



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SEP 5 1980

Mr. William R. Mowry, Licensing Administrator
Nuclear Materials Control Division
General Atomic Company
P. O. Box 81608
San Diego, California 92138



Dear Mr. Mowry:

Subject: Administrative Rule (10 CFR 30.15) Action (Ref. 336-2003)

This responds to your letter of August 5, 1980, in which you request an administrative clarification to 10 CFR 30.15(a)(9) along the following lines:

- (9) Ionizing radiation measuring instruments containing, for purposes of internal calibration or standardization, [~~a source~~] sources of byproduct material each not exceeding the applicable quantity set forth in § 30.71, Schedule B. (comparative text for purposes of clarity)

In a telephone conversation on August 27, 1980, with J. Henry of this office, you agreed to have your letter of August 5, 1980, processed as a petition for rule making.

By copy of this letter, I am forwarding your August 5 letter to the Secretary of the Commission for action under the Commission's rulemaking procedures.

Staff review indicates that your August 5 letter meets the criteria of 10 CFR 2.802(c) for a petition. Accordingly, the Director, Division of Rules and Records or his designee will: assign a docket number to your petition; cause your petition to be formally docketed; deposit a copy of your docketed petition in the Commission's Public Document Room; and cause a notice of the docketing of your petition to be published in the Federal Register, inviting public comment on the notice.

Staff review also indicates that your requested administrative clarification to 10 CFR 30.15(a)(9) would be corrective or of a minor or nonpolicy nature and would not substantially modify existing regulations.

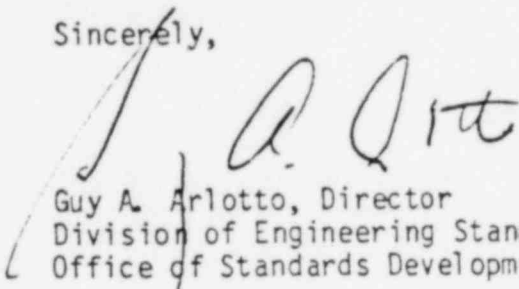
With regard to determination of your petition, if the Acting Executive Director for Operations determines that sufficient reason exists, he will publish a notice of proposed rule making under authority delegated in 10 CFR 1.40(d). In any other case, he will deny your petition and will notify you with a simple statement of the grounds of denial.

8010310470

SEP 5 1980

In the meantime, staff review of your August 5 letter is underway. I will inform you of the actions taken by the Acting Executive Director for Operations in response to your request for administrative clarification to 10 CFR 30.15(a)(9).

Sincerely,


Guy A. Ariotto, Director
Division of Engineering Standards
Office of Standards Development

cc: Secretary of the Commission
w/Ltr dated 8/5/80 W. R. Mowry, GA,
to G. A. Ariotto, NRC