



Duratek™

10100 Old Columbia Road
Columbia, Maryland 21046
410-312-5100 fax 410-290-9070
www.duratekinc.com

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OFFICE OF SECRETARY
RULEMAKINGS AND
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Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications Staff

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

In the Federal Register dated July 28, 2005, the Nuclear Regulatory Commission requested comments on the Proposed Rule implementing a National Source Tracking System. Duratek operates facilities that are directly involved in the transfer, encapsulation and disposal of sources. We offer the following responses to the questions posed by the Commission:

The NRC specifically invites comment on the inclusion of Category 3 sources in the National Source Tracking System. We are interested in information concerning:

- (1) The number of additional licensees that would be impacted;*
- (2) The number of Category 3 Sources possessed by licensees; and*
- (3) How often those sources change hands.*

Duratek Response: We are not presently licensed to possess any specific Category 3 sources, but would be affected by the additional reporting required for sources received for disposal. Given the lower threshold for Category 3 sources, Duratek does not support including them in the National Tracking System. If aggregation is the concern, as stated, actions should be restricted to individual licensees authorized to possess multiple sources. 10 CFR 20.1801 already requires "...licensees shall secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas." No additional rulemaking appears to be warranted.

The NRC specifically invites comment on whether licensees should be required to report as a transaction the use of a nationally tracked source at temporary jobsites. Specifically should the NRC require reporting of:

- (1) All transactions involving the use of a nationally tracked source at a temporary job site;*
- (2) Any transactions involving the use of a nationally tracked source at a temporary job site in another state either under the same license or a difference license; or*
- (3) No transactions involving the use of a nationally tracked source at a temporary job site (as proposed in the rule)? If the NRC were to require reporting of the transactions involving temporary job sites, how much additional burden would be imposed on licensees and what should the reporting time frame be?*

Template = SECY-067

SECY-02

Duratek Response: Licensees are already required to report the loss or theft of, at most, millicurie quantities of the radionuclides to be tracked. Additional tracking requirements for temporary job site use do not appear to enhance the security of the materials.

The NRC specifically invites comment on whether a waste broker or disposal facility should be required to inspect the waste container for an indication of tampering to provide additional assurance the source is still in the container.

Duratek Response: ALARA considerations dictate content verification be performed only once, with subsequent reliance on container tamper seals to demonstrate that it has not been opened. Other considerations include:

- Two signatures should be obtained, verifying contents of the package before seals are applied.
- The content verification and application of tamper seals are preferably the responsibility of the original licensee packaging the source.
- Additional verification would only be required if the seal is broken.
- Confirmation of tamper seal integrity upon receipt of Category 1 or 2 source packages should be a quality assurance consideration, if such seals are to be used in lieu of direct inspection of contents.

We do not support waste brokers or waste collectors, as defined in Appendix F to 10 CFR 20, opening containers or performing inspections of Category 1 or 2 sources; only facilities with specific license authorization and mature health physics programs should engage in these activities.

The NRC specifically invites comment on the inclusion of a requirement for a quality assurance check of the data before submission. We are interested in information concerning:

- (1) Whether these are the appropriate requirements for quality assurance*
- (2) What are the appropriate requirements for quality assurance; and*
- (3) The additional burden such a requirement would impose on licensees.*

Duratek Response: We believe the proposed verification of data accuracy is appropriate as a quality control function, provided verification is limited to comparison with manufacturer-supplied data or manifests, and confirmation of tamper seal integrity. We would not expect verification to include inspection of source capsules to verify serial numbers or radiological engineering efforts to verify precise source activity. Provided the QC work is limited to confirming proper transcription of data, we estimate no more than 30 minutes per transaction.

The NRC specifically invites comment on whether this provides adequate protection of the information or whether licensees should be required to protect the information that is reported to the National Source Tracking System. If additional protection should be necessary, what level of protection is viewed to be necessary?

Duratek Response: Official Use Only (OUO) is adequate protection of the data. Any further restrictions on access could result in unintended restrictions on routine data (examples: source inventory checklists, shipping manifests, health physics surveys, and source leak test data).

Additional comment:

Under Section G "*What Information would be collected on source transfer?*" we propose that a leak test be required or confirmed to be current, prior to shipping any Category 1 or Category 2 sources. This is to ensure that if any source is leaking that it be identified at the point of origin as opposed to the point of receipt.

We appreciate the opportunity to comment on this rule.

Sincerely,



Willis Bixby
Sr. Vice President, Environment, Safety, Health, and Quality Assurance.
Duratek, Inc.