

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
WASHINGTON, D.C. 20555

February 18, 1993

NRC INFORMATION NOTICE 93-14: CLARIFICATION OF 10 CFR 40.22, SMALL
QUANTITIES OF SOURCE MATERIAL

Addressees

All licensees who possess source material

Purpose

This information notice is provided to alert addressees to possible misapplication of the exemption in 10 CFR 40.22(b). It is expected that licensees will review the information for applicability to their facilities and consider actions, as appropriate, to avoid violations related to possession of small quantities of source material not covered by their specific licenses. However, suggestions contained in this information notice do not new constitute NRC requirements; therefore, no specific action or written response is required.

Description of Circumstances

In October 1992, NRC conducted a routine inspection of a university in Pennsylvania. During the inspection, a misapplication of the exemption in 10 CFR 40.22(b) was identified. The licensee possessed source material under both a specific and general license and failed to provide coverage, in accordance with the provisions of 10 CFR Parts 19, 20, and 21, for areas where the source material held under the general license was being used. In addition, there was no apparent accountability of material contained under the provisions of the general license.

To comply with 10 CFR 40.22, the licensee is currently taking action to provide coverage in accordance with the provisions of 10 CFR Parts 19, 20, and 21, in all areas where source material is present. In addition, an accounting system, for source material held by the licensee, is being developed.

Discussion

10 CFR 40.22, Small quantities of source material, authorizes a general license for commercial and industrial firms; research, educational and medical institutions; and Federal, State, and local government agencies to use and transfer not more than 15 pounds of source material at any one time for research, development, educational, commercial, or operational purposes. NRC considers material in storage to be covered by the 15 pound limit. Therefore, a general licensee may not possess more than 15 pounds of source material at any given time. Also, a general licensee may not receive more than a total

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of 150 pounds of source material in any one calendar year. Furthermore, 10 CFR 40.22(b) grants an exemption from 10 CFR Parts 19, 20, and 21, if the licensee does not also possess source material under a specific license. A specific licensee who possesses source material under both general and specific licenses must comply with 10 CFR Parts 19, 20, and 21, in all locations where source material is held. For example, licensees must comply with worker training requirements in Part 19 and radiological safety and waste disposal requirements in Part 20.

Licensees who possess source material (e.g., natural uranium or natural thorium in any form), may wish to determine whether they possess any material that is not covered by their specific license. If so, licensees may wish to review their radiation safety procedures to assure appropriate compliance with 10 CFR Parts 19, 20, 21, and 40.

This information notice requires no specific action or written response. If you have questions about the information in this notice, please contact the technical contact listed below or the appropriate regional office.



Richard E. Cunningham, Director
Division of Industrial and
Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

Technical contact: Marc Klasky, NMSS
(301) 504-2504

Attachments:

1. List of Recently Issued NMSS Information Notices
2. List of Recently Issued NRC Information Notices

LIST OF RECENTLY ISSUED
NMSS INFORMATION NOTICES

Information Notice No.	Subject	Date of Issuance	Issued to
93-10	Dose Calibrator Quality Control	02/02/93	All Nuclear Regulatory Commission medical licensees.
93-07	Classification of Transportation Emergencies	02/01/93	All Licensees required to have an emergency plan.
93-05	Locking of Radiography Exposure Devices	01/14/93	All Nuclear Regulatory Commission industrial radiography licensees.
93-04	Investigation and Reporting of Misadministrations by the Radiation Safety Officer	01/07/93	All U.S. Nuclear Regulatory Commission medical licensees.
93-03	Recent Revision to 10 CFR Part 20 and Change of Implementation Date to January 1, 1994	01/05/93	All byproduct, source, and special nuclear material licensees.
92-84	Release of Patients Treated with Temporary Implants	12/17/92	All Nuclear Regulatory Commission Medical Licensees.
92-72	Employee Training and Shipper Registration Requirements for Transporting Radioactive Materials	10/18/92	All U.S. Nuclear Regulatory Commission Licensees.
92-62	Emergency Response Information Requirements for Radioactive Material Shipments	08/24/92	All U.S. Nuclear Regulatory Commission Licensees.

Attachment 2
IN 93-14
February 18, 1993
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LIST OF RECENTLY ISSUED
NRC INFORMATION NOTICES

Information Notice No.	Subject	Date of Issuance	Issued to
93-13	Undetected Modification of Flow Characteristics in the High Pressure Safety Injection System	02/16/93	All holders of OLs or CPs for nuclear power reactors.
93-12	Off-Gassing in Auxiliary Feedwater System Raw Water Sources	02/11/93	All holders of OLs or CPs for nuclear power reactors.
93-11	Single Failure Vulnerability of Engineered Safety Features Actuation Systems	02/04/93	All holders of OLs or CPs for nuclear power reactors.
93-10	Dose Calibrator Quality Control	02/02/93	All Nuclear Regulatory Commission medical licensees.
93-09	Failure of Undervoltage Trip Attachment on Westinghouse Model DB-50 Reactor Trip Breaker	02/02/93	All holders of OLs or CPs for nuclear power reactors.
93-08	Failure of Residual Heat Removal Pump Bearings due to High Thrust Loading	02/01/93	All holders of OLs or CPs for nuclear power reactors.
93-07	Classification of Transportation Emergencies	02/01/93	All Licensees required to have an emergency plan.
93-06	Potential Bypass Leakage Paths Around Filters Installed in Ventilation Systems	01/22/93	All holders of OLs or CPs for nuclear power reactors.
93-05	Locking of Radiography Exposure Devices	01/14/93	All Nuclear Regulatory Commission industrial radiography licensees.

OL - Operating License
CP - Construction Permit

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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PENALTY FOR PRIVATE USE, \$300

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 (301) 504-2504

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2. List of Recently Issued NRC Information Notices

See File Jacket

DOCUMENT NAME: 93-14.IN

EKrause:TE 12/22/92 *See previous concurrence

OFC	IMUF*		IMUF*		IMUF*		IMSB*		OGC:*		IMOB:	
NAME	MKlasky:ls		VTharpe		MTokar		JHickey				FCombs:	
DATE	1/14/93		1/14/93		1/15/93		1/15/93		2/02/93		2/ /93	
OFC	DD:IMNS:*		D:IMNS*									
NAME	JGreeves:		RCunningham:									
DATE	1/15/93		1/21/93									