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(70FR 43646)

19

A Division of MISTRAS Holdings Corporation

October 7, 2005

DOCKETED  
USNRC

Secretary, USNRC  
Washington, DC 20555-0001  
Attention: Rulemaking and Adjudications Staff

October 11, 2005 (10:10am)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

RE: RIN 3150-AH48

MISTRAS Holdings Group, d/b/a/ CONAM Inspection and Engineering Services, Inc./Quality Services Laboratories, Inc., an NRC and multi-agreement state licensee, has reviewed the proposed rule on National Source Tracking System (NSTS) (RE: RIN 3150-AH48) and has participated in the September 20, 2005 public meeting in Houston, Texas. As a potentially impacted stakeholder, we wish to express our opinion on various aspects of the NSTS proposed rule in the hopes of influencing the content of the final rule and for inclusion in the official record.

In the Regulatory Analysis (RA) for the Proposed Rule on National Source Tracking of Sealed Sources – 10 CFR Parts 20, 32, and 150 supplied during the meeting, section 2 speaks to "Identification and Preliminary Analysis of Alternative Approaches". The initial discussion at the Houston meeting on the availability of the options in the Analysis was addressed. The NRC representative intimated that Option 1, NO ACTION, was of minor consideration in the opinion of the regulatory body and that Option 2, the NSTS, would be forthcoming. It is our opinion that Option 1 is very much viable and should be given great consideration as the proposed Option 2 will be very costly to the stakeholders with little or nothing being gained by the stakeholders.

The cost breakdown delineated in the RA, April 28, 2005, Table 4, shows approximately 93% of the costs to be borne by the NRC. Unfortunately, the NRC is charged with acquiring their own revenue to fund their annual budget through fees, etc. to their licensees, thus loading 100% of the costs back on the stakeholders. With the responding licensees of approximately 1300 (50% of 2600) with Category 1 and 2 sources, the \$23,524,940 cost from Table 4 would cost each licensee approximately \$18,000.00 annually for this system. Considering that CONAM possesses 16 licenses, our extrapolated costs would be \$288,000.00. While one might say "This is absurd", I agree. \$288,000 or \$18,000.00 is an absurd cost burden to the stakeholder when the appropriate choice of Option 1 would cost us, the other stakeholders, and the NRC, nothing.

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(RIN 3150-AH48 con'd)

The RA, section 3, Identification of Affected Attributes, Public Health - The information that would be required to be reported by the final rule on NSTS already exists and, by regulation should be available for audit. If a source was found to be unaccounted for, the regulations currently require sufficient notification. Preliminary notification by licensees in compliance with NSTS would only verify that a source had been transferred from the manufacturer to the licensee. In the case of cobalt 60, iridium 192 and cesium 137, no other update would be realized for 6 months to a year. This is not an impressive statistic to point to for the improvement of accountability of sources, and thus, we fail to see how NSTS will improve Public Health.

The Proposed Rule, Federal Register, Vol. 70, No. 144, page 43650, addresses Source Transfers between DIFFERENT licensees... If NSTS were to become a rule, CONAM is in agreement with the position of reporting source transfers between DIFFERENT licensees, however we are fully opposed to a) any requirement to report intra-company source transfers, temporary or permanent, where the transfers are between agreement state (AS) - NRC operations or AS to AS operations and where all licenses are held by the same company, and b) we are just as opposed, if not more so, to reporting the movement of sources to and from temporary job sites. A company whose radiographic component produces 50% of its revenue, with 100 cameras, working 330 days/year, sending crews out to perform inspections at 2.5 separate temporary job sites daily would amass 41,250 reports annually for temporary job sites alone.

Being required to report these movements by end of next business day would inundate the system, unduly burden the stakeholders and leave the system with almost instantaneous, outdated information, to say nothing of the reports to correct mistakes and make revisions. Our industry is simply not suited to such participation.

In the final review, the NSTS is the wrong Option and we again suggest that Option 1, NO ACTION, should be of greater consideration.

Respectfully,

Robert J. Slack  
Director of Regulatory Affairs

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**From:** "Bob Slack" <bob.slack@conaminsp.com>  
**To:** <SECY@nrc.gov>  
**Date:** Mon, Oct 10, 2005 10:03 AM  
**Subject:** National Source Tracking Response (RIN 3150-AH48)

The attached letter is for consideration of the final rule regarding National Source Tracking of Sealed Sources. It is additionally for submittal into the official record.

Thank you,

Robert J. Slack  
Director of Regulatory Affairs  
CONAM Inspection & Engineering Services, Inc.  
630.260.1650 (Fax 630.260.1640)

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