

Rulemaking Comments

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**From:** Bhat Ramachandra AFMSA/SG3PB [Ramachandra.Bhat@pentagon.af.mil]  
**Sent:** Monday, January 05, 2009 1:34 PM  
**To:** Rulemaking Comments  
**Cc:** Bhat Ramachandra AFMSA/SG3PB  
**Subject:** RIN 3150-A112  
**Attachments:** RIC'S COMMENTS 20090105 (3).doc

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DOCKETED  
USNRC

January 5, 2009 (2:58pm)

Madam/Sir,  
I have attached the comments on the subject.

OFFICE OF SECRETARY  
RUI EMAKINGS AND  
ADJUDICATIONS STAFF

If you have any questions, please contact me at DSN 425-1049, commercial 703-588-1049 or E-Mail at [ramachandra.bhat@pentagon.af.mil](mailto:ramachandra.bhat@pentagon.af.mil) <<mailto:ramachandra.bhat@pentagon.af.mil>>. Our Telefax is DSN 425-5855. or commercial 703-588-5855. Our cell phone for receiving after-duty-hours Incident/Accident Reports is 703-340-0819. AFMOA/SG3PB web page is <<[https://kx.afms.mil/rad\\_prot](https://kx.afms.mil/rad_prot)>>.

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Template = SECY-067

SECY-02

USAF Radioisotope Committee Secretariat Comments On  
The Preliminary Draft Rule Language of  
Proposed 10 CFR Part 37  
(RIN 3150-AI12, NRC-2008-0120)

1. Page 3, paragraph 37.99(c) – What does the NRC mean by historical pattern of ordering? The paragraph seems to be requiring the development of a trend or historical analytical capability. Such a requirement for analysis and recordkeeping does not appear to be clearly defined and consequently would be difficult to conduct, enforce or inspect.
  
2. Ms. Troxler from the Louisiana Dept of Environmental Quality wrote the following about RIN 3150-AI12 on 10 Dec 08

Thank you for allowing us to comment on the Part 37 Proposed rulemaking for Physical Protection of Byproduct Material. In Subpart D – Physical Protection in Transit, you do not address the one security problem that still causes us concern. In 37.99.a, before transferring cat 1 quantities the licensee transferring the material shall verify with the license issuing authority that the transferee's license authorizes the receipt of the type, form and quantity, of radioactive material to be transferred and verify the delivery address of the transferee. There are no directions for who at the license issuing authority is to be contacted, how they are to be contacted, and how do they know that the caller is who he says he is.

**Suggestion/Comment:** Develop a secured website solution using a centralized database where someone can simply query a license/permit number online and obtain a digital copy of the most recent license/permit amendment direct from the NRC license or permit issuing authority. If one has to type in the number before anything is displayed, then it would prevent the website from becoming a potential target list.

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13:34:44 -0500

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X-SBRS: 4.5

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X-IronPort-Anti-Spam-Result:

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Received: from hooter.pentagon.ncr.ds.af.mil ([134.205.167.28]) by  
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hooter.pentagon.ncr.ds.af.mil with Microsoft SMTPSVC(6.0.3790.3959); Mon, 5  
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Date: Mon, 5 Jan 2009 13:33:54 -0500

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<8E66E31895C6244DBEA7E4E495EB2DA501112526@CALYPSO.pentagon.ncr.ds.af.mil>

X-MS-Has-Attach: yes

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Thread-Topic: RIN 3150-AI12

Thread-Index: AclvZC0kTm/QYaOKR2OI3WdqML3ygA==

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X-OriginalArrivalTime: 05 Jan 2009 18:34:28.0516 (UTC) FILETIME=[3E0C0E40:01C96F64]