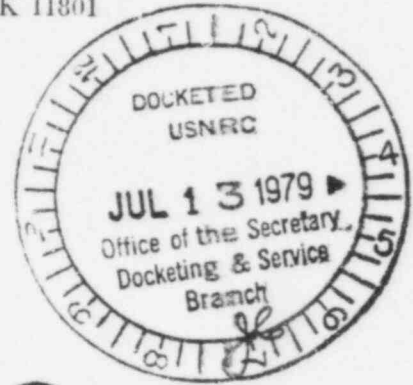


J Henny
TP 915-3
Member



Municipal Testing Laboratory, Inc.

160 LAUMAN LANE • HICKSVILLE, NEW YORK 11801



July 2, 1979

Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Mr. Samuel J. Chilk,
Secretary of the Commission

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Re: Petition PRM-30-56(44FR28896)

Dear Mr. Chilk:

We support the enclosed petition and ask the Commission's close study of the request.

Yours very truly,

MUNICIPAL TESTING LABORATORY, INC.

Lawrence Mercardante

Lawrence Mercardante,
Laboratory Manager

LM:bf
enc.

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Energy rather than the Nuclear Regulatory Commission.

In support of the petition the petitioner states that:

(1) Fissile materials used in power production and the production of nuclear weapons require far more stringent rules than those required of byproduct material users and licensees. This includes regulations concerning shipment and use of these materials. Because the U.S. Nuclear Regulatory Commission is a single entity, all rules pertain to both types of licensees.

(2) The majority of effort of the U.S. NRC is devoted to fissile materials creating enormous costs and efforts to control. The majority of the licensees are byproduct materials users who are forced to share the cost burden exhibited in U.S. NRC fees.

(3) The staff and leadership of the U.S. NRC devotes the majority of its time to expended energy related to power reactors which creates undue burdens on byproduct materials users.

(4) A division of responsibility by NRC would create a positive effect on the general public by making them aware that there are different types of radioactive materials, easing some of the political pressure on the NRC.

(5) Because of the present makeup of NRC controlling both areas, the public apprehension toward power reactors, has a tendency to force over-regulation of byproduct materials because both are jointly referred to as simply "radioactive materials". This detracts from the ability to point out the positive nature of public benefits derived from both types of materials. Since NRC fails to distinguish between the two types of materials, undue burdens in transportation and publicity force byproduct materials users to defend a position they are not totally familiar with. Petitions and regulations, including regulatory guides, are frequently opposed or incorrectly interpreted because of lack of distinction between the two types of materials.

A copy of the petition for rulemaking is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the petition may be obtained by writing to the Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

All persons who desire to submit written comments or suggestions concerning the petition for rulemaking should send their comments to the Secretary of the Commission, Washington, D.C. 20555, Attention:

Docketing and Service Branch, by June 18, 1979.

For further information contact: Gerald L. Hutton, Division of Rules, Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, telephone 492-7088.

Dated at Washington, D.C., this 11th day of May 1979.

For the Nuclear Regulatory Commission:
Samuel J. Chilk,
Secretary of the Commission.

(FR Doc. 79-11309 Filed 5-16-79; 8:41 am)
BILLING CODE 7590-01-M

[PRM-30-56]

Gulf Nuclear, Inc.; Filing of Petition for Rulemaking

Notice is hereby given that Mr. Walter P. Peeples, Jr., on behalf of Gulf Nuclear, Inc., by letter dated April 12, 1979, has filed with the Nuclear Regulatory Commission a petition for rulemaking.

The petitioner proposes that the Nuclear Regulatory Commission be divided into two separate entities within the NRC. As the petitioner stated one area would cover power reactors, uranium mining, nuclear weapons manufacturing, nuclear fuel processors, and any area that deals with fissile materials. The second area would deal with byproduct materials. Nuclear weapons manufacturing is a responsibility of the Department of

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