



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

November 24, 1997

The Honorable Peter H. Kostmayer, Chairman
Subcommittee on Energy and the Environment
Committee on Interior and Insular Affairs
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed for the information of the Subcommittee is a copy of a proposed amendment to Title 10 of the Code of Federal Regulations which is to be published in the Federal Register.

The Nuclear Regulatory Commission is proposing to amend 10 CFR Parts 29 and 32 of its regulations governing the safe use of radioactive byproduct material in certain measuring, gauging, and controlling devices.

The proposed rule would provide for additional regulatory control over gauges with an accessible air gap and radiation levels that exceed specified values. This action is intended to make it increasingly difficult for personnel to obtain access to the gauge's radiation beam, thereby reducing the frequency and likelihood of unnecessary exposure to plant personnel. These gauges, which were the subject of a recent NRC study, have been distributed under a general license where a case-by-case evaluation of the adequacy of the training, experience, and radiation safety program of the user by the regulatory authority was unnecessary. Now, unless the accessible air gap can be eliminated by physical modification, users of the gauges will be required to develop training and access control programs under specific license regulatory control.

The Commission is issuing the proposed amendment for a 120-day public comment period.

Sincerely,

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative John J. Rhodes

ccs-1



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

November 24, 1992

The Honorable Philip R. Sharp, Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

De: Mr. Chairman:

Enclosed for the information of the Subcommittee is a copy of a proposed amendment to Title 10 of the Code of Federal Regulations which is to be published in the Federal Register.

The Nuclear Regulatory Commission is proposing to amend 10 CFR Parts 31 and 32 of its regulations governing the safe use of radioactive byproduct material in certain measuring, gauging, and controlling devices.

The proposed rule would provide for additional regulatory control over gauges with an accessible air gap and radiation levels that exceed specified values. This action is intended to make it increasingly difficult for personnel to obtain access to the gauge's radiation beam, thereby reducing the frequency and likelihood of unnecessary exposure to plant personnel. These gauges, which were the subject of a recent NRC study, have been distributed under a general license where a case-by-case evaluation of the adequacy of the training, experience, and radiation safety program of the user by the regulatory authority was unnecessary. Now, unless the accessible air gap can be eliminated by physical modification, users of the gauges will be required to develop training and access control programs under specific license regulatory control.

The Commission is issuing the proposed amendment for a 120-day public comment period.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis K. Rathbun", is written over a horizontal line.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Carlos J. Moorhead



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

November 24, 1992

The Honorable Bob Graham, Chairman
Subcommittee on Nuclear Regulation
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Enclosed for the information of the Subcommittee is a copy of a proposed amendment to Title 10 of the Code of Federal Regulations which is to be published in the Federal Register.

The Nuclear Regulatory Commission is proposing to amend 10 CFR Parts 31 and 32 of its regulations governing the safe use of radioactive byproduct material in certain measuring, gauging, and controlling devices.

The proposed rule would provide for additional regulatory control over gauges with an accessible air gap and radiation levels that exceed specified values. This action is intended to make it increasingly difficult for personnel to obtain access to the gauge's radiation beam, thereby reducing the frequency and likelihood of unnecessary exposure to plant personnel. These gauges, which were the subject of a recent NRC study, have been distributed under a general license where a case-by-case evaluation of the adequacy of the training, experience, and radiation safety program of the user by the regulatory authority was unnecessary. Now, unless the accessible air gap can be eliminated by physical modification, users of the gauges will be required to develop training and access control programs under specific license regulatory control.

The Commission is issuing the proposed amendment for a 120-day public comment period.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis K. Rathbun", is written over a light-colored background.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Senator Alan K. Simpson

CONGRESSIONAL CORRESPONDENCE SYSTEM
DOCUMENT PREPARATION CHECKLIST

This checklist is to be submitted with each document (or group of Qs/As) sent for filing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) Kostmayer, Sharp, Graham
2. TYPE OF DOCUMENT ☒ Correspondence ☐ Hearings (Qs/As)
3. DOCUMENT CONTROL ☐ Sensitive (NRC Only) ☐ Non-Sensitive
4. CONGRESSIONAL COMMITTEE and SUBCOMMITTEES (if applicable)

Congressional Committee
Subcommittee
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(b) _____
(c) _____
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(d) ☐ Rekey (e) ☐ Other _____
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