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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Secretary, US Nuclear Regulatory Commission
Washington, DC 20555

Attn: Rulemaking and Adjudications Staff

Re: RIN 3150-AH48

11 Oct 2005

QSA Global Inc. (previously AEA Technology QSA Inc.) appreciates the opportunity to provide comments on the proposed rule on National Source Tracking. As the leading manufacturer and distributor of sources in the Category 1 and 2 levels, we and our customers have a great interest in this proposed rulemaking.

We support the intent behind the rule, and appreciate the NRC's efforts to minimize the burden on participants through the use of electronic systems for data reporting. If this can be further expanded to help reduce duplicative reporting due to other security orders, it will be a big step forward in a comprehensive approach for all regulatory agencies, in terms of improving control over loss or theft of the radioactive sources.

It is imperative that all countries implement the national source tracking as recommended in the IAEA Code of Conduct consistently and in the same time frame, otherwise the rule will be only partly effective as tracking could be lost once exported out of the US.

Please contact me at 781-505-8210 or kate.roughan@qsa-global.com, if you would like to discuss any of these comments.

Sincerely,

Cathleen Roughan
Director, Regulatory Affairs and Quality Assurance

Template = SECY-067

SECY-02

Comments on National Source Tracking
RIN 3150-AH48

Issue 1 - Inclusion of Category 3 Sources

We strongly urge NRC not to require the tracking of Category 3 sources. These sources are used extensively in generally licensed gauges at fixed facilities and also under specific licenses at temporary job sites (eg oil well logging). There are thousands of sources currently possessed/used that fall into Category 3. Their inclusion would create a huge administrative burden for both the NRC and licensee (general or specific). In addition, the database has not yet been proven for just the Category 1 and 2 sources. For these reasons Category 3 sources should not be included. This issue can be re-assessed at a later date, once industry and NRC have experience in the tracking on category 1 and 2 sources.

Issue 2 -Temporary Job Site Transfers

Transfers to temporary job sites should not require tracking as the transferred source still remains in the possession of the licensee in order for the work to be performed. Due to the transitory nature of these temporary job sites, reporting would be required every day (or even several times a day) for the same source as it moves from one location to another. In addition, there may not be an easy means for providing the information, ie no internet, fax etc at the remote locations where some of this work is performed.

As long as the source remains in the possession of the licensee at the temporary job site there will be an appropriate level of security as they are working under protective measures for enhanced security. In addition, industrial radiographers are required by regulation to maintain a utilization log for each source when it goes to a temporary job site, so the company always knows the source location.

Issue 3 - Quality Assurance on Data Entry

Requiring a second review should not be mandated by regulation; this is too prescriptive. Most companies have existing Quality Assurance programs and should be able to make the decision internally whether or not a second review is required. We are aware of no other regulation that specifically requires a QA check prior to submission of required data to the NRC.

While it may be a good business practice, a second review should be at the discretion of the licensee. The licensee can review based on their own factors, ie number of transactions, frequency of transactions, the competency level of the individual entering the data, how easily the error can be detected quickly, use of electronic systems etc.

Issue 4 – Official Use Only Designation of Data

Although we agree that the information needs to be kept as OOU, as it is much easier to handle the data when designated as OOU rather than safeguards, it seems to defeat the purpose of trying to protect the locations of the sources of concern. If kept at OOU, then serious measures need to be taken to protect the information so that it cannot be used for malevolent purposes.

Issue 5 – Waste Broker

It seems reasonable to allow the waste broker not to open waste package to verify sources and serial number. A review of the records and tamper indicator should give reasonable assurance that the listed sources are present.

Comment - 20.2207 (a) and (b)

20.2207 (a) requires entry into the national database upon manufacture of the sealed source and paragraph 20.2207(b) requires entry when the source is shipped to the recipient. Typically the manufacture date and the ship date can be the same day or within a couple of days of each other. This is an unnecessary burden on the manufacturer to have to enter the information twice. The tracking should be reported only upon transfer to the recipient. Sources are manufactured based on specific orders, ie) known recipients. As such, every source manufactured will then be transferred quickly from the time of manufacture to a known recipient.

Entering the information upon source manufacture does not provide any useful information as that source will ship out to its intended destination. The purpose of the database is to track locations of sources once they are in use. The initial creation date of the source is irrelevant in this context.

Comment - Database

The system allows for sources to be removed from the database as a result of decay. The system should under such circumstances generate a notice to the registered user to inform them that the source has been deleted. Similarly, if a source moves from Category 1 to Category 2 due to decay and the database takes this into consideration, the system should automatically notify the registered user the source has been moved to Category 2.

Comment - Regulatory Analysis

The draft regulatory analysis grossly underestimates the cost and time to industry to implement. The assumptions do not include any cost or time in order for industry to put systems in place to be able to report all required information to the NRC. Specific computer programs will have to be written to collect the information that is required to be reported, ie license number, estimated arrival date (this will be dependent on shipping method chosen for that specific source) etc. Any program written will need to be validated to ensure accuracy of processing data. For our facility this will incur approximately 80 man hours to implement. Similar manufacturing facilities will probably require about the same time.

How is the NRC going to assure that all licensees enter data as required? What will be done if the receiver does not enter data and the initial shipper subsequently receives information that the source had decayed to below threshold levels as they were the last known location?

Comment - Serialization

The basic requirement for serialization of sealed sources proposed by 32.201 should not be a problem. However many sources then go into a holder or bull plug which may have a different serial number. Also some sources are recycled and consolidated into another "new" source. The rule should make it clear what is being tracked and what has to be entered into the database and make provision for these situations.

Comment - 150.18 Submission to Commission of National Source Tracking Transaction Reports.

This provision addresses Agreement State specific licensees. Efforts need to be made to assure that all affected Agreement State licensees are aware of the rule and how it is to be implemented. As the Agreement State licensees out-number the NRC licensees this means there are a large number of licensees who are one step removed from NRC notices and information. For this specific rule extra effort needs to be exerted to assure the Agreement State licensees are contacted and fully aware of the requirements of the rule.

Comment - Need for Comprehensive Review

The NRC needs to perform a comprehensive review of all the various orders and regulations that have been issued and proposed over the last two years. There are several areas where there are duplicative requirements for the same transaction. This rule will add another notification requirement. There should be one central database where all notifications are recorded.

From: "Kate Roughan" <Kate.Roughan@qsa-global.com>
To: <secy@nrc.gov>
Date: Tue, Oct 11, 2005 4:15 PM
Subject: comments RIN 3150-AH48

Please see attached.

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