



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III

FILE NUMBER

755 ROOSEVELT ROAD  
SPRINGFIELD, ILLINOIS 60137

WM DOCKET CONTROL  
CENTER

JUL 18 1985

WM Record File

DOCKETED - WM PROJECT  
USNRC

Docket No.

PDR

'85 JUL 29 A9:47JR

MEMORANDUM FOR: Joseph O. Bunting, Jr., Chief  
Policy and Program Control Branch  
Division of Waste Management, NMSS

Distribution:

FROM

William L. Axelson, Chief  
Nuclear Materials Safety and Safeguards Branch  
Division of Radiation Safety and Safeguards, RIII

SUBJECT:

REQUEST FOR COMMENTS ON ADVANCE NOTICE FOR PROPOSED  
RULEMAKING (FINANCIAL RESPONSIBILITY FOR CLEANUP OF  
ACCIDENTAL RELEASE OF CERTAIN MATERIALS LICENSEES)

As requested by your memorandum dated June 20, 1985, we reviewed the ANPRM and we have only one comment. Under "Purpose and Scope," lines 12 and 13, we feel that Gas Chromatography should be dropped and pool type irradiators and source material operations should be added. We fully support this ANPRM and concur on this proposed rule change.

As you are probably aware of, Region III, together with the efforts of the EPA and DOE are currently monitoring the decontamination of the J. C. Haynes site. This NRC licensee was arrested for unlawful use and possession of radioactive materials and, as such, caused extensive contamination of his facility with unsealed americium-241. The NRC determined Mr. Haynes to be unqualified to conduct the cleanup, and the licensee claimed bankruptcy. Accordingly, the EPA Superfund Thrust was utilized. This is clearly another example for the proposed rulemaking.

If you have any further questions or clarification of our comment, please contact D. G. Wiedeman at FTS 388-5616.

*for* *Carl J. Paparella*  
W. L. Axelson, Chief  
Nuclear Materials Safety and  
Safeguards Branch  
Division of Radiation Safety  
and Safeguards, RIII

cc: R. Cunningham, FC  
R. D. Smith, URFO  
L. Higginbotham, WMPC  
G. Kerr, OSP

D310  
add: Mary Jo Simon  
62355

8507300442 850718  
PDR PR  
30 50FR23960 PDR

Enclosure 1