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February 9, 2006 (11:55am)

Exemptions From Licensing, General Licenses, and Distribution of
Byproduct Material: Licensing and Reporting Requirements

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Thank you for the opportunity to comment on the Proposed Rule.

Please consider changing section 31.5(c)(8)(iii)(C). Manufacturers may no longer be in business or may be reluctant to release "maintenance" information due to liability or proprietary considerations. Licensees may not be able to "obtain" such information. Furthermore, licensees would not be permitted to transfer devices to their specific license unless they already had the authorization, knowledge, and capability to conduct adequate leak testing (See proposed section 31.5(c)(8)(iii)(A).). Therefore there is no need for licensees to contact the manufacturer for leak testing information.

I suggest amending section 31.5(c)(8)(iii)(C) to read--
(C) Initiates a program to leak test the device at the frequency specified under conditions of the specific license; and

Thank you for your consideration of my comments.

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