



DOCKET NUMBER  
PROPOSED RULE PR 30, 31, 32 + 150  
(71 FR 00275)

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March 17, 2006

Secretary, U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Attention: Rulemaking and Adjudications Staff  
Re: Proposed Rule Comments

DOCKETED  
USNRC

March 20, 2006 (2:33pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Dear Sir or Madam:

I am the Radiation Safety Officer for NRD, LLC in Grand Island, NY. We manufacture smoke detector ionization sources under New York State Department of Labor Radioactive Materials License 1391-1811. We distribute millions of ionization sources to various smoke detector manufacturers in the United States each year. Our company has reviewed the proposed rule changes in 10CFR Parts 30, 31, 32, and 150- "Exemptions from Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements (RIN 3150-AH41). We would like to offer the following comments.

Section E *New Product-Specific Exemptions for Smoke Detectors* states:

*This proposed rule would establish a specific exemption from licensing requirements for ionization chamber smoke detectors containing no more than 1 $\mu$ Ci (37kBq) of Am-241 in the form of a foil and designed to protect life and property from fires.*

Most of the smoke detector ionization sources produced at our facility contain less than 1 $\mu$ Ci of Am-241. However, due to variations inherent in the manufacturing process, sources may occasionally exceed the nominal 1 $\mu$ Ci level. Therefore, we feel that a statement allowing for nominal variation in the activity level of the source should be added to the rule, similar to what is found in § 30.21(a). Allowing for this nominal variation would not, in our belief, result in any increase in threat to public safety and health.

Thank you for the opportunity to comment of this proposed rule.

Sincerely,

Douglas M Davis  
Radiation Safety Officer  
716-773-7634 x336  
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SECY-02

**From:** Carol Gallagher  
**To:** Evangeline Ngbea  
**Date:** Mon, Mar 20, 2006 10:56 AM  
**Subject:** Comment letter on Proposed Rule - Exemptions from Licensing, General Licenses, and Distribution

Attached for docketing is a comment letter on the above noted proposed rule from Douglas M. Davis, NRD, LLC that I received via the rulemaking website on 3/17/06.

Carol

**Mail Envelope Properties** (441ED0B3.672 : 3 : 886)

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**Creation Date:** 3/20/06 10:56AM

**From:** Carol Gallagher

**Created By:** CAG@nrc.gov

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ESN (Evangeline Ngbea)

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