



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

March 25, 1970

Potential Petition File

THRU: Robert F. Barker, Chief
Product Standards Branch
Division of Radiation Protection Standards

MEETING 3/24/70 REGARDING A POSSIBLE PETITION FOR RULE MAKING
TO ESTABLISH A GENERAL LICENSE FOR PM-147 IN GUN SIGHTS

Mr. R. Walz visited RPS and later OGC on March 24, 1970, on behalf of NITE-SITE, INC., Rosemount, Minnesota. Mr. Walz as an individual serves as a consultant to Nite-Site. (Mr. Walz is also employed by 3M, however, 3M is not the consultant to Nite-Site.)

The Nite-Site Corp. is presently specifically licensed by the AEC to demonstrate the use of Pm-147 self-luminous gun sights. The Nite-Site gun sight contains about 1 mc of Pm-147. One sight (i.e., 1 mc Pm-147) is used on a shotgun. Two sights (i.e., 2 mc Pm-147) are used on a pistol. Nite-Site desires to limit the distribution of the self-luminous gun sights to law enforcement officers and, perhaps, some branches of the military and keep the gun sights out of the hands of other people. Nite-Site desires that regulatory control of users of the gun sights be minimal.

Mr. Walz related that within the past two weeks the gun sights have been demonstrated to the FBI, the Secret Service, and a third Federal group which he called Law Enforcement A. A. He further related that these groups are enthusiastic about the prod

It is likely that the sights made by Nite-Site, by some competitor, could be shown to satisfy the criteria for t ss exemption for self-luminous products. At least one European group has developed a gun sight which uses a tritium light source.

In order that only law enforcement agencies, including Military Police, may have the use of the gun sights, Nite-Site is considering submission of a petition for rule making (PRM) which would ask the AEC to establish a general license for the sights, with the limitation that the general license apply only to law enforcement officers. In effect, the petitioner would be requesting the Commission to establish a general license for a class of persons on a basis other than health and safety.

March 25, 1970

We suggested to Mr. Walz that control over the use of self-luminous sights was more within the jurisdiction of other agencies such as those that control sawed-off shotguns, machine guns, silencers, etc., (presumably the Internal Revenue Service, together with the State involved) than within the jurisdiction of AEC. He replied that he was in contact with those groups and understood they may impose applicable controls but that will take a year or two and AEC control, if exercised, would provide an added deterrent. In the meantime, he wanted to explore the chances of success for a request for an AEC rule change which would achieve Nite-Site's objective of limiting the distribution of the sights to law enforcement officers and, perhaps, the military.

Since the contemplated PRM may present legal questions as to the AEC responsibilities, Mr. Walz was introduced to Joanna Becker, OGC. Mr. Walz outlined the activities and objectives of Nite-Site and arranged to call Mrs. Becker in a week to 10 days. If Mrs. Becker does not say that the contemplated PRM from Nite-Site would have no chance of AEC approval, Mr. Walz will try to arrange for representatives of the FBI, Secret Service, and Law Enforcement A. A. to meet with the AEC to express their interests in the contemplated PRM.

Donovan A. Smith
Product Standards Branch
Division of Radiation Protection
Standards

cc: L. Rogers, RPS
J. Becker, OGC