

Consumers Energy

Laboratory Services

DOCKET NUMBER
PROPOSED RULE **20,32+150**
(70FR 43646)

12

A CMS Energy Company

135 West Trail Street
Jackson, MI 49201

DOCKETED
USNRC

September 29, 2005 (12:16pm)

September 16, 2005

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Secretary
ATTN: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

RBR-28-05

Re: Comments on Proposed Rule (RIN 3150-AH48) of National Source Tracking of Sealed Sources

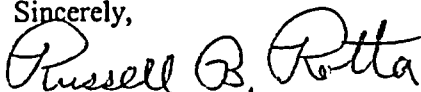
Ladies and Gentlemen:

As the holder of a radioactive material license, we understand the need for the control and tracking of radioactive material. This focus on safeguarding any radioactive material is important to this nation and its battle against the threat of terrorism. It is our position, the proposed source tracking rule would not substantially increase the security associated with license material. At best, it would identify what companies manufacture, distribute, receive, transfer and dispose of sealed sources. This is information which the NRC already possesses through the existing regulatory framework. Through current regulatory requirements, companies dealing with sealed sources are required to be licensed to possess, distribute and use those sources.

In the event of any missing licensed material, the NRC would be notified of any terrorist activity based upon the existing regulatory requirements. Under the existing requirements, if a terrorist steals any radioactive material containing device, the licensee is required to immediately contact the NRC (10 CFR 20.2201(a)(1)(I)). By implementing this proposed rule, the NRC has added cost to the licensees without improving the security of the licensed material.

It is the opinion of this licensee; this proposed rule should not be adopted. It will provide no additional information, beyond what is currently available and it will not increase security or combat the threat of terrorism.

Sincerely,



Russell B. Rotta
Radiation Safety Officer
Consumers Energy
Laboratory Services
135 West Trail St
Jackson, MI 49201

CC: File
SRWellman, T-201A

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