

PR 30,31,32,40 and 70
(75FR36211)

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PUBLIC SUBMISSION

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Docket: NRC-2008-0338
Requirements for Distribution of Byproduct Material

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USNRC

Comment On: NRC-2008-0338-0001
Requirements for Distribution of Byproduct Material

September 8, 2010 (11:30am)

Document: NRC-2008-0338-DRAFT-0008
Comment on FR Doc # 2010-15202

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Submitter Information

Name: Kelley Richardt
Organization: Source Production and Equipment Co., Inc.

General Comment

In the proposed 10 CFR 32.211, it states that "a specific licensee who no longer intends to manufacture or initially transfer a sealed source or device registered with the Commission shall Request inactivation of the registration certificate. Such a request shall be made no later than two years after the last initial transfer of a source or device covered by the certificate."

Compliance with this proposed rule is not practical. A licensee may not know in advance when their last manufacture or transfer of a sealed source or device will take place. Some licensees may manufacture sealed sources or devices on a schedule that is longer than 2 years. In addition, if an SS&D has been inactivated, and the licensee wants to manufacture or distribute that sealed source or device, the time and cost to reactivate the SS&D could impede US Industry.

NRC posed the following question for comment: Under what circumstances should an SS&D be reevaluated? How should such a reevaluation be conducted with minimum impact to industry?

SS&D's should be reevaluated when the regulations for those sealed sources and devices change to an extent that compliance with the regulation could require modification of the conditions of the registration. In that case, affected licensees should be notified of those requirements, and the date by which compliance is required. Licensees could then be required to make a notification that no design changes are required, or submit the proposed design changes for review.

Rulemaking Comments

From: Gallagher, Carol
Sent: Wednesday, September 08, 2010 8:54 AM
To: Rulemaking Comments
Subject: Comment on Requirements for Distribution of Byproduct Material
Attachments: NRC-2008-0338-DRAFT-0008.pdf

Van,

Attached for docketing is a comment from Kelley Richardt on the above noted proposed rule (75 FR 36211) 3150-AH91 that I received via the regulations.gov website on September 7, 2010.

Thanks,
Carol

Received: from HQCLSTR01.nrc.gov ([148.184.44.76]) by OWMS01.nrc.gov
([148.184.100.43]) with mapi; Wed, 8 Sep 2010 08:55:07 -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: Wed, 8 Sep 2010 08:54:13 -0400
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