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From: "Keisha Ffrench" <kffrench@airjamaicavacations.com>
 To: <SECY@nrc.gov>
 Date: Tue, Nov 30, 2004 4:43 PM
 Subject: Proposed Rule

DOCKETED
 USNRC

November 30, 2004

DOCKET NUMBER:
PROPOSED RULE PR 110
(69FR 55785)

December 1, 2004 (9:28am)

OFFICE OF SECRETARY
 RULEMAKINGS AND
 ADJUDICATIONS STAFF

Secretary, U.S. Nuclear Regulatory Commission

Washington, DC 20555-0001

ATTN: Rulemakings & Adjudications Staff

Email: SECY@nrc.gov

Re: RIN 3150-AH44

To Whom It May Concern:

The NRC published its proposed rule in September. The rule aims to implement recent changes to the policies of the Commission and the U.S. government regarding the security of radioactive materials and reflects guidelines adopted last year by the International Atomic Energy Agency. The proposed rule would require a specific license for the export or import of high-risk radioactive materials. Under current NRC regulations, these materials may be exported or imported under a general license, which does not require filing an application to the NRC or the issuance of licensing documents.

This is a very sensitive subject in the United States; with the recent Anthrax scare it is the government's responsibility to provide extra care and safety to this issue. With the current regulations we feel this endangers the safety of the already scared and at risk American citizens. The United States has no control with what is being exchanged from country to country; this then leaves us at risk to possible radioactive terrorist attacks. We are concerned without the licensing requirements companies locally and internationally would not be held accountable for where the materials will end up.

This being said we believe these new regulations need to be implemented to ensure that such sources are only imported or exported to authorized parties in countries with adequate regulatory controls and that the sources are not diverted for illicit use. Under the section of the Code of Conduct relating to the exports and imports of radioactive sources should take place with the awareness of the exporting country authority and with the prior notification of the importing country authority.

Template = SECY-067

SECY-02

The Code of Conduct provides that, unless there are exceptional circumstances, a country should authorize the import or export of high risk radioactive only if it is satisfied that the recipient is authorized to receive and possess the radioactive and the receiving country has the technical and administrative capability, resources and regulatory structure to ensure that the radioactive source to manage in a manner consistent with the provisions of the code.

If this is just a proposal, how do we know who currently has dangerous material. We just found this proposed rule online. If this proposed rule is not passed how will the government control the import and export of materials. Why do we allow such freedom with these dangerous materials, with constant terrorist threats? If this material gets into the wrong hands in can cause unreparable damage years to come.

Implementing Date

The period of 6 months for importers and exporters to apply for and receive required specific export and import licenses hopefully is enough time for governments to examine each applicant to make sure they are qualified to handle such materials, and conduct an in depth background check on the employees and previous business partners.

Licensing Requirements

You are proposing no person may export any nuclear equipment or material listed in 110.8 and 110.9 or import any nuclear equipment listed in 110.9a, unless authorized by general or specific license issued under this part. If a country violates this requirement what is the penalty? If a country has all the requirements what is to prevent

that country from using the nuclear waste to recycle it for building nuclear weapons or selling it to other countries and/or enemies of the US? What course of action or security measures are there to prevent this from happening? Do the countries we are using to export nuclear waste have the SAME security measures as the US? If a country or company is suspected of deliberate misconduct can that person in charge be placed on a terrorist most wanted list?

General License for the export of nuclear reactor components/General License for Imports

The proposal indicates a company needs to have a contract with the Department of Energy this process takes about 6 months this needs to be re evaluated each year making sure the company and/or government officials are abiding by the rules and regulations of the Department of Energy.

The above stated comments are to address concerns that were not clearly identified by the proposed rule. We feel this proposed rule is a serious matter to the environment as well as to humankind worldwide. In an effort to control International import and export of the radioactive material it is imperative that this proposed rule is set in place.

Thank you for your attention to this matter.

Sincerely,

Rosa Arias

Keisha Ffrench

Sandra Gonzalez

Karen Hendrickson

Simone Williams

Gosandra68@earthlink.net

CC: "Sandra Gonzalez" <gosandra68@earthlink.net>, <Kffrench@aol.com>, <karen_8998@bellsouth.net>, <tigersandroses2@aol.com>

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Subject: Proposed Rule
Creation Date: Tue, Nov 30, 2004 4:40 PM
From: "Keisha Ffrench" <kffrench@airjamaicavacations.com>

Created By: kffrench@airjamaicavacations.com

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| TEXT.htm | 17484 |
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Date & Time

Tuesday, November 30, 2004 4:40 PM

Options

Expiration Date: None
Priority: Standard
Reply Requested: No
Return Notification: None

Concealed Subject: No
Security: Standard