

July 26, 2000

Mr. Eli Port
RSSI
6312 West Oakton Street
Morton Grove, IL 60053-2723

Dear Mr. Port:

I am responding to your July 7, 2000, letter to Chairman Meserve, concerning Seaman Nuclear Corporation's (Seaman's) application for authorization to distribute portable gauges to general licensees. On behalf of Seaman, you requested: (1) a copy of SECY-00-0137, an information paper prepared for the Commission by the staff; (2) that Seaman be given an opportunity to comment on the paper before any action that would affect Seaman is taken; and (3) that Seaman be given an opportunity to meet with members of the NRC staff and the Commissioners' technical staff.

The SECY paper that you have requested has not been made publicly available, pending a staff decision on the Seaman application, because the paper contains pre-decisional information. As you note in your letter, in January of this year, Seaman had an opportunity to submit additional comments on matters related to its application. Accordingly, the Commission has declined to make SECY-00-0137 publicly available prior to issuance of the staff's decision on the application. The Commission has also declined to receive comments on the paper, or to delay the staff's decision on Seaman's application. The staff's decision is being issued coincident with this letter, and SECY-00-0137 (enclosed) is now being released to Seaman and the public.

Any additional questions about this matter may be directed to the licensing project manager, Ms. Raeann M. Shane, at 301- 415-7832.

Enclosure: As stated

Sincerely,

/RA by Martin J. Virgilio, Acting For/

William F. Kane, Director
Office of Nuclear Material
Safety and Safeguards

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 William F. Kane, Director
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 Safety and Safeguards

This correspondence formulates policy or expands, revises, or interprets policy, involves matters pending Commission decision, contains items related to the performance of Commission duties and responsibilities, or involves items of high Commission interest.

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*see previous concurrence

**no legal objection

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