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USNRC

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OFFICE OF THE SECRETARY  
DOCKETING AND SERVICE BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

Docket No. 50-461

Secretary,  
U.S. Nuclear Regulatory Commission  
Attention: Docketing and Service Branch  
Washington, D.C. 20555

DOCKET NUMBER  
PROPOSED RULE PR 20  
(61FR 3334) (25)

Subject: Illinois Power's (IP's) Comments on the Proposed  
Rule Regarding Reporting Requirements for  
Unauthorized Use of Licensed Radioactive Material

Dear Sir:

IP has reviewed Federal Register, Volume 61, No. 21, Pages 3334 through 3338 on the proposed rules regarding the reporting requirements for unauthorized use of licensed radioactive material. The proposed rule would add a new requirement for licensees to notify the NRC Operations Center within 24 hours of discovering an intentional or allegedly intentional diversion of licensed radioactive material from its intended or authorized use. The proposed rule would also require licensees to notify the NRC when they are unable, within 48 hours of discovery of the event, to rule out that the use was intentional. After this review, IP has the following comments to provide regarding the proposed rule.

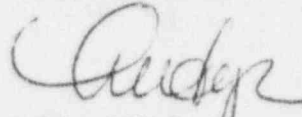
Proposed wording of 20.2205 Reports of unauthorized use of licensed radioactive material.

- (a) The licensee shall notify the NRC Operations Center by telephone as soon as practical but not later than 24 hours after discovering that -
  - (1) Licensed radioactive material was used for the purpose of causing dose to or contamination of an individual other than that which would be reasonably inherent in the radioactive material's normal use. Such use does not have to actually have caused significant dose to an individual; and
  - (2) delete current section (2), change section (3) to (2)

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- (2) Such use listed in paragraph (a)(1) of this section was intentional or the licensee has reason to believe that the use was presumably intentional.
- (b) The licensee shall notify the NRC Operations Center by telephone as soon as practical but not later than 7 calendar days after discovering that provisions (a)(1) of this section has occurred and the licensee cannot rule out that the use was intentional.
- (c) (Leave the same as currently written.)

Sincerely yours,



Michael W. Lyon  
Director-Licensing

JSP/csm