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Power Supply Engineering and Services

**NRC PUBLIC DOCUMENT**

October 16, 1979

DOCKET NUMBER **15**  
PROPOSED RULE **PR-71(44FR 48235)**

Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

ATTENTION: Docketing and Service Branch

RE: Proposed rules on 10CFR Part 71

Gentlemen:

The following comments are made on your proposed revisions to your regulations for the "Packaging of Radioactive Material For Transportation And Transportation of Radioactive Material Under Certain Conditions; Compatibility With IAEA Regulations" 10CFR Part 71 as published in the Federal Register of August 17, 1979.

We approve the effort of the Commission to make the NRC rules for packaging of radioactive materials compatible with international rules and with those of the Department of Transportation.

The proposed rules appear to be simpler than the existing rules in many respects, but they are still highly technical and will require trained and knowledgeable personnel to implement.

We encourage the Commission to continue its efforts to simplify, especially since there is an increasing interest in the shipments of radioactive materials in various localities.

The proposed rules specifically exempts low level materials such as materials with low specific activity, low level solid radioactive materials, and certain small quantities, etc. from certain packaging requirements in Section 71.8. These exemptions are reasonable, but the Commission should recognize that some local jurisdictions have or may attempt to restrict nuclear activities by imposing restrictive regulations in these very areas. To prevent a growing confusion in the transportation of radioactive materials a federal preemption may have to be considered.

Sincerely,

T. E. Byerley  
Manager of Environmental Affairs

Acknowledged by card... 10/29/dk

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