



OAS Petition for Rulemaking Generally Licensed (GL) Devices

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Organization of Agreement States
(OAS)

OAS Petition for Rulemaking Generally Licensed (GL) Devices

- Require specific licensing for higher-activity devices currently available under the 10 CFR 31.5 general license and subject to registration

OAS Petition for Rulemaking Generally Licensed (GL) Devices

- Delete registration requirement for GL devices
- Revise compatibility of 10 CFR 31.6 from 'B' to 'C'

General License Devices under 10 CFR 31.5

- General license in 10 CFR 31.5 allows easy purchase of a wide range of devices containing radioactive materials
- Activities range from microcuries to many curies

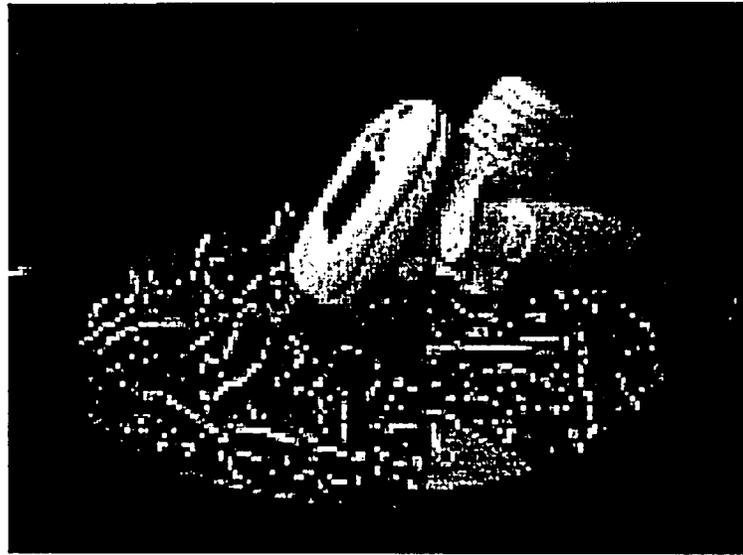
General License Devices under 10 CFR 31.5



~20 Ci of H-3

No Registration

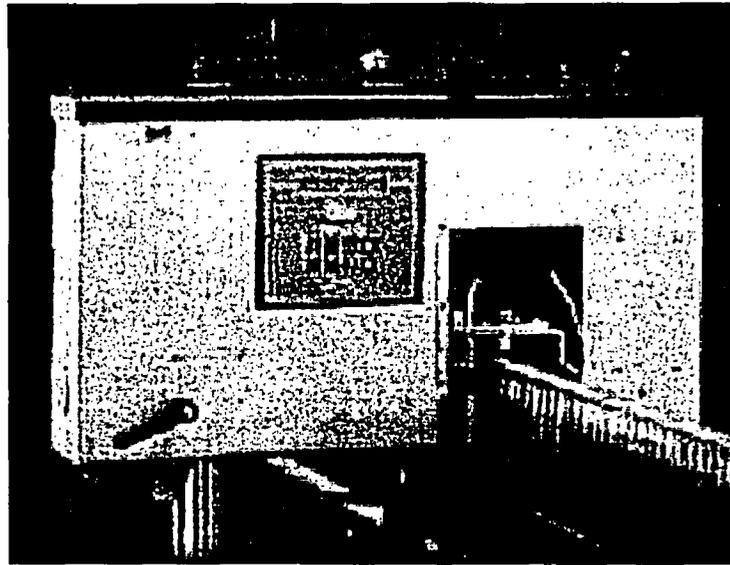
General License Devices under 10 CFR 31.5



10 mCi of Cd-109

No Registration

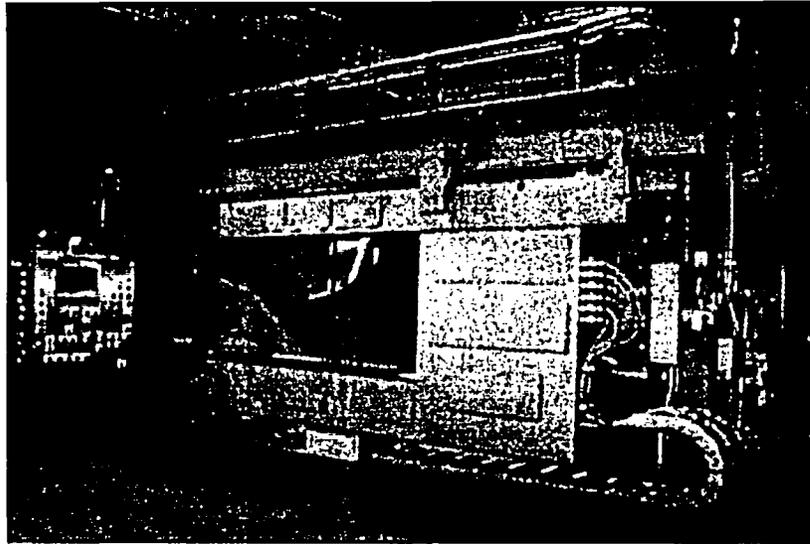
General License Devices under 10 CFR 31.5



100 -300 mCi of Am-241

Registration Required

General License Devices under 10 CFR 31.5



35 Ci of Am-241

Registration Required

GL Regulatory Issues

- Low awareness of regulatory requirements by general licensees
 - High personnel turnover in industrial sector; institutional knowledge lost quickly.

GL Regulatory Issues

- Minimal interaction with regulator (no routine inspection)
- GL device manufacturer service infrastructure collapsing (more licensee service of devices)

GL Regulatory Issues (cont.)

- Compatibility
 - 10 CFR 31.5 ('D' to 'B' compatibility).
GL device registration requirement is Comp Category B. States with pre-existing, effective GL regulatory programs suddenly incompatible.

GL Regulatory Issues (cont.)

- 10 CFR 31.6 ('C' to 'B' compatibility).
Allows GL device manufacturers to service devices in agreement states without reciprocity or notification.
Removes tool used by states to verify device status.

GL Regulatory Issues (cont.)

- Control & Accountability
 - No regulatory review prior to purchase of devices containing up to curie quantities of radioactive materials.
 - No routine inspection.
 - No enhanced requirements applied to GL devices.

GL Regulatory Issues (cont.)

- Continued incidents involving real or suspected GL devices
- Alabama incident – July, 2005
 - Out of state company brings portable GL gauging device into state with no notification or specific license (required by state)

GL Regulatory Issues (cont.)

- Device painted obscuring all labels
- General licensee removes and ships device containing 200 mCi Cs-137 source to manufacturer for repair
- Device shutter partially open upon receipt by manufacturer
- Dose reconstruction on-going

Benefits of OAS Proposal

- Establish a higher, national standard of radioactive material regulation that addresses GL regulatory issues
- Require regulatory review (through licensing) of higher-activity devices purchases prior to receipt

Benefits of OAS Proposal

- Increase licensee awareness of regulatory requirements by virtue of licensing and inspection
- Improve control and accountability of devices
- Reduce incident frequency