

EDO Principal Correspondence Control

FROM: DUE: 12/06/04 EDO CONTROL: G20040782
DOC DT: 11/12/04
FINAL REPLY:

James F. Miller
SABIA, Inc.

TO:

Commission

FOR SIGNATURE OF : ** GRN ** CRC NO: 04-0701

Strosnider, NMSS

DESC:

Seal Source and Device Registration Sheets --
Availability on NRC Web-Site

ROUTING:

Reyes
Virgilio
Kane
Merschhoff
Norry
Dean
Burns/Cyr
Zimmerman, NSIR
Silber, CIO
Brenner, OPA
Outlaw, DOC
Huffert, OEDO

DATE: 11/16/04

ASSIGNED TO: CONTACT:
NMSS Strosnider

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with T. Huffert, OEDO to assure consistency with other recent letters on ADAMS issues. Commission to review response prior to dispatch. Add EDO and Commission on for concurrence.

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Nov 15, 2004 14:45

PAPER NUMBER: LTR-04-0701
ACTION OFFICE: EDO

LOGGING DATE: 11/15/2004

AUTHOR: James Miller
AFFILIATION: CA
ADDRESSEE: Nils Diaz
SUBJECT: Access to sealed sources and device registry sheets

ACTION: Direct Reply
DISTRIBUTION: RF, SECY to Ack

LETTER DATE: 11/12/2004

ACKNOWLEDGED No
SPECIAL HANDLING: Publicly available in ADAMS via SECY/EDO/DPC

NOTES: Commission should review prior to dispatch

FILE LOCATION: ADAMS

DATE DUE: 12/08/2004 DATE SIGNED:

EDO --G20040782



SABIA, Inc.
7944 Convoy Court
San Diego, CA 92111
(858)279-4000
jmillers@sabiainc.com

November 12, 2004

United States Nuclear Regulatory Commission
One White Flint North
11545 Rockville Pike
Rockville, MD 20852

Attention: Dr. Nils J. Diaz, Commissioner
Hon. Edward McGaffigan, Jr., Commissioner
Hon. Jeffrey S. Merrifield, Commissioner

Dear Sirs:

SABIA, Inc. is a manufacturer of devices containing sealed sources and a service provider for a number of fixed gauges for industrial companies in the coal, cement, and other minerals industry. In the name of security, I completely understand the reasons that the Web site containing sealed source and device registration sheets was removed from public access. As a service provider, licensed by the U.S. NRC, I believe that that this action, taken in the name of security, could be detrimental to public safety.

On a regular basis in the past two years, SABIA has provided decommissioning and shipping for storage, prior to disposal of a number of gauges containing sealed sources. In all cases, these are covered by SS&D registration sheets. Prior to any decommissioning, the gauges need to be inspected and the SS&D registration sheets be thoroughly reviewed to guarantee safe decommissioning, shipping, and storage of these devices. Because of the history of corporate variability, the various coal mine owners do not always have a good inventory of instruments and gauges that they possess. Therefore, it is not always definite as to the manufacturer or model number of a gauge, until a proper inspection of the specific device has been performed by the servicing personnel.

Easy direct access to the web site of SS&D registration sheets has proved to be quite valuable to our field service engineers in the past two years.

As I have stated above, I am a firm believer in security, but I am hoping to present a compromise position for your consideration. My position is as follows: Since SABIA is a licensed service provider, who requires access to these device registration sheets for sealed sources and devices, we also wish to have user name and password access to this web site. Since SABIA is not unique in our position as service provider to the various mining industries, I believe that there are a number of other licensed service providers who find themselves in a similar position.

I believe that granting access to this important information to those persons who have a legitimate need will not pose a detriment to public safety but, will enhance public safety by allowing field service engineers to have the immediate knowledge for the proper handling of these devices.

Thank you for your prompt attention to this matter. If there are any further questions, please contact me.

Sincerely,

James F. Miller, R.S.O.
SABIA, Inc.

From: William Ward
To: Annette Vietti-Cook
Date: 11/15/04 10:13AM
Subject: Fwd: Access to Sealed Source and Device sheets

Good Morning,

The attached e-mail was sent to NMSS/IMNS staff in response to the removal of the Sealed Source and Device Registry website from public access. The e-mail has a letter, addressed to the Commissioners, attached to it and the author asked that we forward it to them. I am forwarding it per the author's request.

The SSDR website, run by Oak Ridge National Laboratory for the NRC, provided PDF file versions of all Sealed Source and Device Registrations issued by either the NRC or Agreement States. Since it provided detailed information about radioactive sources and devices, it was removed from public access, consistent with the removal of the publicly available ADAMS library. Because of the type and specificity of information and the user-friendly nature, the website was very useful to certain classes of materials licensees. They notice its absence quicker than the absence of access to ADAMS.

V/R

William R. Ward, P.E.
U.S. Nuclear Regulatory Commission
NMSS/IMNS/MSIB
m/s T8-F3
Washington, DC, 20555-0001
(301) 415-7038
WRW1@NRC.GOV

CC: Andrew Mauer; John Hickey; Thomas Essig; Traci Kime

From: James Miller <jmiller@sabiainc.com>
To: <tsk@nrc.gov>
Date: 11/12/04 12:28PM
Subject: Access to Sealed Source and Device sheets

Dear Ms. Kime:

SABIA is a service provider, licensed by the U.S. NRC to provide service on a number of fixed gauges containing sealed sources. Access to the web site containing SS&D registration information has been extremely valuable to us in the past two years, for work on servicing and decommissioning of a number of older gauges which have existed and continue to be used in coal mining, cement, and other minerals industries.

I have attached a letter outlining our position on the limited access of this web site, and we propose that user name and password access to this web site also be granted, not only to NRC staff personnel, but to licensed service providers.

Please forward a copy of this letter to Commissioner Diaz, Commissioner Merrifield, and to Commissioner McGaffigan.

Thank you,

James F. Miller
R.S.O.
SABIA, Inc.

Mail Envelope Properties (4198D9F8.5D9 : 15 : 29240)

Subject: Fwd: Access to Sealed Source and Device sheets
Creation Date: 11/15/04 11:31AM
From: Annette Vietti-Cook

Created By: AVC@nrc.gov

Recipients

nrc.gov

owf5_po.OWFN_DO

BAC (Billie Champ)

SLM3 CC (Sheila McKelvin)

nrc.gov

twf4_po.TWFN_DO

LLM CC (Linda Mike)

Post Office

owf5_po.OWFN_DO

twf4_po.TWFN_DO

Route

nrc.gov

nrc.gov

Files

MESSAGE

Mail

Size

529

Date & Time

11/15/04 11:31AM

Options

Expiration Date:

None

Priority:

Standard

Reply Requested:

No

Return Notification:

None

Concealed Subject:

No

Security:

Standard

Mail Envelope Properties (4194F2C5.35E : 4 : 33630)

Subject: Access to Sealed Source and Device sheets
Creation Date: 11/12/04 12:25PM
From: James Miller <jmiller@sabiainc.com>

Created By: jmillersabiainc.com

Recipients

nrc.gov
 twf4_po.TWFN_DO
 TSK (Traci Kime)

Post Office
 twf4_po.TWFN_DO

Route
 nrc.gov

Files	Size	Date & Time
MESSAGE	849	11/12/04 12:25PM
NRC-Letter-111204.doc	32256	
Mime.822	46633	

Options

Expiration Date: None
Priority: Standard
Reply Requested: No
Return Notification: None

Concealed Subject: No
Security: Standard