

Seaman Nuclear Corporation

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April 29, 2004

via fax: 301-415-5369

Marissa Bailey
United States Nuclear Regulatory Commission
Materials Safety Branch
Division of Industrial and Medical Nuclear Safety
Two White Flint North
11545 Rockville Pike
North Bethesda, MD 20852-2738

RE: SSD REGISTRY NR-0587-D-104-S,
SEAMAN NUCLEAR CORPORATION

Dear Ms. Bailey:

Seaman Nuclear Corporation (Seaman) is requesting expedited review of its application for an amendment of this device registration. When Wisconsin became an Agreement State that does not perform device reviews, Seaman learned that some source loadings used in its Model C-300 could no longer be distributed until another jurisdiction completed a review of these loadings. The Model C-300 is a portable moisture density gauge used to ensure the quality and safety of roads, building foundations, landfills, and other construction projects. This restriction has resulted in Seaman not being able to distribute some versions of its most important model. In many instances, gauges returned to Seaman for repair or calibration over the winter can not be returned to customers who depend upon the use of moisture density gauges for their livelihood. In Wisconsin, ten Seaman customers have been ordered by the State to not use their Model C-300 gauges.

Seaman is among the smaller manufacturers of moisture density gauges. The interruption in the distribution of its gauges may cause permanent damage to Seaman's business if it continues into the construction season. Many of the customers that might be affected are very small businesses who may suffer irreparable damage. The non-availability of moisture density testing services could delay infrastructure construction projects to avoid compromising the quality and safety of the projects.

The decrease in sales and service business and resulting loss of revenue would alter our plans to add additional employees and instead would result in layoffs of personnel whom we will not be able to pay. The potential of legal action from owners whose gauges can not be returned and a loss of good will will jeopardize seaman's potential for long term survival.

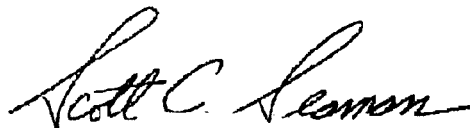
Customers to whom gauges can not be returned may face penalties that can exceed \$10,000 per day and may be driven out of business. Delays in infrastructure projects will have an affect upon citizens who would have benefited from the completion of the projects.

The approach of the highway construction season makes an expedited review of this application necessary. Competition for testing service is at a peak during the summer. Contractors who might provide testing services are frequently committed and can not accept an overload of work without compromising safety at critical times.

The construction season is beginning and will be at a high level of activity by early May, when Seaman and its customers will be desperate. We are asking that this request be reviewed within two weeks to prevent the damage to Seaman, our customers and to the projects described above. Please call me, at 414-762-5100, or Eli Port, at 847-965-1999, if you have any questions or require additional information.

Sincerely,

SEAMAN NUCLEAR CORPORATION



Scott Seaman
President