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November 8, 1988

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

Attention: Docketing and Service Branch

Re: Proposed Rule "Transportation Regulations; Compatibility With the International Atomic Energy Agency (IAEA)" published in the Federal Register on June 8, 1988.

On pages 21553 and 21554 of the referenced Notice of Proposed Rule (as it appeared in the Federal Register) under item 12 you state that LSA shipped in Type B packages would be exempt from the provisions of 71.51(a)(1) but still subject to 71.43(f).

Paragraph 71.43(f) requires "no loss or dispersal of radioactive contents" under normal conditions of transport. The only difference between paragraph 71.43 and 71.51(a)(1) is the sensitivity requirement. Without some specified definition of what is meant by "no loss or dispersal" in 71.43 it is immediately tempting to apply the criteria from 71.51 to that definition. Such a translation produces the near ultimate in absurdities where LSA, so defined by virtue of its low concentration and therefore great difficulty in producing over-exposures, is now packaged to the same level as the very highest specific activity materials shipped.

I believe that there should be some sensitivity specified in 71.43(f) to prevent any possibility of this happening. Based upon para. 501 of Safety Series 6 (which is admittedly a misapplication of that paragraph but is the only measure I could find) it would appear that no more than 0.1 A_2 per week might be an appropriate limit of loss or dispersal. Because of the low specific activity of LSA this might translate into a sensitivity of about 1 cc/sec. Under that condition, the limiting criteria becomes the accident condition and the requirement for a release of no more than A_2 per week.

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although if the package can only contain $2A_1$ the release of an A_2 quantity would in most cases involve a major percentage of the total contents.

Without some protection included in the regulations the interpretation of paragraph 71.43 becomes one of open conjecture and subject to whim. I believe the industry deserves better.

As a parting thought, this condition, of packaging a basically innocuous material in a system designed to protect much more hazardous contents, is a good example of an occasion when it would make good engineering sense to provide for continuous venting to allow pressure equalization and discharge of organically generated hydrogen gas. The statement on page 21553 of the Proposed Rule as it appeared in the Federal Register that "the staff considers continuous venting to be poor engineering practice", implies that the staff has considered all possible situations and conditions and has never found one that might dictate such an approach as rational. I find that hard to believe, and therefore ask that continuous venting not be arbitrarily eliminated but be allowed as a specific exemption subject to approval by the Commission.

Sincerely,

Robert M. Jefferson