these groups is to recognize the lesser hazard of LSA and SCO relative to other radioactive materials, and to provide relief from shipment requirements that would otherwise apply to these materials, while still assuring safety.

With regard to exposure, it is true that the LSA groups will require some increased material treatment or handling. However, this handling is necessary to eliminate the current practice in which there is no quantity limit on LSA packages. This situation poses a risk to the public during transport. Costs will increase, but not by an amount considered significant for the industry. Training with regard to the LSA groups, or any new provision, will be required. Periodic training of hazardous material employees regarding the safe transportation of hazardous materials is required by DOT regulations (49 CFR Part 172 Subpart H); instruction with regard to the LSA and SCO groups may be included at that time.

Implementing the LSA groups will require revision of procedures and computer codes. These costs are judged to be acceptable in order to achieve compatibility with the IAEA regulations for the safe transport of radioactive materials.

A comment noted that the SCO classification "appears to be wellmeaning," but that the proposed criteria (presumably the proposed 2A1 limit) 'detract from its potential benefit and utility," and that it would be easier and less expensive for both producers and consumers of electricity to enjoy the benefits of new transportation systems without the related restrictions. As stated previously, NRC has adopted the IAEA 10 mSv/h (1 rem/h) at 3 m limit for LSA packages, and believes that a limit is needed to protect the public from the potential for excessive external radiation exposure in the case of a severe transportation accident.

One comment suggested that the rule make clear that not every SCO needs to be surveyed and that a random representative survey is adequate. There is no requirement that each SCO in a package be surveyed. The shipper must be able to demonstrate, however, that the package contents comply with applicable SCO definitions.

One comment objected to the upper limit for removable surface contamination for SCO–II ($10^{-2} \pi Ci/$ cm² for beta and gamma emitters) because this limit is a factor of 90 less than current LSA limits, and would require extensive decontamination of reactor outage equipment at each site. The comment stated such decontamination is not warranted because it violates the as low as reasonably achievable (ALARA) principle, and is not justified based on shipping experience. The comment suggested that an SCO–III group be defined for materials exceeding SCO–II, and that Type A packaging be required for such materials.

Apparently, this comment is comparing the SCO–II limit for removable (non-fixed) surface contamination with the current LSA limit that applies to nonradioactive material objects that are externally contaminated with radioactive material that is not readily dispersible. The SCO– II limit for fixed surface contamination is a more appropriate comparison with the current limit for not readily dispersible contamination. The SCO–II fixed contamination limit is 20 times greater than the current LSA limit for not readily dispersible contamination.

Section 71.5 Transportation of Licensed Material

Two comments asked for clarification of the specification "* * *outside of the confines of its plant or other place of use," when describing transportation made subject to DOT regulations. One of those comments suggested that the provision be reworded as "* * *outside the site of usage, as specified in the NRC license, or where transport is on public highways." This wording clarifies the provision and has been included in the final rule. Similar wording has been substituted in § 71.0(c).

A comment asked whether § 71.5(b) means "that an approval must be obtained when the shipment is covered by local State regulations and those regulations will be followed." The purpose of § 71.5(b) is to impose, by NRC authority, pertinent DOT requirements on shipments, by NRC licensees, that are not normally subject to DOT requirements. There is no exemption from the requirement of § 71.5(b) regarding compliance with State or local regulations.

Section 71.10 Exemption for Low Level Materials

A comment noted that the SI unit specification of 74 kBq/kg (0.002μ Ci/g) for exempted low-level radioactive material in § 71.10(a) is not consistent with the 70 Bq value specified in the DOT proposed rule. The specification in § 71.10(a) has been changed to 70 Bq/g, the value in the DOT's final rule. This exemption is applicable only with respect to transportation, and is not generally applicable to other Commission-regulated activities.

A comment noted that it would be useful to have an exemption for small quantities of radioactive material in § 71.10(a) as well as the exemption for LSA material. The safety rationale developed by IAEA² for LSA material does not extend to other radioactive materials. IAEA has been informed that a small quantity exemption may be a useful concept. However, this exemption has not been developed yet.

One comment asked that NRC clarify the use of a reference to §71.53 in the "Exemption for low-level materials" provision of § 71.10(b), a provision that pertains to Type A and LSA packages. In addition to control over excessive radiation, the Commission's responsibility with respect to fissile material is to provide reasonable controls to avoid the occurrence of accidental criticality. The regulatory standards for this are found in §§71.55 and 71.59. There are some relatively common types of fissile material packages for which there is no credible risk of criticality in transport, even in the absence of controls. These packages are described in §71.53, and are exempted from the criticality controls of §§ 71.55 and 71.59, because the controls are unnecessary.

The provisions of § 71.10, "Exemption for low-level materials," provide broad exemptions from 10 CFR Part 71 rules that relinquish to DOT the control of types of shipments that are of low risk both from radiation and criticality standpoints. To ensure that only low criticality risk shipments are included in §71.10(b), NRC restricts the exemption to Type A and LSA packages that either contain no fissile material or satisfy the fissile material exemptions in §71.53. It should be noted that the exemption does not relieve licensees from DOT transportation requirements by reason of NRC authority, nor does the exemption relieve licensees from the restrictions on air transportation of plutonium imposed by Congress.

The proposed rule introduced a 2A₁ quantity limit, for LSA packages not designed to withstand accidents (non-Type B packages), to control potential external radiation exposures. Thirty comments were received requesting that the limit be changed in the final rule. Two comments supported no limit; nine supported the IAEA dose limit of 10 mSv/h (1 rem/h)r at a distance of 3 meters for an unshielded package; 4 supported higher multiples of A₁; and 15 supported the optional use of either the IAEA limit or a higher multiple of A₁. As described previously in this

²International Atomic Energy Agency Safety Series #7—"Explanatory Material for the IAEA Regulations for the Safe Transport of Radioactive Material" (1985 Edition). Available from Bernam-Unipub, 4611–F Assembly Drive, Lanham, MD 20706–4391. Tel. (301) 459–7666.