

Rulemaking Comments**PR 73
(75FR42000)****DOCKETED
USNRC**

From: JOSEPH TALNAGI [talnagi.1@osu.edu]
Sent: Monday, January 31, 2011 9:14 PM
To: Rulemaking Comments
Subject: Comments 10 CFR Part 73 RIN 3150-A125 (NRC-2008-0619)

February 1, 2011 (11:00 am)

**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

Regarding the proposed rulemaking noted above, I support the comments submitted by TRTR (NRC-2008-0619-0019) and ask that we be joined to those specific comments for resolution.

In addition, I have the following general comments:

17

1. Safeguarding of Any Amount of SNM

It is my belief that the rule as proposed is too broadly written and lacks specificity in terms of quantities of SNM. It is difficult to believe that minute amounts of SNM, in the range of nanograms to micrograms, should require similar safeguarding procedures as for kilogram quantities, for example. Even if considered for something like an improvised dispersion device, such small quantities would likely carry very little risk.

2. Unescorted Access Fingerprinting and Background Checks

My concern is that the proposed rule would further discourage utilization of research reactor facilities by individuals who pose essentially no security risk. Many reactors today already face the prospect of diminished utilization and anything that would further discourage potential users will have a detrimental impact on the viability of these facilities.

3. Basis for Rulemaking is Inadequately Demonstrated

As a general comment, I believe that any regulations proposed by the NRC have an adequately demonstrated basis in terms of information available in the public record. I am unaware of any serious security incidents, such as attempted theft of SNM or sabotage of reactor facilities, by persons without fingerprinting checks or background investigations, for example. Unless there is a clearly demonstrated need for additional layers of security and rulemaking, the cognizant federal agencies should use caution in broadly applying new rules, particularly without taking into account the added paperwork burdens and costs associated with such rulemaking. This impact can be particularly devastating for smaller research reactor facilities that are already under considerable budgetary pressure from their host institutions.

Thank you for considering these comments.

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cc: Congressman Steve Stivers

Template = SECY-067

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Received: from [140.254.54.140] by krc-webmail-1.it.ohio-state.edu (mshttpd);
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