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Secretary, U. S. Nuclear Regulatory Commission  
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Attention: Rulemaking and Adjudication Staff  
Release of Solid Materials at Licensed Facilities  
Scoping Process

ADJ

The following are comments on the scoping process for the rulemaking on Release of Solid Materials at Licensed Facilities. My understanding of the process to date is as follows. The NRC has had a consultant (SAIC) review current release criteria for radionuclides. The result of that review is that most criteria are consistent with a dose of one millirem. Steel makers and scrap metal recyclers are very concerned about receipt of radioactive materials at any level or dose rate. One millirem is considered a trivial dose.

An alternative that needs to be considered during the scoping process is a new type of license, which can be termed a "capture" license. Under this scenario, scrap recyclers and steel mills would be issued a license for their portal monitors. The restricted area for the license would be the area scanned by the portal monitor, and hence entrance and exit scans would be the result of one measurement. The capture license would, in effect, be prospective. That is, the current inventory of licensed material at license issuance would be zero. If incoming material triggered the portal alarm (alarm levels to be consistent with NRC guidance or the result of this rulemaking), the material would be captured by the license. Radioactive materials below one millirem then could, with proper documentation, continue in commerce. Materials exceeding this level would then become low level radioactive waste, using the theory of Mr. Paul Lohaus of the NRC that any material within a restricted area that does not meet release limits is low level radioactive waste. In this manner, the industry that is most concerned about radioactive materials in commerce would be spending money to help cure the problem.

Thank you for your consideration,

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