thank you for you consideration of these comments.

Howard Wallace
Chairperson: Radiation Safety Technical Committee
The Boeing Company

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