

DOCKET NUMBER

PROPOSED RULE

PR-30,40,61 et al.

(50 FR 23960)

(41)

ALLGEIER, MARTIN & ASSOCIATES

DOCKET
USNRC

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August 28, 1985

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

Re: Financial Responsibility Requirements
Applicable to NRC Licensees
For Cleanup of Accidental and Un-
expected Releases of Radioactive
Materials

Gentlemen:

As a licensed user of a nuclear density gauge, we offer the following
comments to the Advance Notice of Proposed Rulemaking published in the
Federal Register, Volume 50, No. 110, Friday, June 7, 1985:

1. According to our insurance agent, cleanup insurance is offered
only by specialty firms, such as Lloyds of London.
2. Emergency procedures, if the gauge is "broken apart or severely
crushed", call for roping off ten feet around the damage site
and calling the manufacturer to send a radiation expert. It
appears from this that substantial cleanup costs should be ex-
tremely rare.
3. We suggest that the proposed regulations be changed to call for:
 - (a) A \$50,000 insurance policy made out jointly to the Licensee
and NRC.
 - (b) A license fee of approximately \$10 per year to be used to
build up an NRC cleanup fund.
 - (c) Licensee to act immediately to mitigate damage, cleanup
contamination and furnish NRC a radiation expert's certifi-
cation that contamination is removed.

If licensee complies, and if the release of radioactive
material was not intentional or due to his gross negligence,
licensee to make application to NRC and receive reimbursement
from the cleanup fund of all reasonable cleanup cost above
\$50,000.

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Acknowledged by card.....

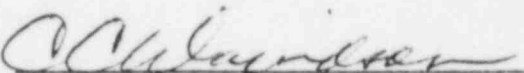
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Lad. Mary Jo Sumner, 62355
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Secretary of the Commission
August 28, 1985
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- (d) If licensee fails to immediately cleanup contamination, NRC shall effect cleanup and recover all cost up to \$50,000 from the licensee's insurance company. NRC to attempt also to recover any additional cost due to licensee's failure to act responsibly, gross negligence, or intentional release of radioactive material from licensee.
4. The license fee of \$10 per year and the insurance limit of \$50,000 would apply only to nuclear density meters and other low hazard devices.

Very truly yours,

ALLGEIER, MARTIN & ASSOCIATES, INC.

By 
C. C. Davidson, Vice President

CCD/f

cc: Wilson-Turner-Gavin, Inc.