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DEPARTMENT FOR HEALTH SERVICES

August 10, 1993

CARLTON KAMMERER DIRECTOR
OFFICE OF STATE PROGRAMS
US NRC
WASHINGTON DC 20555

Dear Mr. Kammerer:

We received a copy of State Programs Letter SP-93-094, on July 30, 1993, requesting comments to be submitted by August 10, 1993, on rulemaking for 10 CFR 19 and 20.

We have two individuals authorized to submit comments on such issues, the Program Manager and Supervisor of the Radioactive Materials Program. These two individuals were in travel status attending Part 20 training for three days of the comment period, which also included two weekends, thus leaving four days in which to prepare comments. During this period, we responded to a steel mill's melting of a cesium source and two incidents involving contaminated scrap metal. Because we had to respond to these potential health and safety issues, we are unable to provide comments at this time. However we will submit comments as time permits.

The Agreement States have on numerous occasions pointed out the short comment period provided to respond to important issues, yet this continues to occur time and time again. As you stated in your letter, this rulemaking was under consideration in May of this year. If these issues had been under consideration for at least three months, why was such a short comment period provided to the Agreement States? Was it because NRC needed sufficient time to carefully consider the matters? We as Agreement States, also need sufficient time in which to consider such important issues as rulemaking.

As result of inaction taken on the Agreement States' complaints regarding lack of sufficient time in which to provide comments, we can only wonder, if considerations are given to our input on important issues.

Sincerely,

John A. Volpe, Ph.D., Manager
Radiation Control Branch

c: Richard L. Woodruff, NRC Region II
Ivan Selin, NRC, Chairman