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75 FR 37483  
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Ms. Cindy K. Bladey  
Chief, Rules, Announcements, and Directives Branch  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Draft Policy Statement on the Protection of Cesium-137 Chloride Sources (75 FR 37483);  
Docket Number: NRC-2010-0209

**Project Number: 689**

Dear Ms. Bladey:

On behalf of the nuclear industry, the Nuclear Energy Institute (NEI)<sup>1</sup> appreciates the opportunity to comment on the Commission's draft Policy Statement on the Protection of Cesium-137 Chloride Sources issued on June 29, 2010, for public comment. We also found the November 8-9, 2010 U.S. Nuclear Regulatory Commission (NRC) public workshop to discuss the draft Policy Statement to be informative and well organized.

The industry expresses its overall support for the draft Policy Statement which recognizes that near term replacement of Category 1 and 2 Cesium-137 Chloride Sources is not practicable or necessary. The draft Policy Statement recognizes the critical role that Category 1 and 2 Cesium-137 Chloride sources serve in blood irradiation, biomedical and industrial research, and calibration of instrumentation and dosimetry, especially for critical reactor and first responder equipment. The draft Policy Statement also emphasizes the significant actions that the NRC and industry have taken to markedly enhance security of all Category 1 and 2 sources (including Cesium-137 Chloride sources) over the last several years – these efforts are to be applauded. Finally, the draft Policy Statement identifies the critical unresolved source storage, disposal, and transportation issues that would need to be fully vetted with all stakeholders and resolved prior to any decision to ban and replace Cesium-137 Chloride sources domestically.

<sup>1</sup>NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, nuclear material licensees, and other organizations and individuals involved in the nuclear energy industry.

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Add: J. Jankovich (JPJ2)  
S. Hawkins (SCH2)

Ms. Cindy K. Bladey

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Throughout the draft Policy Statement, the focus appears to be relative to Category 1 and 2 Cesium-137 Chloride sources. However, the Statement of Policy section is silent with respect to the Category 1 and 2 focus and we believe clarifying this focus within that section would be appropriate and consistent with the remainder of the draft Policy Statement. In addition, the Statement of Policy section indicates that the development and use of alternative forms of cesium-137 is "prudent." Given the discussion during the November 8-9, 2010, public meeting and industry presentations regarding the significant and effective security controls in place today and the limited risk reduction that could be realized by alternative forms of Cs-137, the prudence of the development of alternative forms is unclear. Going forward, the NRC should work with its Federal partners and industry as it establishes measures to verify the effectiveness of alternative forms of Cs-137 for solubility and dispersibility, and the resulting risk reduction to justify their development.

If in the future the NRC revisits this subject, any decision to ban the use of Cesium-137 Chloride Sources must be made in the context of the domestic and international implications of such a decision. Discontinuing the use of Cesium-137 Chloride Sources domestically will only increase their availability in countries with potentially less regulatory structure and security, thereby posing an increased public health and safety risk worldwide; particularly since no viable domestic long term storage or disposal option exists today. In addition, future discussions involving banning the use of Cs-137 must consider its widespread medical use.

Thank you for the opportunity to comment on the document, and we look forward to reviewing the final version. If you have any questions concerning these comments, please feel free to contact me at 202-739-8098; [jrs@nei.org](mailto:jrs@nei.org).

Sincerely,



Janet R. Schlueter

c: Mr. Robert J. Lewis, FSME/DMSSA, NRC  
Mr. John P. Jankovich, FSME/DMSSA, NRC

## Gallagher, Carol

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**From:** Bladey, Cindy  
**Sent:** Thursday, December 16, 2010 3:43 PM  
**To:** Mendiola, Doris; Gallagher, Carol  
**Subject:** FW: Draft Policy Statement on the Protection of Cesium-137 Chloride Sources (75 FR 37483); Docket Number: NRC-2010-0209  
**Attachments:** 12-16-10\_NRC\_Comments on Draft Policy Statement for Cs-137.pdf

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**From:** BELL, Denise [<mailto:dxb@nei.org>] **On Behalf Of** SCHLUETER, Janet  
**Sent:** Thursday, December 16, 2010 3:27 PM  
**Subject:** Draft Policy Statement on the Protection of Cesium-137 Chloride Sources (75 FR 37483); Docket Number: NRC-2010-0209

December 16, 2010

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