

NOV 22 1981

MEMORANDUM FOR: Len Gordon, FCTC  
Division of Fuel Cycle &  
Material Safety, NMSS

FROM: Donald A. Nussbaumer, Assistant Director  
for State Agreements Program  
Office of State Programs

SUBJECT: AGENDA ITEM FOR LOWG MEETING

At the most recent All Agreement States meeting, the States made the following comment:

"The NRC should reevaluate the G.L. device distribution licensing concept and seriously consider rescinding the G.L. concept of licensing gauges."

The States also reported they have seen a number of incidents involving misuse of G.L. devices. I believe it would be beneficial to include this matter as a discussion item of the next LOWG meeting.

Donald A. Nussbaumer  
Assistant Director for  
State Agreements Program  
Office of State Programs

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DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH  
Radiological Health Unit  
Building #12, Room 457  
State Office Building Campus  
Albany, NY 12240

November 13, 1995

Joel Lubenau  
U.S. Nuclear Regulatory Commission  
Mail Stop T-8F5  
Washington, DC 20555

Dear Joel:

I would like to propose a strawman for the next meeting of the working group on control of sealed sources.

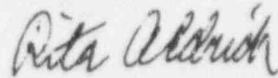
- Premises:
- 1) "General Licensing" of sealed sources/devices is a basically flawed concept that tries to establish a middle ground between exemption and specific licensing. It fails because it results in too little control of hazardous sources, and invites over-regulation of sources that do not pose a realistic hazard if lost or stolen.
  - 2) As long as we continue to combine sources with such disparate comparative hazards in one regulatory class, we will not solve the current problems. Any increase in regulatory oversight will simply shift the imbalance a bit -- continuing under-regulation of the hazardous sources and increasing over-regulation of the others.

- Solution:
- 1) Divide current "generally licensed" sources/devices into those that should be specifically licensed and those that should be exempted.
  - 2) As a starting point I would suggest these guidelines:
    - a) Specific licenses - gauges containing millicurie quantities of gamma emitters, gas chromatograph sources.
    - b) Exemptions - self-luminous lights, static eliminators, liquid scintillation counter sources, small beta sources.

These are not comprehensive lists, but a starting point for discussion.

This would not eliminate all problems. Some exempted sources might still set-off sensitive alarms, but so does out-patient waste in municipal trash. However, it should prevent the smelting of sources big enough to cause major problems, and it will restore sanity to our regulatory approach.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rita Aldrich".

Rita Aldrich  
Principal Radiophysicist

RA/fdh