

Oklahoma Department of Environmental Quality's
Comments for NRC Change in Basis for the National Source
Tracking of Sealed Sources from Public Health and Safety

10 CFR Parts 20, 32, & 150
RIN 3150-AH48

DOCKETED
USNRC

July 28, 2006 (8:48am)

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Compatibility Issues

The ODEQ's Radiation Management Section previously commented that this rulemaking should be categorized under Health and Safety instead of National Security. Because this section will be added to 10 CFR Part 20, which delineates the general radiation safety standards, the states should be responsible for inspection and enforcement to ensure licensee compliance with the source tracking rules.

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The National Source Tracking System belongs under Health & Safety rather than security because it tracks accountability. Accountability has been and remains primarily a Health & Safety function, though it also happens to increase security.

Agreement States are the principal regulators for the vast majority of material covered by this rulemaking. Thus, States have and should continue to have a close working relationship with their licensees. They are better able to recognize when there may be discrepancies in the reported information, and more able to react quickly when there is a discrepancy or a failure to report as required.

NRC inspection and enforcement related to this will involve travel nationally. It is unlikely that there will be more than one facility with issues on this rulemaking in a given area at a given time. Therefore when action is necessary in an agreement state, NRC will either have to schedule special travel for their inspectors (increasing costs and the burden on licensees) or else they will have to delay travel to inspect or enforce until they have NRC licensees needing inspection in an area. This later option would greatly increase the time before a problem is investigated or enforcement is done. For their licensees, Agreement States are able to do this in a more timely and cost-effective manner than NRC. Introducing NRC regulation to agreement state licensees means burdening a large number of licensees with dual regulators. This is wasteful and inefficient.

NRC is already facing the process of integrating NARM materials into their program, which is a major project. Most, if not all Agreement States already regulate NARM, and do not have that new burden to accommodate. The NSTS is a logical fit with the Increased Controls which States are already implementing in an admirable fashion, despite a highly accelerated schedule.

From: "Chawla, Patricia" <patricia.chawla@deq.state.ok.us>
To: <secy@nrc.gov>
Date: Thu, Jul 27, 2006 5:19 PM
Subject: Comments regarding NRC Change in Basis for the National Source Tracking of Sealed Sources from Public Health and Safety (RIN: 3150-AH48)

Hello,

I have attached comments from the Oklahoma Department of Environmental Quality's Radiation Management Section. These comments are in response to the NRC Change in Basis for the National Source Tracking of Sealed Sources from Public Health and Safety.

Sincerely,

Patricia Chawla
Environmental Programs Specialist
Land Protection Division
Radiation Management Section

<<11Jul06 Comments for NRC draft final rule for NSTS.doc>>

CC: "Chawla, Patricia" <patricia.chawla@deq.state.ok.us>

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Subject: Comments regarding NRC Change in Basis for the National Source Tracking of Sealed Sources from Public Health and Safety (RIN: 3150-AH48)
Creation Date Thu, Jul 27, 2006 5:14 PM
From: "Chawla, Patricia" <patricia.chawla@deq.state.ok.us>
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