



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

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DOCKETED
USNRC

IN REPLY REFER TO

PR 20,30,31,32,33,35,50,61,62, September 12, 2006 (12:23pm)
72,110,150,170 and 171
(71FR42952)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

5104
Ser 455C/6U838215
11 September 2006

Secretary of the Nuclear Regulatory Commission
Washington DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

SUBJECT: PROPOSED RULE - REQUIREMENTS FOR EXPANDED DEFINITION OF
BYPRODUCT MATERIAL (FEDERAL REGISTER, 28 JULY 2006)

Dear Sir or Madam:

Thank you for the opportunity to comment on the proposed rulemaking for the expanded definition of by-product material. The Naval Radiation Safety Committee (NRSC) would like to submit the following comments:

a. The non-aviation museums in particular possess devices containing Ra-226 in gauges and other safety devices installed in ground vehicles (trucks, armored tanks, artillery pieces, amphibious vehicles) portable radios, and instrument panels from submarines on display. In these museums, public access to these devices is controlled in the same manner as aircraft to ensure the preservation of the vehicle or device. We request that you consider expanding the 10 CFR 30.12 General License to include radium containing devices installed on other types of vehicles and equipment besides just aircraft.

b. In addition to painting the hands and dials of gauges, a common practice on WWII aircraft was to apply Radium paint over the words and numbers engraved on cockpit instrument panels so that they were visible in the dark. The painted surfaces are not contained behind glass, as in gauges, and in most unrestored aircraft the paint has flaked off or is flaking. The Radium paint may or may not be present in restored aircraft. We request that you consider expanding the 10 CFR 30.12 General License to include radium painted instrument panels on any vehicle.

In addition, the NRSC requests a clarification of the NRC's regulatory role concerning the remediation of landfills containing radium devices, since regulatory oversight is currently provided through the RCRA and CERCLA process.

Template = SECY-067

SECY-02

Subj: PROPOSED RULE - REQUIREMENTS FOR EXPANDED DEFINITION OF
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Thank you for your assistance in addressing these matters.
Please contact me at (703)602-5365, or lino.fragoso@navy.mil if
you have any questions.

Sincerely,



L.L. FRAGOSO
Captain, MSC, U.S. Navy
Executive Secretary
Navy Radiation Safety Committee

Copy to:
NRC Region I
NAVSEA (04N)
NAVSEADET RASO

From: Carol Gallagher
To: SECY
Date: Mon, Sep 11, 2006 5:05 PM
Subject: Comment letter on the Requirements for Expanded Definition of Byproduct Material

Attached for docketing is a comment letter on the above noted proposed rule from L.L. Fragoso, Naval Radiation Safety Committee, that I received via the rulemaking website on 9/11/06.

His address is:

L.L. Fragoso
2511 Jefferson Davies
Crystal City VA 22202
lino.fragoso@navy.mil

Thanks,
Carol

Mail Envelope Properties (4505CF85.EA2 : 5 : 35764)

Subject: Comment letter on the Requirements for Expanded Definition of
Byproduct Material
Creation Date Mon, Sep 11, 2006 5:05 PM
From: Carol Gallagher

Created By: CAG@nrc.gov

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