



Illinois Emergency Management Agency

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USNRC

Pat Quinn, Governor

Joseph Klinger, Interim Director

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Cindy Bladey, Chief
Rules, Announcements and Directives Branch
Office of Administration
MS: TWB-5 BIM
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

6/29/2010

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45 FR 37483

RE: REQUEST FOR COMMENTS ON THE DRAFT POLICY STATEMENT ON THE PROTECTION OF CESIUM-137 CHLORIDE SOURCES (NRC-2010-0209)

Dear Ms. Bladey:

The Illinois Emergency Management Agency, Division of Nuclear Safety (the Agency), hereby submits our comments on the draft policy statement on the Protection of Cesium-137 Chloride Sources (NRC-2010-0209). The Agency supports the effort made by the U.S. Nuclear Regulatory Commission (NRC) regarding safety, security and control of high risk Cesium Chloride (CsCl) sources. This document is a good reminder that both security and health and safety concerns must be incorporated into a comprehensive radiation protection program. Most of the concepts in this policy statement are already addressed to some degree for Category 1 and 2 sources in current and proposed rules (i.e., 10 CFR Part 37) and current orders issued by the NRC.

The NRC states that they are ready to issue additional security requirements to apply appropriate limitations for the use of CsCl in its current form should the threat environment change. The NRC did not state what specific additional security requirements the NRC intends to implement and how the Agreement States will implement such. It may be difficult operationally and legally for some Agreement States to implement such limitations in a prompt manner when they are not aware of what the limitations are and when the need appears to be cause for immediate action.

The NRC should consider limited use of these sources where other sources or other non-radioactive alternatives are available. There are certain types of devices (e.g., fixed gauges) that currently have alternative source approvals. Yet the CsCl is still an option for these uses. Where there are current alternatives, the NRC should prohibit such use of CsCl in these devices. In addition, while new sources are not being actively approved, current source registrations/licenses allow the continued distribution of existing CsCl sources. This should be restricted where applicable.

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add = J. Jankovich (SP52)
S. Hawkins (Sch 2)



In the Policy Statement, the NRC identifies the current requirements that are imposed on licensees possessing Category 1 and 2 quantities of concern, which have strongly enhanced security and control of these sources. If additional requirements need to be implemented specifically for CsCl, these requirements should be added to the 10 CFR Part 37 proposed rule. The significance of such requirements should not be implemented through guidance or policies especially if the NRC considers this to be a matter of common defense and security.

The Agency agrees that the development and implementation of the web-based licensing and License Verification System will enhance the security of these sources. Additionally, the physical security enhancements voluntarily incorporated into existing irradiators and designed into newly manufactured products also greatly reduce the vulnerability of obtaining these sources through malevolent acts. These physical security enhancements should be mandatory, not voluntary. These retrofits are currently being funded through the Global Threat Reduction Initiative (GTRI) under the National Nuclear Security Administration (NNSA). The GTRI offers additional measures of security enhancements, which include removal of unwanted radioactive sources; installation of remote monitoring systems, access control devices, motion detector sensors and cameras; deployment of in-device delay mechanisms, tie downs and hardened doors/rooms for various devices containing radioactive sources; and offers alarm response training and table top exercises for licensees and first responders. These federally funded programs should be heavily promoted throughout the licensing community.

The fact that there are no alternatives to replace the use of the CsCl sources and that there are no disposal options available puts licensees in a difficult situation. The Agency agrees with the need for source design improvements to mitigate or minimize the radiological consequences if these sources are misused and for the development of alternative products to replace these sources. The Agency agrees that standards/definitions for new chemical and physical forms used in CsCl source construction need to be defined by NRC prior to manufacturing such sources and approval by NRC and Agreement States performing Sealed Source and Device Evaluations.

Prohibition of use of such sources without alternative solutions and with no disposal options would simply require the sources to be placed in storage. Sources in use are better able to be protected and secured than sources that are no longer used. Although the sources in storage still must comply with security requirements, the sources in storage would be more vulnerable to malevolent uses than those in use, which are constantly monitored and generally used on a daily basis. Disposal options must also be actively explored for existing sources, including consideration of interim storage at existing federal facilities.

The Agency fully supports the NRC effort to continue to improve the safety, security and control of all radioactive material and reduce the risk of malevolent use by unintended individuals. The Agency appreciates the opportunity to comment on this important document. If you have any questions, please feel free to contact Mr. Vinson of my staff at (217) 785-9928 or via e-mail at Gibb.Vinson@Illinois.gov.

Sincerely,



Joseph G. Klinger
Interim Director

JGK:CGV:SMK

cc: Jim Lynch
U.S. NRC Region II