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National Fire Protection Association

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DOCKET NUMBER
PROPOSED RULE **PR 70**
(64FR41338)

October 15, 1999

Secretary of the Commission
Attention: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: 64 FR 41338; 10 CFR Part 70
Proposed rule: Domestic Licensing of Special Nuclear Material; Possession of a Critical Mass of Special Nuclear Material/RIN 3150 AF22

To Whom It May Concern:

The National Fire Protection Association (NFPA), founded in 1896, is an international nonprofit membership organization, with over 68,000 members, dedicated to reducing the worldwide burden of fire and other hazards on the quality of life by providing and advocating scientifically based codes and standards, research, training, and education. NFPA's standards making system is based on a consensus process through a democratic, dynamic and expeditious system. NFPA codes and standards are recognized and used around the world as reliable, state-of-the-art information for achieving fire safety.

NFPA commends the NRC for its on-going efforts to increase confidence in the margin of safety governing the domestic licensing of special nuclear material for licensees authorized to possess a critical mass of special nuclear material and that are engaged in special activities.

NFPA strongly recommends the NRC adopt by reference the 1998 edition of **NFPA 801, Facilities Handling Radioactive Materials**. NFPA 801 would apply to Section 70.62, Safety Program and Integrated Safety Analysis, which addresses protection from all relevant hazards, including radiological, criticality, fire and chemical. The NFPA standard would also apply to Section 70.64, Requirements for New Facilities or New Processes at Existing Facilities addresses fire protection.

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Publishers of the National Fire Codes® and National Electrical Code®

A non-profit membership organization dedicated to promoting safety from fire, electricity, and related hazards through research, codes and standards, technical advisory services, and public education since 1896.

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Secretary of the Commission
U.S. Nuclear Regulatory Commission
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Reference of NFPA 801 is in keeping with the requirements of Public Law 104-113
“*National Technology Transfer and Advancement Act*” which requires Federal
government agencies to use private sector-developed national consensus technical
standards in carrying out public policy wherever appropriate.

Thank you for the opportunity to provide this statement. Please do not hesitate to contact
me if I may be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Sara C. Yerkes". The signature is written in a cursive style with a large initial 'S' and a distinct 'Y'.

Sara C. Yerkes
Director, Government Affairs

Cc: Anthony R. O'Neill, Vice President, Government Affairs
Richard P. Bielen, Chief Systems and Applications Engineer