

PR 31  
(74FR38372)

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## PUBLIC SUBMISSION

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**Docket:** NRC-2008-0272  
Limiting the Quantity of Radioactive Material in a Generally Licensed Device

**Comment On:** NRC-2008-0272-0001  
Limiting the Quantity of Byproduct Material in a Generally Licensed Device

**Document:** NRC-2008-0272-DRAFT-0032  
Comment on FR Doc # E9-18438

DOCKETED  
USNRC

October 20, 2009 (4:00pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

### Submitter Information

**Name:** David Allard

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P.O. Box 8469  
Harrisburg, PA, 17105

**Submitter's Representative:** Ben Seiber

**Organization:** PA DEP Bureau of Radiation Protection

**Government Agency Type:** State

**Government Agency:** PA DEP Bureau of Radiation Protection

### General Comment

The Pennsylvania Department of Environmental Protection (DEP) Bureau of Radiation Protection (BRP) generally supports the proposed rulemaking. The BRP agrees that using 1/10 of the IAEA Category 3 activity is an appropriate threshold for requiring a specific license (SL). The BRP believes that sources currently held under general license (GL) should only be added to the SL at the time of license renewal or amendment.

The transfer of sources held under GL remains a concern. The details of the voluntary transfer process in 10 CFR 31.5(c)(8)(iii) should be made mandatory and maintained in the regulation to assist the process. The sealed source and device registration certificates authorizing devices for use under 10 CFR 31.5 and equivalent Agreement State regulations should be required to address transfers to both general and specific licensees.

Template = SECY-067

DS 10

## Rulemaking Comments

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**From:** Gallagher, Carol  
**Sent:** Tuesday, October 20, 2009 12:01 PM  
**To:** Rulemaking Comments  
**Subject:** Comment on Limiting the Quantity of Radioactive Material in a Generally Licensed Device  
**Attachments:** NRC-2008-0272-DRAFT-0032.pdf

Van,

Attached for docketing is a comment letter on the above noted proposed rule (74 FR 38372) from David Allard that I received via the regulations.gov website on 10/19/09.

Thanks,  
Carol

Received: from HQCLSTR01.nrc.gov ([148.184.44.79]) by OWMS01.nrc.gov  
([148.184.100.43]) with mapi; Tue, 20 Oct 2009 12:01:24 -0400  
Content-Type: application/ms-tnef; name="winmail.dat"  
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From: "Gallagher, Carol" <Carol.Gallagher@nrc.gov>  
To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>  
Date: Tue, 20 Oct 2009 12:01:03 -0400  
Subject: Comment on Limiting the Quantity of Radioactive Material in a  
Generally Licensed Device  
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Generally Licensed Device  
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