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October 12, 1999

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Secretary
 US Nuclear Regulatory Commission
 Washington, DC 20555-0001

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Attn: Rulemakings and Adjudication Staff
 RE: Proposed rulemaking – Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material

We appreciate the opportunity to comment upon the proposed rulemaking posted in the Federal Register on July 26, 1999, entitled "Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material." Although we do not foresee any problems regarding our compliance with the proposed rulemaking, we do have two items that we believe should be addressed.

Our first area of concern is the extension of the proposed rule changes, with the exception of the registration requirements, to all §31.5 generally licensed devices. The NUREG-1551 report upon which the proposed rule is based clearly states that devices not meeting the proposed registration requirements do not pose "significant health, safety, or environmental concerns," even if lost. Extending the proposed rules to all §31.5 devices seems to be contrary to the NRC's goal to move toward a risk-based approach to regulation.

Secondly, we recommend that the NRC develop a list of §31.5 licensed devices and make the list readily available to the public, possibly via the NRC web site. The list should contain the manufacturer, model number, and brief description of the device and should also state whether the device meets the registration criteria. This would assist current general licensees in identifying §31.5 devices already their possession.

Again, we appreciate the opportunity to comment on this proposed rulemaking. If there are any questions regarding this letter, please do not hesitate to contact our office.

Sincerely,

Richard J. Vetter, Ph.D., CHP
 Radiation Safety Officer

cc: Radiation Safety Committee

OCT 15 1999
 Acknowledged by card

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