



Iowa Department of Public Health

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**PR 20 and 32
(71FR34024)**

June 29, 2006

DOCKETED
USNRC

July 10, 2006 (12:50pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Merri Horn
U. S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguards
11555 Rockville Pike
Rockville, MD 20852

Dear Ms. Horn:

The Iowa Bureau of Radiological Health submits the following comments regarding the proposed basis change for the national Source Tracking System (NSTS) rulemaking for Category 1 and Category 2 sources. The U. S. Nuclear Regulatory Commission (NRC) is proposing that this rule be issued under public health and safety authority instead of the originally proposed common defense and security authority.

We support the issuance of the NSTS rulemaking under public health and safety and the Category "B" level of compatibility for the following reasons:

1. The NSTS does not necessarily increase source security but it does increase source accountability. Accountability is a function under health and safety.
2. The Agreement States have demonstrated the ability to work cooperatively with the NRC on national security initiatives under public health and safety with the issuance of increased controls to licensees possessing risk-significant quantities of radioactive material.
3. Agreement State Programs continue to maintain a close working relationship with the licensees affected by this rulemaking and this working relationship will ensure that the validity of source accountability maintained in the NSTS is accurate. The States should continue to have a vital role in national security.
4. The change to health and safety reduces the probability of dual regulation for Agreement State licensees possessing Category 1 and Category 2 sources thus avoiding possible confusion and conflict.

If you have any questions, please contact me.

Sincerely,

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DAF/rk

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Template = SECY-067

SECY-02