

DOCKET NUMBER
PROPOSED RULE **PR 71**
(65FR44360)

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**Comment on DOT proposed rule Docket No. RSPA-99-6283
HM-230, Also referred to as Safe transport of Radioactive Material No. ST-1.**

NRC Rule making issue SECY-00-0117

Radionuclide Exemption Values

The incorporation of activity concentration and activity limits for exempt material and exempt consignment in Table I, is viewed as a positive and helpful inclusion to the regulations. Unfortunately a comparison of values for "Activity limit for an exempt consignment" to exempt quantities defined in 10 CFR Part 30 Schedule B notes discrepancies for many Radionuclides. The following table lists only a few of the Radionuclides common in industrial processes related to the refurbishment of nuclear components. Eleven of those listed result in DOT exempt values higher than NRC values but the magnitude of change is not consistent. Whereas three exempted activity quantities listed in DOT ST-1 represent a significant drop from the NRC quantity.

Radionuclide	NRC		DOT ST-1	
	10CFR30		uCi	Bq
Co-60	1		2.7	1.00E+05
Tc-99	10		270	1.00E+07
I-129	0.1		2.7	1.00E+05
Ni-63	10		2700	1.00E+08
Fe-55	100		27	1.00E+06
Cs-134	1		0.27	1.00E+04
Cs-137	10		0.27	1.00E+04
C-14	100		270	1.00E+07
Sr-90	0.1		0.27	1.00E+04
Cd-109	10		27	1.00E+06
Co-58	10		27	1.00E+06
Fe-59	10		27	1.00E+06
I-131	1		27	1.00E+06
Mn-54	10		27	1.00E+06

The exempt quantity values from NRC and DOT are not consistent. This fact may create inconsistencies in the transfer of material to other licensed or non-licensed facility. The intent of the activity limit for an

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exempt consignment may need to be further clarified. Are these values for concentration and total activity **both** required to be met for the regulations to be applicable? Are they intended to exclude samples and sources? Should they be applied to large components surveyed for exempt release under NRC standards? The activity values discrepancies in the exempt concentration and consignments presented in ST-1 should be identified and resolved with 10CFR Part 30 Schedule B.

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