

STATE OF ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

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George H. Ryan
Governor

Thomas W. Ortziger
Director



September 27, 1999

DOCKET NUMBER
PETITION RULE PRM 40-27
(64FR36615)

Secretary
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attn: Rulemakings and Adjudications Staff

RE: Comments on Docket No. PRM-40-27

Dear Secretary:

The State of Illinois supports the petitioners' proposed rule change to 10 CFR 40.22(b) regarding source material general license exemptions from radiation protection and worker notification requirements in both Parts 19 and 20. The current exemption for general licensees using less than 15 pounds of source material at any one time and less than 150 pounds in any one calendar year is problematic. The principal difficulty is demonstrating that an adequate level of safety exists for the wide variety of potential activities that can be performed under this exemption. The petitioners contend that this exemption is inappropriate because it allows these licensees to exceed dose limits specified elsewhere in NRC's regulations, creates areas where individuals may be exposed to significant levels of radiation, and/or dispose of radioactive waste in ways that are not permitted for other types of licensees in similar circumstances.

We agree that compliance with radiation safety standards is necessary for all licensees, general and specific, when there is a potential for current dose limits to be exceeded or areas contaminated with significant levels of radioactive material. The Commission should take immediate action on 10 CFR 40.22(b) as proposed by the petitioners.

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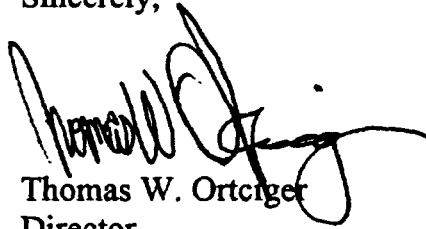
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In addition, NRC should pursue the recommended actions outlined in *NUREG/CR-5881, An Examination of Source Material Requirements Contained in 10 CFR Part 40*, published in 1992. We feel a dose-based, comprehensive examination of source material regulation is long overdue.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas W. Ortciger', written over a printed name and title.

Thomas W. Ortciger
Director

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