



Organization of Agreement States

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March 24, 2017

2/28/2017

82 FR 9754

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Katie Wagner
Office of Nuclear Materials Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555

RE: OPPORTUNITY TO COMMENT ON DRAFT NUREG-1556, VOLUME 8, REVISION 1, "CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES: PROGRAM-SPECIFIC GUIDANCE ABOUT EXEMPT DISTRIBUTION LICENSES" (STC-17-018)

Dear Ms. Wagner:

The Organization of Agreement States (OAS) Executive Board (Board) has reviewed the above document and respectfully submits the following comments.

General comment: This document is "regulation-centered" and not "application-centered". It would be much more helpful to applicants and license reviewers if the document were "application-centered." For example, it would be easier to follow if page 9-8 said:

The information submitted under 10 CFR 32.14(b)(6) on labeling must demonstrate that

- Each unit will be labeled or marked, so that the manufacturer or initial transferor of the product and the byproduct material in the product can be identified.
- Each ionization chamber smoke detector will be labeled or marked and its point-of-sale package will contain more detailed information.

Specific Comments

1. The text, map and chart on pages 2-1 through 2-3 are confusing, as this volume is about exempt distribution (which does not authorize possession). Yet Table 2-1 only applies to possession. The information that only applies to possession licenses should not be in this NUREG.
2. Page 2-2, line 2: Add reference to the appropriate volume of NUREG-1556.
3. Page 9-1, lines 26-28; page 9-6, lines 9-11, etc.: It is not clear if the intent is about having the possession license before applying for an exempt distribution license. This should be clarified.
4. Page 9-3, lines 37-39, and for each subsequent section: Eliminate the bullets (just use the checklist immediately below). The first bullet is too general to be useful. The checklist is excellent information for both applicants and license reviewers.

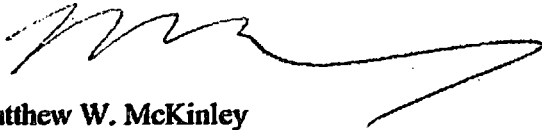
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5. Section 9.3, page 9-13: The discussion of what constitutes "commercial distribution" is confusing. Please clarify. For example, if a licensed service provider calibrates survey instruments, do they need an exempt distribution license to attach a check source to the side of a client's instrument? Is this "introducing a material into the marketplace?"

We appreciate the chance to comment on this subject, and stand ready to answer any questions you may have.

Sincerely,



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