

Rulemaking Comments

From: Rulemaking Resource
Sent: Friday, July 16, 2010 11:13 AM
To: Rulemaking Comments
Subject: FW: Proposed Increased Security Regulations for Radioactive Materials

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Van,

Below is a comment on the Physical Protection of Byproduct Material proposed rule (75 FR 33901; June 15, 2010). I don't know if you received it or not because the e-mail address the comment was sent to contains a spelling error.

DOCKETED
USNRC

Thanks,
Carol

July 19, 2010 (10:30am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

From: Daniel Bonvillain [mailto:daniel@capitolut.com]
Sent: Monday, July 12, 2010 12:55 PM
To: rulemaking.comments@nrc.gov
Subject: Proposed Increased Security Regulations for Radioactive Materials

As an Non-Destructive Testing company performing industrial radiography operations we would like to make comment on the proposed rule in 10 CFR 30,32,33 Physical Protection of by product Materials Proposed Rule.

Our industry has already been upgraded for increased security controls in the last 5 years which have greatly increased security, that for some which already had a strong safety culture, on an ongoing basis. Most of what I see in the new regulation some of us have already implemented such as GPS tracking, etc. though not yet specifically required.

The part of the proposal that needs to be addressed here is the interaction with local law enforcement agencies. When we first had to meet with them from the original IC orders it took 4 months at one office and 3 months at a second location just to get a meeting setup. After setting up a file with some good information and discussion being documented we have had no further contact with them. We feel this is the correct response to having no events that required contact and nothing being changed we needed to discuss. 2 items to comment on are: (1) if nothing changes in our program there should be no need to have an annual meeting to discuss that nothing has happened. Everyone has plenty of other things to work on and neither party is just sitting around and focusing on this one agenda item and (2) more importantly trying to communicate about temporary jobsites is ridiculous. We have no permanent stationary work areas, all jobs are temporary jobsites (about 20 per day and we are just 1 of 6 companies in the area). The number we know about 3 days in advance is about 3 %. Some of our major clients could have temporary jobsites every day for months at a time. LLEA does not and should not care that we are performing safe operations at temporary jobsites without events nearly every day. for 25 years. Trying to contact them about this daily routine would do nothing to help security of these sources. If we follow our procedures and meet the required criteria as measured by local regulators this is not an should not be a law enforcement issue and to try to force it to be one seems ill-conceived.

Template = SECY-067

Received: from HQCLSTR02.nrc.gov ([148.184.44.80]) by OWMS01.nrc.gov
([148.184.100.43]) with mapi; Fri, 16 Jul 2010 11:12:47 -0400
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Content-Transfer-Encoding: binary
From: Rulemaking Resource <Rulemaking.Resource@nrc.gov>
To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>
Date: Fri, 16 Jul 2010 11:12:49 -0400
Subject: FW: Proposed Increased Security Regulations for Radioactive
Materials
Thread-Topic: Proposed Increased Security Regulations for Radioactive
Materials
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