



Organization of Agreement States

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March 24, 2017

Katie Wagner
Office of Nuclear Materials Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555

RE: OPPORTUNITY TO COMMENT ON DRAFT NUREG-1556, VOLUME 8, REVISION 1, "CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES: PROGRAM-SPECIFIC GUIDANCE ABOUT EXEMPT DISTRIBUTION LICENSES" (STC-17-018)

Dear Ms. Wagner:

The Organization of Agreement States (OAS) Executive Board (Board) has reviewed the above document and respectfully submits the following comments.

General comment: This document is "regulation-centered" and not "application-centered". It would be much more helpful to applicants and license reviewers if the document were "application-centered." For example, it would be easier to follow if page 9-8 said:

The information submitted under 10 CFR 32.14(b)(6) on labeling must demonstrate that

- Each unit will be labeled or marked, so that the manufacturer or initial transferor of the product and the byproduct material in the product can be identified.
- Each ionization chamber smoke detector will be labeled or marked and its point-of-sale package will contain more detailed information.

Specific Comments


1. The text, map and chart on pages 2-1 through 2-3 are confusing, as this volume is about exempt distribution (which does not authorize possession). Yet Table 2-1 only applies to possession. The information that only applies to possession licenses should not be in this NUREG.
2. Page 2-2, line 2: Add reference to the appropriate volume of NUREG-1556.
3. Page 9-1, lines 26-28; page 9-6, lines 9-11, etc.: It is not clear if the intent is about having the possession license before applying for an exempt distribution license. This should be clarified.
4. Page 9-3, lines 37-39, and for each subsequent section: Eliminate the bullets (just use the checklist immediately below). The first bullet is too general to be useful. The checklist is excellent information for both applicants and license reviewers.

Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin

5. Section 9.3, page 9-13: The discussion of what constitutes “commercial distribution” is confusing. Please clarify. For example, if a licensed service provider calibrates survey instruments, do they need an exempt distribution license to attach a check source to the side of a client’s instrument? Is this “introducing a material into the marketplace?”

We appreciate the chance to comment on this subject, and stand ready to answer any questions you may have.

Sincerely,



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