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PROPOSED RULES 30,31,32,170+171
(64FR40295)

October 10, 1999

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

Office of
ADJUDICATION

Attention: Rulemakings and Adjudications Staff

Comments to Proposed Rule 64 FR 40295; July 26, 1999

I have been following the recent rulings by the NRC regarding gauging, measuring, and controlling devices. In general, those devices should have additional safeguards for the safety of the general public as they contain minimum quantities of cesium-137, strontium-90, cobalt-60, or other transuranic materials. Do to the nature of these materials, I agree they may require tighter/different regulations. I do however, find that CFR 31.5 is too broad and combines many different products including H3 into the same categories as those listed above. This causes confusion to the general licensees when they receive a letter similar to the one sent by the NRC dated August 12, 1999. We received many calls from confused/concerned customers that have installed self-luminous signs questioning how this ruling affects them.

We suggest that devices containing byproduct material such as H3 and manufactured to produce light, e.g. self-luminous devices, be placed in their own category. This would benefit the general licensees understanding of the law by clearly stating the regulations for their use and proper disposal of the devices.

Sincerely,

James P. Roberts
Vice President

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Administrative by [unclear]

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