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MEMORANDUM FOR: Regional Administrators

Branch Chiefs
Division of Fuel Cycle and Material Safety

FROM: Richard E. Cunningham, Director
Division of Fuel Cycle and Material Safety

SUBJECT: POLICY AND GUIDANCE DIRECTIVE FC 83-19;
JURISDICTION AT REACTOR FACILITIES

The possession and use of radioactive materials at a reactor facility prior to issuance of an operating license and subsequent to issuance of a construction permit is under exclusive NRC jurisdiction when the materials are directly connected with reactor operation and are needed during the construction and preoperational phases of a reactor.

The possession and use of radioactive materials at a reactor facility which has an operating license is under exclusive NRC jurisdiction when the materials are used in connection with reactor operations. Contractors to the reactor licensee may not be separately licensed. All activities must be carried out under the operating license.

The exception to the rule of exclusive NRC jurisdiction is the possession and use of byproduct material for performance of industrial radiography. A firm which holds an NRC or Agreement State license which authorizes performance of radiography may perform radiography at reactor sites pursuant to that license.

Occasionally a reactor licensee may wish to perform industrial radiography at the reactor site. If the site is located in an Agreement State, the license for the performance should be obtained from the Agreement State. If the site is in a non-Agreement State, a separate license issued pursuant to 10 CFR Part 34 should be obtained from the NRC by the reactor licensee.

If there are any questions concerning this matter, please contact Nate Bassin at 427-4240.

Original Signed by
Richard E. Cunningham

Richard E. Cunningham, Director
Division of Fuel Cycle and
Material Safety, NMSS

*Concurred
only on 9/11/83*

*Concurred
only on 9/11/83*

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DATE	9/15/83	9/15/83	9/15/83	9/15/83	9/15/83	9/15/83