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(75FR33901)

48

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Physical Protection of Byproduct Material

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USNRC

Comment On: NRC-2008-0120-0070
Physical Protection of Byproduct Material; Extension of Comment Period

December 7, 2010 (3:55pm)

Document: NRC-2008-0120-DRAFT-0091
Comment on FR Doc # 2010-25397

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Submitter Information

Address:
5330 North 57th Street
Lincoln, NE, 68507

General Comment

See attached file(s)

Attachments

NRC-2008-0120-DRAFT-0091.1: Comment on FR Doc # 2010-25397

Template = SECY-067

DS 10

Proposed 37.75 (c) requires a notification within 4 hours from the receiving licensee to the shipping licensee after a package arrives. This places an undue burden on the shipping and receiving licensees depending on days of week, time of arrivals. This could require personnel to be at each licensee on evenings, weekends and holidays to receive this information. This is undue cost and gains nothing. This cost will have to be passed on to customers. This item should be deleted.

37.79(d) requires an investigation if the package does not arrive within 2 or 4 hours of its designated arrival time. Weather, traffic, etc, could affect delivery times and starting an investigation because a source could not arrive on time because of poor road conditions, aircraft delays, truck mechanical issues, is a waste of time and resources with no foreseeable gains for security, this cost would have to be passed on to customers. This item should be deleted.

37.25 the requirements for full credit history is expensive and gains nothing. This cost would have to be passed on to customers. There is no definition for "trustworthy and reliable" in the CFR proposal so what determines the ability of person to be "trustworthy and reliable". There is great cost and no set criteria to meet. This item should be dropped.

37.45 LLEA coordination should be dropped. There is often not 3 business days time to notify the LLEA that you are going through their area or that there will be a temporary job site. In many cases you have a 1 man sheriff department that has no clue what is being brought through their area. The notification could cause undue delays and confusion. In many cases the customer needs someone with a source to get to their location quickly to keep production moving but it would not constitute an emergency. The notification would delay or shut down production while notifications take place and this cost would have to be passed on to customers. This item should be dropped.

Bottom line is any of the proposed changes to 10 CFR 37 do nothing to enhance the safety of transport of source material, it only gives more control to government, slows or stops production while jumping through hoops that do nothing, increases cost and kills jobs.

Is there any evidence that any of these measures would have prevented any theft or lost material?

How much material covered by this CRF has actually been lost or stolen in the US?

Rulemaking Comments

From: Gallagher, Carol
Sent: Tuesday, December 07, 2010 2:06 PM
To: Rulemaking Comments
Subject: Comment on Proposed Rule - Physical Protection of Byproduct Material
Attachments: NRC-2008-0120-DRAFT-0091.pdf

Van,

Attached for docketing is a comment on the above noted proposed rule (3150-AI12) that I received via the regulations.gov website on 12/7/10.

Thanks,
Carol

Received: from HQCLSTR01.nrc.gov ([148.184.44.76]) by TWMS01.nrc.gov
([148.184.200.145]) with mapi; Tue, 7 Dec 2010 14:05:48 -0500
Content-Type: application/ms-tnef; name="winmail.dat"
Content-Transfer-Encoding: binary
From: "Gallagher, Carol" <Carol.Gallagher@nrc.gov>
To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>
Date: Tue, 7 Dec 2010 14:05:45 -0500
Subject: Comment on Proposed Rule - Physical Protection of Byproduct Material
Thread-Topic: Comment on Proposed Rule - Physical Protection of Byproduct
Material
Thread-Index: AcuWQb/Uh1DRtHiCQJCeIXOHpEHXig==
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