



**RHUTASEL and ASSOCIATES, INC.**  
ENGINEERS / ARCHITECTS / SURVEYORS

PROPOSED RULE *PR 3040,61 dal (23)*  
(50 FR 23960)

July 30, 1985

DOCKETED  
USNRC

Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

'85 AUG -2 A11:00

Attn: Docketing and Service Branch

OFFICE OF STAFF  
DOCKETING & SERVICE  
BRANCH

RE: ANPRM, Federal Register, Vol. 50, No. 110, 6/7/85  
Proposed Rules

Gentlemen:

Our firm is the owner of one Troxler 3411B Moisture-Density Gauge. It is used for testing the density and moisture content of earth fills and aggregate roadways.

To the best of our knowledge, the radioactive source in any Troxler Moisture-Density Gauge has never been ruptured in an accident.

We believe that the cost of providing a minimum \$2,000,000 extra liability insurance for the clean-up of a radioactive accident will be a financial burden we cannot assume and it would drive up the costs of our services to the point where we would have to consider discontinuing use of this equipment.

Since the Troxler is a piece of equipment we consider necessary to our type of work, and it is practically accident-free as far as radioactive contamination, we feel these type of gauges should be exempt from the Commission's proposed rules for Financial Responsibility Requirements Applicable to NRC Licensees for Cleanup of Accidental and Unexpected Release of Radioactive Material.

Sincerely,

RHUTASEL AND ASSOCIATES, INC.

*John R. Hawthorne, Jr.*  
John R. Hawthorne, Jr., P.E., L.S.

JRH:kw

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