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Council on Radionuclides and Radiopharmaceuticals, Inc.

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DOCKETED
USNRC

September 29, 2011 (11:45 am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Henry H. Kramer, Ph.D., FACNP
Executive Director

September 26, 2011

Office of the Secretary
U. S. Nuclear Regulatory Commission,
Washington, DC 20555-0001

Attention: Rulemaking and Adjudications

Subject: CORAR Comments to NRC on Request for a License to Import Radioactive Waste. Docket ID NRC-2011-22102-0001

**Reference: Federal Register Vol.76, No 168, August 30, 2011, Page 53980.
Request for a License to Import Radioactive Waste**

These comments are submitted on behalf of the Council on Radionuclides and Radiopharmaceuticals (CORAR). CORAR members include the major manufacturers and distributors of radiopharmaceuticals, radioactive sources, and research radionuclides used in the U.S. for therapeutic and diagnostic medical applications and for industrial, environmental and biomedical research and quality control. CORAR membership includes GE Healthcare.

CORAR supports GE Hitachi Nuclear Energy's request for this import license to enable the applicant to meet its obligation of product recall by providing a safe, secure and responsible transfer of these sources, while providing the opportunity to pursue reuse, recycling and resale.

CORAR understands that the fact that the content of the sources is not of U.S. origin subjects their import to the licensing requirements of 10 CFR 110. Unfortunately, the phrase "of U.S. origin" was introduced into 10 CFR 110.2 final rule without having been mentioned in the proposed rule. Therefore input from industry on the unintended consequences of and burdens from this restriction, including significant hardship on US companies who conduct business globally and have legal obligations to accept return source shipments, was not provided to the NRC during the comment period. Given the lack of notice and comment, we would recommend that NRC not rely on the phrase "of U.S. origin" to deny this application. In addition, we ask that NRC recognize that the intentions of GE Hitachi are consistent with the objectives of the NNSA Global Threat Reduction Initiative, and consider the application in that context.

NRC should approve this import license application.

We appreciate the opportunity to comment on this license request. Please contact me should you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Guastella".

Michael Guastella
Executive Director

cc: Mark Doruff
Leonard Smith

As of: September 28, 2011
Received: September 27, 2011
Status: Pending_Post
Tracking No. 80f3e8a3
Comments Due: September 29, 2011
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PUBLIC SUBMISSION

Docket: NRC-2011-0211
Application for a License to Import Radioactive Waste

Comment On: NRC-2011-0211-0001
Request for a License to Import Radioactive Waste

Document: NRC-2011-0211-DRAFT-0001
Comment on FR Doc # 2011-22102

Submitter Information

Name: Michael Guastella

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Submitter's Representative: Michael Guastella

Organization: Council on Radionuclides and Radiopharmaceuticals, Inc.

General Comment

See attached file(s)

Attachments

NRC letter

Rulemaking Comments

From: Gallagher, Carol
Sent: Wednesday, September 28, 2011 4:01 PM
To: Rulemaking Comments
Subject: Comment on Request for a License to Import Radioactive Waste
Attachments: NRC-2011-0211-DRAFT-0001.pdf

Van,

Attached for docketing is a comment from Michael Gustella on the above noted action (76 FR 53980) published on August 30, 2011.

Thanks,
Carol