

Secy

From: Carol Gallagher
Sent: Thursday, May 15, 2008 2:30 PM
To: Secy
Subject: FW: CRCPD: Revised copy of the OMB letter
Attachments: OMB Letterrevised1.doc

DOCKETED
USNRC

May 16, 2008 (9:00am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Comment on AI29

Carol

From: Gregory Trussell
Sent: Wednesday, May 14, 2008 10:41 AM
To: Carol Gallagher; Cindy Bladey; Anthony Tse
Subject: FW: CRCPD: Revised copy of the OMB letter

Same comment I believe but in word format.

From: Danielle Burnette **On Behalf Of** INFOCOLLECTS Resource
Sent: Wednesday, May 14, 2008 10:09 AM
To: Gregory Trussell
Subject: FW: CRCPD: Revised copy of the OMB letter

From: Sue Smith [mailto:SSmith@crcpd.org]
Sent: Monday, May 12, 2008 4:07 PM
To: INFOCOLLECTS Resource
Cc: Robert Lewis; Cardwell, Cindy; Adela Salame-Alfie; Debbie Gilley; Fordham, Earl W (DOH); Jennifer Elee; Jim McNees; John Winston (E-mail); Kimberly Steves; Pearce O'Kelley (E-mail); rmcburney@crcpd.org; Sue Smith; Thomas Cardwell (E-mail)
Subject: CRCPD: Revised copy of the OMB letter

Please find attached a revised copy of the OMB letter RIN-3150-AI29: OMB Review of NRC Information Collection Requirements and Solicitation of Public Comments on NRC Proposed Rule Regarding Expansion of the National Source Tracking System. The last paragraph on page one was repeated on page two. Sorry for the inconvenience.

Thank you,

Sue

Sue Smith
Executive Office Manager
CRCPD
205 Capital Avenue
Frankfort, KY 40601
Phone: 502/227-4543, Ext. 2228
Fax: 502/227-7862

Template = SECY-067

Secy-02



Conference of Radiation Control Program Directors, Inc.

Office of Executive Director ♦ 205 Capital Avenue ♦ Frankfort, KY 40601

Phone: 502/227-4543 ♦ Fax: 502/227-7862 ♦ Web Site: www.crcpd.org

Central E-mail: staff@crcpd.org

May 12, 2008 (Revised)

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<debbie_gilley@doh.state.fl.us>
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Ruth E. McBurney, CHP
<rmcburney@crcpd.org>

Mr. Nathan Frey
Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget
NEOB-10202 (3150-0001, 0014, 0202)
Washington, D.C. 20503

Subject: RIN-3150-AI29: OMB Review of NRC Information Collection Requirements and Solicitation of Public Comments on NRC Proposed Rule Regarding Expansion of the National Source Tracking System

Thank you for the opportunity to respond to the NRC Proposed Rules Regarding Expansion of the National Source Tracking System. The Conference of Radiation Control Program Directors (CRCPD) represents the radiation control programs for all states and territories. We represent 85% of the licenses that would be affected by this proposed rule. We were created to facilitate dialogue among the states and our federal partners to assure consistent and accurate radiation protection and safety.

The National Source Tracking System for radioactive material in quantities of activity greater than IAEA's quantity of concerns for categories one and two has not been implemented. There is currently no inventory system that is operational. It is anticipated that the system will be available at the end of 2008. The effort put forth by the states to secure the information for Category 1 and 2 sources has been great. (It is estimated that each participating state spent 120 hours on this activity). We are not sure what the economic burden will be to the states to provide and monitor additional categories to a system that is not already in place, therefore we are not in favor of expanding the requirement for tracking to Category 3 or 1/10th of Category 3 at this time. There are fundamental issues with identification of the licenses that would need to be resolved prior to participation in the expansion of this tracking system. For instance, it is not clear if tracking is dependent on the license possession limits or the actual material that is possessed which could be significantly smaller based on the inventory of materials. The tasks to identify individual sources or aggregate of sources and sources that are collocated have not been fully addressed. States will not be able to identify which licenses will need to participate in National Source Tracking System until these items are identified.

In addition, state radiation control programs vary in size and resources and in degrees of electronic documentation of their licenses. The type of individual "database" system of the program will determine if the state can quickly identify participants who will need to track additional sources. Those without electronic database systems will have to "manually" review records to identify licensees that are required to participate.

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Mr. Nathan Frey
May 12, 2008

It is our recommendation that the expansion of national source tracking be postponed until we have significant information on the ease and ability of participation for licensees that possess Category 1 and 2 sources.

CRCPD offers the following responses to the specific questions in the Federal Register notice:

1. *Is the proposed information collection necessary for the proper performance of the functions of the NRC, including whether the information will have practical utility?*

No. There is no suggestion that Category 3 or 1/10th of Category 3 sources pose a significant risk. There are other NRC initiatives that include background investigations and inspections that are more beneficial to address the security of sources than a tracking system. Considering the amount of radioactive material in commerce, we are not seeing a loss or theft of material that would demonstrate that there is a need for this additional regulatory oversight. There are no known public attempts to secure Category 3 sources to accumulate enough sources to meet the threshold of Category 2 sources. Although a recent GAO sting brought to the attention some vulnerability, it has been addressed by increased inspection frequencies and additional license review oversight.

2. *Is the estimate of the burden accurate?*

No, there are varying degrees of sophistication in the states data base system. To imply that 2 minutes to 20 hours is an accurate representation is misrepresentation. Some states may need to perform written records reviews to determine who should participate. It is not even clear that we know how many licensees will be affected by this activity. The states have already complied with the requirements to submit to the NRC those licensees that have Category 1 and 2 sources and we should wait until implementation of this phase to determine the exact time constraints and resources that would be necessary to maintain the system.

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3. *Is there a way to enhance the quality, utility, and clarity of the information to be collected?*

This is unknown at this time. The best mechanism to determine any enhancements is to conduct a pilot or give time for the national source tracking system for Category 1 and 2 sources to be implemented. Lessons learned from tracking sources that are a threat would provide opportunities to enhance the quality and clarity of the information for future expansion.

4. *How can the burden of the information collection be minimized, including the use of automated collection techniques?*

It is unknown if the burden can be minimized, because of the variation in a state's capacity to quickly assimilate the information and send to NRC either electronically or manually. We are not aware of any methodology that would reduce the burden. The availability to choose alternative methods for data collection not is evaluated. For instances, those who choose to fax information will have a lag time before the information will be uploaded onto the system. Will this have impact of the states ability to track material within state boundaries? These and other questions should be resolved before the national source tracking system is expanded to sources that are of significant less risk.

Thank you for the opportunity to respond to the federal register notice. Feel free to contact me or Ruth McBurney, Executive Director for further clarifying information. I can be reached at (850) 245-4266 and Ms. McBurney can be reached at (502) 227-4543.

Kind regards,



Debbie Bray Gilley
Chairperson

cc: Robert Lewis, NRC, FSME
Cindy Cardwell, Chairperson, Organization of Agreement States

Received: from HQCLSTR01.nrc.gov ([148.184.44.79]) by OWMS01.nrc.gov
([148.184.100.43]) with mapi; Thu, 15 May 2008 14:30:00 -0400
Content-Type: application/ms-tnef; name="winmail.dat"
Content-Transfer-Encoding: binary
From: Carol Gallagher <Carol.Gallagher@nrc.gov>
To: Secy <SECY@nrc.gov>
Date: Thu, 15 May 2008 14:29:59 -0400
Subject: FW: CRCPD: Revised copy of the OMB letter
Thread-Topic: CRCPD: Revised copy of the OMB letter
Thread-Index: Aci0a8VpnRyyftcXTsGge/+xC5QVWwBYEyCAAAYXhAAOkhIIA==
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X-MS-TNEF-Correlator:
<83F82891AF9D774FBBB39974B6CB134F3DE84BAA4F@HQCLSTR01.nrc.gov>
MIME-Version: 1.0

Secy

From: Carol Gallagher
Sent: Thursday, May 15, 2008 2:30 PM
To: Secy
Subject: FW: CRCPD: Revised copy of the OMB letter

Comment on AI29

Carol

-----Original Message-----

From: Gregory Trussell
Sent: Wednesday, May 14, 2008 10:42 AM
To: Carol Gallagher; Cindy Bladey; Anthony Tse
Subject: FW: CRCPD: Revised copy of the OMB letter

One more.

-----Original Message-----

From: Pearce O'Kelley [mailto:OKELLETP@dhec.sc.gov]
Sent: Monday, May 12, 2008 4:13 PM
To: Sue Smith; INFOCOLLECTS Resource
Cc: Jim McNees; rmcburney@crcpd.org; Debbie Gilley; Earl W (DOH) Fordham; Cindy Cardwell; Thomas Cardwell (E-mail); Adela Salame-Alfie; Kimberly Steves; Jennifer Elee; Robert Lewis; John Winston (E-mail)
Subject: Re: CRCPD: Revised copy of the OMB letter

page two 1st paragraph needs postpone changed to postponed.

Page Two
Mr. Nathan Frey
May 12, 2008

It is our recommendation that the expansion of national source tracking be postpone until we have significant information on the ease and ability of participation for licensees that possess Category 1 and 2 sources.

>>> "Sue Smith" <SSmith@crcpd.org> 5/12/2008 4:07 PM >>>

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Thank you,

Sue

Sue Smith

Executive Office Manager

CRCPD

205 Capital Avenue

Frankfort, KY 40601

Phone: 502/227-4543, Ext. 2228

Fax: 502/227-7862

Received: from HQCLSTR01.nrc.gov ([148.184.44.79]) by OWMS01.nrc.gov
([148.184.100.43]) with mapi; Thu, 15 May 2008 14:30:20 -0400
Content-Type: application/ms-tnef; name="winmail.dat"
Content-Transfer-Encoding: binary
From: Carol Gallagher <Carol.Gallagher@nrc.gov>
To: Secy <SECY@nrc.gov>
Date: Thu, 15 May 2008 14:30:19 -0400
Subject: FW: CRCPD: Revised copy of the OMB letter
Thread-Topic: CRCPD: Revised copy of the OMB letter
Thread-Index: Aci0bLZvs4MqnZntSY6/Tndu/tfGvABX2qgQAAEcpPAAOkemQA==
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