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RULEMAKINGS AND
ADJUDICATIONS STAFF

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QA-2010/52

September 20, 2010

Secretary, U.S. Nuclear Regulatory Commission
Attn: Rulemaking and Adjudications Staff
Washington, DC 20555-0001
ATTN: Docket ID No. NRC-2008-0120

RE: Comments Physical Protection of Byproduct Material
Docket ID No. NRC-2008-0120

Dear Sir:

We appreciate the opportunity to provide comment to the *Physical Protection of Byproduct Material* proposed rule, published in the Federal Register on June 15, 2010 [75 FR 33902].

The Curtiss-Wright Electro-Mechanical Corporation (Curtiss-Wright) facility located in Cheswick, Pennsylvania offers mechanical/electrical maintenance services to various clients. At this facility, Curtiss-Wright conducts radiography operations to support manufacturing activities at the site. At present, the site operates under the Increased Controls Policy required for sources greater than Category 1 or 2 quantities.

The proposed section 10CFR Part 37.23 "Access authorization program requirements" (b)(2) regarding reviewing officials states:

> *"Reviewing officials must be required to have unescorted access to category 1 or category 2 quantities of radioactive materials or access to safeguards information, if the licensee possesses safeguards information, as part of their job duties."*

The necessity to ensure the status of the reviewing official via a background check and FBI fingerprinting is understandable. The need for a reviewing official to have unescorted access to category 1 or 2 quantities of radioactive materials is unnecessary.

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Development of an access authorization program under a reviewing official at a large manufacturing plant requires coordination between many departments. Personnel who require unescorted access to byproduct material will have their access authorization determined by the reviewing official. The reviewing official must have access to personnel files, employment records, financial and criminal history reports. Based on the organizational structure of this facility the reviewing official is part of the Human Resources department. Under no circumstances does an HR representative need or want access to Category 1 or 2 sources.

Individuals' subject to a licensee's access authorization program expands beyond those permitted to have unescorted access to category 1 or 2 sources. Verbiage must accurately reflect the need to include such individuals without requiring them to have unescorted access to the sources.

Thank you for consideration of our comments. Please direct any questions regarding these comments to Lisa Lamantia, Radiation Safety Officer at 724-275-5032.

Sincerely,

Charles Lim
Manager, Regulatory Compliance
CURTISS-WRIGHT ELECTRO-MECHANICAL CORPORATION

Two (2) copies enclosed