



NATIONAL PHYSICS CONSULTANTS, Ltd.

1412 Willowood Court
Painesville, Ohio 44077-5471

Telephone (440) 350-1242
or (888) 456-5255
Facsimile (440) 350-1239

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USNRC

September 9, 2010

September 14, 2010 (4:00pm)

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Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Re. Docket ID NRC-2008-0120

To whom it may concern,

I am writing in reference to the proposed new Part 37 (6/15/10 Federal Register). I find the expansion of requirements far beyond that in the original security orders. The additional requirements create additional burdens with little, if any, improvement in security.

The two items I find most unnecessary are those in 37.25(a)(6) and 37.41(a)(2). Adding the need for a credit history check to the background checks for individuals to receive approval for unescorted access to category 1 or 2 materials is an additional burden and would not change the approval status for any one individual. A bad credit history does not define an individual as not trustworthy and reliable and will not cause anyone to be denied unescorted access. Further, a good credit history does not define an individual as trustworthy and reliable and will not cause anyone to be approved for unescorted access. This proposed parameter will not be used for any useful means of evaluation and will just be a burden on licensees. Good people with a bad credit history will still be approved and not good people with a good credit history will still be denied. The proposal for a credit history check should be deleted.

The requirement of 37.41(a)(2) is an exercise that is a waste of time and manpower. There are a lot of licensees with license authorizations that exceed category 2 quantities that will never aggregate the material to category 2 quantities. One of the reasons (and a big one) is to avoid the increased security requirements. There are medical facilities that have more than one HDR unit but the units are in different buildings, often several miles apart. They would never want to bring them to the same security zone. Also, there are many licensees that have one HDR unit and are authorized for manual brachytherapy which together can exceed category 2 quantities. Manual brachytherapy sources are stored separately from the HDR unit and there would be no good reason to bring them together. It would be of no value for these facilities to develop a security program as it would never be implemented. Why spend the assets to prepare for an eventuality that will never occur? This proposed requirement should be deleted.

Template = SECY-067

DS10

I hope these comments will be duly considered. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "David Close". The signature is written in black ink and has a fluid, connected style.

David Close, CHP
Consultant