

Mr. Gary Baughman
Association of State and Territorial
Solid Waste Management Officials
444 North Capitol Street, NW, Suite 315
Washington, DC 20010

Dear Mr. Baughman:

I am responding to the petition for rulemaking (PRM), dated November 6, 2009, that you submitted to the U.S. Nuclear Regulatory Commission (NRC) on behalf of the Association of State and Territorial Solid Waste Management Officials (ASTSWMO). Your petition was assigned Docket No. PRM-32-6. In your petition, you requested that the NRC amend its regulations regarding the labeling and accountability of tritium exit signs. The petition states that ideally you would like to see tritium exit sign technology replaced by alternative technologies. The petition requests that the NRC revise its regulations and/or guidance to require or recommend that: 1) labeling be in several locations on the sign, with larger font; 2) the sign's expiration date be distinctly legible to a fire or building inspector without taking down the sign; and 3) the radiation trefoil be displayed on the front and back of product advertisements.

Also, the petition states that a national collection effort with distinct milestones and goals should be undertaken to consolidate all expired and disused tritium exit signs. Finally, the petition requests that the NRC organize a meeting with ASTSWMO and all interested stakeholders to set a new path forward on this issue.

The notice of receipt of the PRM was published in the *Federal Register* on January 12, 2010 (75 FR 1559). The comment period for the PRM closed on March 29, 2010. Thirteen comment letters were received.

The NRC has considered the petition, and the arguments raised therein, as well as the comments received in response to the petition. For the reasons stated in the enclosed *Federal Register* Notice (FRN), your petition for rulemaking is denied. In summary, the petition is being denied because the NRC's current regulations are adequate in this area. If you would like to meet with the staff to discuss possible enhancements to existing guidance that implements the current regulations, please contact Jack Foster at 301-415-6250, or email at Jack.Foster@nrc.gov.

G. Baughman

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The FRN denying the petition is being transmitted to the Office of the Federal Register for publication.

Sincerely,

Annette Vietti-Cook
Secretary of the Commission

Enclosure:
Federal Register Notice

G. Baughman

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