



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

SEP 24 1982

MEMORANDUM FOR: Richard E. Cunningham, Director, Division of
Fuel Cycle and Material Safety, NMSS

FROM: Charles E. Norelius, Director, Division of Engineering
and Technical Programs

SUBJECT: PROPOSED REVISION OF 10 CFR PART 35

In response to your August 17, 1982 memorandum to James G. Keppler, we have the following comment in addition to comments submitted on earlier revisions of the proposed rule:

Currently, Section 35.14(c) of 10 CFR Part 35 provides for the use of byproduct material under the general license in 10 CFR 31.11 for In vitro uses without the filing of form NRC-483. The proposed Part 35, however, does not include such a provision. We feel that the proposed Part 35 should include this provision to alleviate unnecessary case-by-case filing of form NRC-483's. The proposed Part 35 should stipulate, however, that any laboratory using materials under this general license should be designated by the Radiation Safety Committee. This stipulation should alleviate confusion for licensees, manufacturers, and NRC inspection staff.

After your staff's consideration of this comment, we concur with the sending of the rule, in its present form, for public comment.

Charles E. Norelius

Charles E. Norelius, Director
Division of Engineering and
Technical Programs

cc: R. C. DeYoung, IE
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