

Rulemaking Comments**PR 73
(75FR42000)**

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USNRC

From: Michael Whaley [whaley@mail.utexas.edu]
Sent: Monday, January 31, 2011 12:45 PM
To: Rulemaking Comments
Subject: Comments 10 CFR Part 73 RIN 3150-A125 (NRC-2008-0619)

January 31, 2011 (3:55 pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Having reviewed the draft rule and public comments provided by other facilities and the National Organization of Test, Research, and Training Reactors (TRTR), I would like to provide input on the proposed 10 CFR Part 73 Rulemaking (NRC-2008-0619) as published in the Federal Register Vol. 75 No.138 - Tuesday, July 20, 2010.

I find the proposed rule adds additional requirements for security at RTR facilities that will further limit student, faculty and researcher access and divert additional resources from our educational and research missions.

I strongly support the comments submitted by TRTR (NRC-2008-0619-0019) and ask that we be joined to those specific comments for resolution.

Imposition of the requirement in the proposed rule will impede (if not prevent) the use of small SNM material in research, the use of the reactor in educational programs, and the use of the reactor in experiment programs. In particular,

1. Application of the requirements without regard to the potential hazard level of SNM reduces potential for using low activity SNM as radioactive sources because of time and cost to accomplish the clearance. Additionally, if the work can be continued with byproduct material, more time and expense will be required with the result of an increased radioactive material inventory.
2. Application of "vital area" terminology to RTRs reduces potential to use the facility in education and research.

I appreciate the opportunity to provide comment on this important proposal.

Please feel free to contact me with questions.

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