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August 23, 2010

Michele L. Burgess  
Senior Regional Program Manager  
FSME/MSSA  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-8E24  
Washington, D.C. 20555-0001

Re: Lost/Stolen Source Notification System

Dear Ms. Burgess:

The Metals Industries Recycling Coalition ("MIRC") appreciated the opportunity to meet with you last month. Our members are grateful for the opportunity to share our concerns about lost and stolen sealed sources and the notifications that are critical to alerting front-line personnel about the potential presence of such sources in incoming scrap feedstock.

At your suggestion, we have reviewed the information available on the "Event Notification Reports" section of the U.S. Nuclear Regulatory Commission's ("NRC's") website. Most of the notifications contained therein do not provide useful information to the metals recycling industry. However, we were able to sift through the notifications to find some very important information regarding lost or stolen sealed sources.

While such information is clearly available to key personnel in the metals recycling industry, we believe that aggregating and displaying such information within a larger body of unrelated information creates a significant obstacle to effective dissemination. Currently, in order to determine if there were any lost or stolen sources reported near a facility, each facility must log onto the NRC website, select the event notifications, select the current day's notifications, and then search through a potentially large number of unrelated notifications to determine if there were any lost or stolen sources reported. While not an overly burdensome process, it is ambitious to assume that it will be conducted by a large number of extremely busy metals industry health and safety managers on a daily basis.

**KELLEY DRYE & WARREN LLP**

Michele L. Burgess  
August 23, 2010  
Page Two

The central purposes of the proposed Orphan Source Notification Program are to protect the scrap metal feedstock and to provide the NRC with a nationwide network of volunteer personnel in strategic industries which are most likely to identify and recover the lost or stolen sources. In order to most effectively serve NRC in that role, NRC needs to affirmatively send relevant information to such key personnel. Simply relying on such personnel to seek out the information would dramatically diminish the effectiveness of the program.

In our meeting, MIRC proposed that NRC establish an email subscription list under which subscribers receive an email whenever NRC releases information about lost or stolen sources. We are not requesting that NRC draft or compile any new information – simply use the information NRC already posts on its website. By affirmatively pushing this information to the most likely impacted industries, NRC can ensure a plenary and effective search network for lost and stolen sources.

You raised two concerns about this approach in our meeting: (1) that NRC does not have a list of emails to which to send this information; and, (2) that there may be technological difficulties in sending such information. MIRC can help address both of these concerns.

MIRC will initiate a subscription drive to encourage participation to NRC's Orphan Source Notification Program. MIRC is a coalition of several metals industries with hundreds of facilities and thousands of employees across the United States. We expect to have little difficulty obtaining one or more email subscriptions in each of the impacted facilities. Further, MIRC and its member companies and facilities have strong professional relationships with upstream scrap dealers and their representative organizations. MIRC can leverage these relationships to secure another large body of key potentially impacted subscriber groups. MIRC will also work with NRC to ensure that appropriate law enforcement personnel and first responders subscribe to the Orphan Source Notification Program. Upon these efforts alone, NRC will likely have a robust nationwide network of personnel actively searching for lost and stolen sources.

MIRC also examined the technological issues potentially preventing an email alert feature for the Orphan Source Notification Program. To that end, we held a meeting with the head of information technology for Kelley Drye & Warren, LLP ("Kelley Drye") – MIRC's counsel in these matters. MIRC learned that it is very simply and straight forward to set up a subscription program that automatically emails information from NRC's website to subscribers. Such programs are routinely done by government agencies, by the private sector, and even by small home-based blogs. Kelley Drye maintains several such email feeds and will make its information technology support personnel available to NRC to assist in setting up such a program.

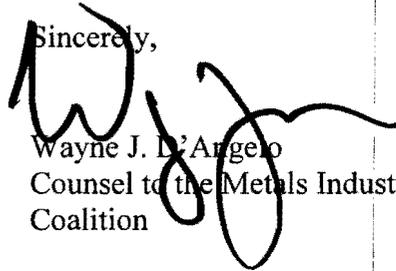
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Michele L. Burgess  
August 23, 2010  
Page Three

The success of the Orphan Source Notification Program depends not only on the availability of information but on the ease of obtaining that information. By establishing an email alert program, NRC will be ensuring widespread dissemination of lost/stolen source information that can be used by a sweeping network of professional volunteers to identify and safely recover missing sources. MIRC remains willing and able to provide the logistical and technological support to institute such a system.

Please let me know if you are available to further discuss the details of such a program. MIRC and its member companies look forward to working with you further on this important project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne J. D'Angelo', written over the typed name and title.

Wayne J. D'Angelo  
Counsel to the Metals Industries Recycling  
Coalition