

**NONDESTRUCTIVE TESTING MANAGEMENT ASSOCIATION**

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To Chief, Rules and Directives Branch
US Nuclear Regulatory Commission

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4 Pages including Cover Sheet

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February 10, 2006

Chief, Rules and Directive Branch
Division of Administrative Services
Office of Administration
Mail Stop T6-D59
DHM-23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: (RSPS-TF)
Radiation Source Protection and Security Task Force; Request for Public
Comment. FR Vol. 71, No 17, January 11, 2006.

The Nondestructive Testing Management Association – Government and Industry Affairs Committee (GIAC) consists of member Non-Destructive Testing Companies representing the industrial radiography industry.

A general comment regarding NRC's request for public comment is that there is an essential need to optimize the allocation of limited resources by both the government as well as the private sector by avoiding duplicative or conflicting measures mandated by orders, regulations and recommendations of standards-setting organizations.

GIAC comments on specific topics presented in the Request for Information are provided as follows.

Topic No. 1 – The list of radiation sources requiring security based on potential attractiveness of the source to terrorists and the extent of the threat to public health and safety.

- GIAC supports the IAEA Code of Conduct and its categorization as the basis for establishing thresholds for applicability of enhanced security measures to specific radionuclides and activities. Technical assessment as the basis of IAEA standards and regulations, including those of the NRC, has already concluded that the so-called quantities of concern should reside within Category 1 and 2. Other materials such as non-source material and those in Category 3 should be considered within the scope of infrastructure protection, if warranted, by voluntary measures that may already be in effect or by site-specific license conditions supplemented by existing regulations.
- GIAC urges caution in any consideration of including Category 3 in the scope of quantities of concern to ensure that time-sensitive supply chain of medical radionuclides is not adversely affected. The negative impact on the quality and timeliness of patient care would likely outweigh the benefit of enhanced security measures.

Topic No. 2 – The national system for recovery of lost or stolen radiation sources.

- The GIAC recommends that the most demanding requirements for tracking of sources should be limited to Category 1 and 2 sources. If NRC considers the need to expand the scope, this should be done with the input of industry.

Topic No. 3 – Storage of radiation sources that are not used in a safe and secure manner.

- GIAC believes that this is an area where the knowledge of the wide variety of users of radioactive material in the numerous applications should be utilized by NRC and the task force.

Topic No. 4 – The national source tracking system for radiation sources.

- GIAC has the view that promulgation of the NRC proposed rule for tracking Category 1 and 2 sources must take place only after sufficient time has been allowed to validate the system and to ensure that it is effective and that the demand on resources to employ the system are warranted by the level of risk posed by the sources to which the regulations apply. The framework used should be consistent with the Code of Conduct and other relevant regulations.

Topic No. 5 – A national system to provide for the proper disposal of radiation sources.

- GIAC believes that if resources are provided to securing its sector of the nuclear infrastructure, these should include support a national program to provide for the timely, cost effective and responsible disposal of radiation sources and GTCC waste and, as previously stated, support the ongoing operation of the OSRP. Providing a disposal option for relative high-risk sources and waste would significantly reduce the vulnerability of this material.

Topic No. 6 – Import and export controls on radiation sources to ensure that recipients of radiation sources are able and willing to adequately control radiation sources.

- GIAC believes that import and export controls must be effective and that the demand on resources to employ them is warranted by the level of risk posed by the sources to which the regulations apply. The framework used should be consistent with the Code of Conduct and other relevant regulations.
- The task force needs to examine and resolve the differences between NRC orders to licensees for safeguards and enhanced security measures and the amendments to 10CFR110 for Export and Import of Nuclear Equipment and Radioactive Materials.
- The task force also needs to review the regulatory landscape that applies to the return of unused sources to manufacturers to identify and address the obstacles that currently make this responsible option of responsible source disposition unavailable.

Topic No. 7 – Procedures for improving the security and control for use and storage of radiation sources.

- The GIAC believes this is a topic where NRC and the task force need to collaborate with industry. Duplication of effort between the agencies on the task force needs to be avoided.

Topic No. 8 – Procedures for improving the security of transportation of radiation sources.

- GIAC recommends that procedures to enhance transport security of sources must be effective and that the demand on resources to employ them is warranted by the level of risk posed by the sources to which the regulations apply. The framework used should be consistent with the Code of Conduct and other relevant regulations and conflicting regulation must be avoided.

Topic No. 9 – Background checks for individuals with access to radiation sources.

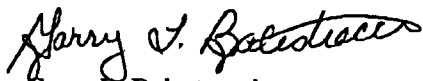
- Since most of the personnel threat assessment requirements in existing regulations are limited to those who have access to Category 1 and 2 sources, any additional measures should be applicable to these materials. If there are any conflicts or gaps between existing and additional measures, these need to be resolved.

Topic No. 10 – Alternative technologies.

- GIAC understands the intent to have the National Academy of Sciences conduct an analysis of alternative technologies and believes that its participants are in a position to add value to this process. There are numerous applications within the nuclear sector infrastructure that have no suitable alternatives and the task force needs to consider how these will need to be protected in the context of the NIPP.

For any additional information please contact the undersigned at (860) 884-8359 or via email at balestracciunlimited@cox.net.

Comments respectfully submitted,



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