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To: "SECY@nrc.gov" <SECY@nrc.gov>
Date: Thu, Aug 7, 2003 3:00 PM
Subject: Proposed Rulemaking Comments RE: Portable Gauge Security

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USNRC

August 13, 2003 (10:08AM)

Secretary,

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Washington State agrees with the addition of the increased portable gauge security measures as described in the Federal Register on August 1, 2003, (68 FR 45172). In fact, we contend the these security measures don't go far enough.

Late in 2002 we administratively required, by Order and subsequent license amendment, addition security measures that included the "two independent physical controls" referred to in the Proposed Rulemaking. In addition to having each transported portable gauge secured by two independent physical controls, we also now require:

1. Portable gauge transport boxes to be kept out of sight/covered anytime the box is not being physically controlled by the operator, and
2. Portable gauges must be returned to an approved storage location after work when the temporary work-site is within 50 miles of an approved storage location.

It has been Washington State policy, for several years, that "three" independent controls be in place for portable gauge storage at an approved storage location.

Since the Order was issued, several of our licensees have been resistant to implementing the new security measures. One took the time to send us a letter and remarked that the new administratively imposed security requirements were "ridiculous and unnecessary". We disagreed with that statement.

Our compliance inspectors have also noted, during routine compliance inspections, following the issuance of the Order, reluctance by some licensees to comply with, or a misunderstanding on the part of the licensees on exactly what constitutes two independent physical controls. We have been working through these issues and it appears an educational effort will need to continue.

This is the bottom-line: Even though some licenses may contend that the measures are excessive, we have not had a portable gauge stolen or lost in Washington State since the new measures were put into effect. This is a dramatic reduction downward from the previous average of about 5 per year.

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