



Conference of Radiation Control Program Directors, Inc.

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June 24, 2008

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Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

ATTN: Rulemakings and Adjudications Staff

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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. CRCPD was created to facilitate dialogue among the states and our federal partners to assure consistent and accurate radiation protection and safety. We represent 85% of the licenses that would be affected by this proposed rule.

CRCPD is not in favor of expanding the requirement for tracking to Category 3 or 1/10th of Category 3 at this time. The states have put forth a commendable effort to secure the information for Category 1 and 2 sources, spending an estimated 120 hours on this activity per state. We are not sure what the economic burden will be to the states to provide and monitor additional categories to a system not already in place.

Currently there is no inventory system that is operational. The National Source Tracking System for radioactive material in quantities of activity greater than IAEA's quantity of concerns for Categories 1 and 2 has not been implemented. It is anticipated that the system will be available at the end of 2008.

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. The tasks to identify individual sources, aggregate of sources and sources that are collocated have not been fully addressed. Until then, states will not be able to identify which licensees need to participate in a National Source Tracking System.

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

There has been no vulnerability assessment of Category 3 or 1/10th of Category 3. Until such assessment has been done, no effort should be expended on increasing the number of sources or licensees that would be required to participate in the National Source Tracking System.

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Secretary, NRC

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

If NRC determines that sources below Category 2 be included in the National Source Tracking System, we propose that these sources require input or updating on an annual basis (such as was done for the interim inventory), and not be subject to real time input. This is based on the large volume of sources below Category 2 and the impact on the licensees, regulators and the system itself. Even this activity will not take into consideration those sources currently determined to be generally licensed that would have more determinable impact if used for malicious intent.

Thank you for the opportunity to respond to the *Federal Register* notice. Feel free to contact me or CRCPD Executive Director Ruth McBurney for further clarifying information. I can be reached at (814) 332-6412 or by e-mail at <jwinston@state.pa.us> and Ms. McBurney can be reached at (502) 227-4543 or by e-mail at <rmcburney@crcpd.org>.

Sincerely,



John P. Winston
Chairperson

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

Rulemaking Comments

From: Sue Smith [SSmith@crupd.org]
Sent: Tuesday, June 24, 2008 12:36 PM
To: Rulemaking Comments
Cc: Cindy Cardwell; Robert Lewis; Dennis Rathbun
Subject: CRCPD: Comments NSTS
Attachments: NSTS Letter.pdf

On behalf of John Winston, CRCPD Chairperson, please find attached CRCPD's comments on NRC's proposed rules regarding the expansion of National Source Tracking System.

Thank you,

Sue

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Thread-Index: AcjWGP4oc9pGPzvXS++ZKIU3PmMgag==

From: Sue Smith <SSmith@crcpd.org>

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CC: "Cindy Cardwell" <Cindy.Cardwell@dshs.state.tx.us>,
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