



John E. Baldacci, Governor Brenda M. Harvey, Commissioner

Department of Health and Human Services
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March 29, 2010

Robert J. Lewis, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and Environmental Management Programs
USNRC Mail Stop:
11545 Rockville Pike
Rockville, MD 20852

PRM-32-6
(75FR01559)

12

DOCKETED
USNRC

March 31, 2010 (8:00am)

RE: FSME-10-0008-comments on PRM 32-6

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Dear Mr. Lewis:

The Maine Radiation Control Program has received and reviewed the Petition for Rulemaking (PRM) 32-6, regarding the regulation of tritium exit signs. We appreciate the opportunity to provide additional input on this document. We offer the following comments for consideration below.

Overall the RCP is supportive of any effort to increase control and accountability of sources of radiation, whether through rulemaking or guidance documents. We believe that this starts with changes to the way the manufacturers do business, particularly, the listing and notification of end users. Tighter requirements and controls on their end would strengthen accountability and result in more informed use of these devices. Furthermore, the whole general license (GL) program needs to be revisited as we believe such material should be either specifically licensed or considered exempt. Currently there is a lot of uncertainty and potential loss of control that is being addressed within the GL program. One side of the GL program is addressing increased controls and the other side is addressing the loss of control of exit signs. I believe the added time, effort and money expended to patch up this program could be better spent making all GL items specifically licensed under new program codes.

In response to the specific items listed in FSME-10-008:

1: *The labeling should be in several locations on the sign, with larger font.* The RCP feels that additional labeling and/or marking should be on the sign so that one can easily identify the radioactive component contained within it. The sign should be easily recognizable as containing a radiological hazard. Additionally, the information submitted in the package insert should be as prominent and clearly worded as possible to ensure that the end user knows their regulatory requirements and obligations.

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DS10

2: An expiration date should be distinctly legible to a fire or building inspector without taking down the sign. The RCP agrees that the labeling needs to be improved to ensure proper identification in the event that the sign needs to be replaced. This will aid in the proper disposition of these signs as well as ensure that the life safety code is being met for the overall safety and security of the public.

3: The radiation trefoil should be displayed on the front and back of advertisements. The RCP is not going to recommend specific locations where the symbol should appear, but we would like to see improvements made in the labeling and packaging of exit signs to ensure that end users are appropriately notified of the potential radiological hazard associated with them and any regulatory obligations they may have.

In response to the recommendation made by the petitioner for a national collection effort, we would support any effort which would ease the burden for end users to legally dispose of unwanted or expired signs. This would ensure the safe and proper disposal of these signs and they would not end up contaminating the environment.

In closing, the RCP wants to thank you for the opportunity to provide comment on this petition for rulemaking. We look forward to continuing our participation in this process and we firmly believe that early and substantive involvement of the Agreement States and stakeholders is desirable and will only serve to improve the final product.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay C. Hyland", with a long, sweeping horizontal line extending to the right.

Jay C. Hyland, P.E., Manager
Maine Radiation Control Program
286 Water Street, 4th Floor
Augusta, ME 04333-0011
207-287-5677

Rulemaking Comments

From: McIntosh, Angela
Sent: Wednesday, March 31, 2010 6:37 AM
To: Rulemaking Comments
Cc: Shaffer, Mark
Subject: FW: FSME 10-008 response/comments
Attachments: FSME 10-008.pdf

To Whom It Concerns: attached are some comments submitted in from Maine, in response to PRM 32-6.

Thanks,

Angela R. McIntosh

Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Angela.McIntosh@nrc.gov
(301) 415-5030

From: Luehman, James
Sent: Tuesday, March 30, 2010 4:12 PM
To: McIntosh, Angela
Subject: FW: FSME 10-008 response/comments

Please get this to the appropriate person in DILR

From: Lewis, Robert
Sent: Tuesday, March 30, 2010 4:11 PM
To: Shaffer, Mark; Luehman, James
Subject: FW: FSME 10-008 response/comments

Can you help me make sure this gets on the PRM docket?

From: Hyland, Jay [mailto:Jay.Hyland@maine.gov]
Sent: Tuesday, March 30, 2010 3:42 PM
To: Lewis, Robert
Subject: FSME 10-008 response/comments

Jay Hyland

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([148.184.100.43]) with mapi; Wed, 31 Mar 2010 06:36:33 -0400
Content-Type: application/ms-tnef; name="winmail.dat"
Content-Transfer-Encoding: binary
From: "McIntosh, Angela" <Angela.McIntosh@nrc.gov>
To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>
CC: "Shaffer, Mark" <Mark.Shaffer@nrc.gov>
Date: Wed, 31 Mar 2010 06:36:31 -0400
Subject: FW: FSME 10-008 response/comments
Thread-Topic: FSME 10-008 response/comments
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