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 PROPOSED RULE **PR 20,32-150**
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SOUTHWESTERN LOW-LEVEL RADIOACTIVE WASTE COMMISSION

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 USNRC

October 3, 2005 (10:45am)

OFFICE OF SECRETARY
 RULEMAKINGS AND
 ADJUDICATIONS STAFF



October 3, 2005

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

Subject: Comment - Proposed Rule National Source Tracking of Sealed Sources
 RIN 3150-AH48

Via Fax to: (301) 415-1101

Dear Sir:

The Nuclear Regulatory Commission (NRC) is soliciting comments regarding a proposal to amend its regulations to implement a National Source Tracking System for certain sealed sources (Federal Register, July 28, 2005, Vol. 70, No. 144). As Executive Director of the Southwestern Low-Level Radioactive Waste Commission (Southwestern Compact), I wish to comment on the proposed rule. The comment arises from the NRC discussion in the Supplementary Information section of the Federal Register dealing with "Who Would Have Access to the Information and What Would It Be Used For" (par. O).

The NRC discussion of "Who Should Have Access to the Information" identifies Agreement State staff as having access to information on the licensees possessing Category 1 or Category 2 sources in their state. But, there is no mention in the discussion about organizations such as the Southwestern Compact having similar access. I believe this is an error. Organizations such as ours should have unqualified access to information on licensees possessing such sources within our regions.

The Southwestern Compact, established by Public Law 100-712, is obligated by law to ensure that low-level radioactive wastes are safely disposed of and managed within the region. There is currently no low-level waste disposal facility in Arizona, California, North Dakota or South Dakota, the states that comprise our region. Therefore, the Southwestern Compact plays a major role in exporting low-level waste out of our region. Each licensee in our region is required by law to petition the Southwestern Compact for exportation authorization. Each petition must identify a description of the waste to be exported including disposal volume and characterization. The Southwestern Compact's access to information on the licensees possessing Category 1 and Category 2 sources would facilitate the exportation of such devices for disposal. In addition, the records maintained by the Southwestern Compact in this regard would confirm the transaction occurrence. Finally, access to the information would facilitate determining future regional needs for disposal of sources.

For these reasons, I request that the Southwestern Compact and other similar organizations have unqualified access to National Source Tracking information related to their regions.

Sincerely,

Don J. Womeldorf
 Executive Director

cc: Southwestern Low-Level Radioactive Waste Commission Members

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COMMENT - PROPOSED RULE - NATIONAL SOURCE TRACKING OF SEALED SOURCES

RIN 3150 AH48