From: "Kate Roughan" <Kate.Roughan@qsa-global.com>
To: <nrcrep@nrc.gov>
Date: Fri, Feb 10, 2006 5:17 PM
Subject: comments

On October 10th 2005, we changed our name to QSA Global Inc.
As QSA Global Inc., we remain committed to providing you with the same level of world class service you have come to expect from AEA Technology QSA, Inc.

For more information about QSA Global Inc., formerly AEA Technology QSA, Inc., please visit our website at http://www.qsa-global.com

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Subject: **(RSPS-TF)**
Radiation Source Protection and Security Task Force; Request for Public Comment. FR Vol. 71, No 17, January 11, 2006.

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 these issues to be addressed by the interagency task force.

In general, we support the intent of the interagency task force concept, but industry is not represented. The industry is a key stakeholder in this issue, as they are the ones actually implementing the rules once promulgated. This is a significant part of getting the regulations to work. If industry can not implement the rules then they are ineffective. To help implement effective regulations to enhance security of radioactive sources, the input from industry is needed. They possess the valuable technical knowledge and experience that will make or break a rule.

We recommend the involvement of the NSCC-R, the Nuclear Sector Coordinating Council – Radioisotopes (NSCC-R). This consists of members representing the radioisotope industry and covers the broad interests of radioisotope sector security. The scope of the NSCC-R includes all companies in the United States that are licensed to operate radioisotope manufacturing, handling or processing facilities; to distribute radioisotope products; and other organizations, individuals, and users involved in the

nuclear industry, including nuclear materials licensees. The mission of the (NSCC-R) is to develop and recommend strategies that will enhance the physical security and emergency preparedness of the radioisotope sector under the auspices of the National Infrastructure Protection Plan (NIPP).

A general comment regarding NRC's request for public comment is that many of the activities mandated by the Energy Policy Act of 2005 have either already been implemented, initiated or are planned, it should be a primary goal of the task force to reduce duplication and find gaps between the various agencies, to assure the issues are fully addressed.

Comments on specific topics presented in the Request for Information are provided as follows.

Topic No. 1 – The list of radiation sources requiring security based on potential attractiveness of the source to terrorists and the extent of the threat to public health and safety.

We support the IAEA Code of Conduct and its categorization as the basis for establishing thresholds for applicability of enhanced security measures to specific radionuclides and activities. It is important that the list of radionuclides requiring controls be maintained consistent with the IAEA Code of Conduct. Therefore, we recommend that if the task force determines that it would be appropriate to change US regulations to address other isotopes or different quantities of concern the task force should take further action to recommend those changes to the IAEA Code of Conduct.

We strongly urge NRC not to include 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). The methods must be established and proved out for Cat 1 and 2 sources before Cat 3 is considered.

Topic No. 2 – The national system for recovery of lost or stolen radiation sources.

The task force must recognize the use of Off-Site Source Recovery Project (OSRP). This program can be considered a key component of any plan to secure the nuclear sector and should be provided with the necessary funding and staff to ensure effective operation.

As many sources become abandoned because there is no way to legally transport older sources and packages as they have lost their transport status, ie special form or Type B

certification, the task force should work with regulatory agencies in order to provide some flexibility in transporting these sources and packages.

Topic No. 3 – Storage of radiation sources that are not used in a safe and secure manner.

There are already many regulations in place governing the storage of radioactive source. As there are many different methods depending on type of facilities and sources – the input of the users would be very beneficial for this issue.

Topic No. 4 – The national source tracking system for radiation 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.

Topic No. 5 – A national system to provide for the proper disposal of radiation sources.

While the concept of imposing license decommissioning fees to provide for the proper disposal of radioactive sources seems reasonable on the surface, the concept is flawed because of the lack of available disposal sites for many types of sources. The lack of available disposal makes it difficult or impossible to derive a cost basis for source disposal. In addition the decommissioning costs are significant over estimates as the regulators require the assumption that even "existing stock" would be disposed, in most cases existing stock could be sold off and not disposed.

We strongly recommend that the task force put in the regulatory framework that creates a comprehensive system that addresses waste disposal, assuring continued access to existing sites , using existing technologies and programs (OSRP) and provide funding as necessary to accomplish this. Providing a disposal option for relative high-risk sources and waste would significantly reduce the vulnerability of this material.

Topic No. 6 – Import and export controls on radiation sources to ensure that recipients of radiation sources are able and willing to adequately control radiation sources.

The task force must address the issue of harmonization of requirements to assure that recipients are authorized to receive radioactive sources. This needs to consider the IAEA Code of Conduct and the actions individual countries are taking. Currently there are many different levels of regulatory control, resulting in potential gaps in the control of sources in some countries.

The task force needs to assure the NRC orders to licensees for safeguards and enhanced security measures and the amendments to 10CFR110 for Export and Import of Nuclear Equipment and Radioactive Materials are consistent and not duplicative.

The task force also needs to review the regulatory landscape that applies to the return of unused sources to manufacturers to identify and address the obstacles that currently make this responsible option of responsible source disposition unavailable.

Topic No. 7 – Procedures for improving the security and control for use and storage of radiation sources.

There are many regulations and orders currently in place, these should all be reviewed to assure there is no duplication of effort between the agencies. This should be done with the input of industry as they are familiar with practises and what is most effective based on type of facility and source.

Topic No. 8 – Procedures for improving the security of transportation of radiation sources.

Licensees are being held responsible to ensure the carrier is meeting the requirements of the RAMQC order, however, licensees do not have the capabilities and must, in many instances rely upon the word of the carrier to meet those requirements. To adequately ensure compliance to the order NRC should specifically inspect and license carriers who have demonstrated their compliance to the requirements of the order. Or return the requirements for transport security back to the USDoT, who actually has regulatory jurisdiction over carriers.

Topic No. 9 – Background checks for individuals with access to radiation sources.

There are already required clearances for personnel with access to sources through different agencies. There should be one system that all licensees can follow, so there are no inconsistencies and a person authorized access to radioactive material has the same type of background check no matter what the facility.

Topic No. 10 – Alternative technologies.

Companies routinely look for easier more cost effective methods, the taskforce should get input from companies that have already done a lot of research into these potential technologies. Even if some alternative technologies are developed the task force must

understand that there will always be no alternative and the radiation source is the most effective technology.

We strongly support any efforts reduce duplication and inconsistencies between the various agencies with interest in source security. The more harmonization between all the agencies and industry the more effective the actions will be. Please contact me if you would like any additional information, 781-505-8210.

Sincerely,

Cathleen Roughan

Director, Regulatory Affairs and Quality Assurance