

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF FEDERAL AND STATE MATERIALS AND  
ENVIRONMENTAL MANAGEMENT PROGRAMS  
OFFICE OF NUCLEAR REACTOR REGULATION  
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS  
WASHINGTON, D.C. 20555-0001

October 4, 2007

**NRC REGULATORY ISSUE SUMMARY 2007-23**  
**DATE FOR OPERATION OF NATIONAL SOURCE TRACKING SYSTEM**

**ADDRESSEES**

All licensees authorized to possess Category 1 or Category 2 quantities of radioactive materials. All Radiation Control Program Directors and State Liaison Officers.

**INTENT**

This Regulatory Issue Summary (RIS) notifies licensees of a delay in the expected date of operation of the National Source Tracking System (NSTS) and a consequent delay in the need to report to the system. No specific action nor written response is required.

**BACKGROUND**

The NSTS is an initiative of the Nuclear Regulatory Commission to fulfill the recommendation of the Department of Energy (DOE)/NRC Joint Working Group on Radiological Dispersal Devices, which called for a tracking system to monitor the location and movement of sources, and the recommendation of the IAEA Code of Conduct to establish a national register. In addition, the Energy Policy Act of 2005 directed NRC to issue regulations for source tracking. The final rule on National Source Tracking of Sealed Sources (71 FR 65686) was published November 8, 2006, and requires licensees to begin reporting to the NSTS by November 15, 2007, for Category 1 sources and by November 30, 2007, for Category 2 sources. The NSTS rule requires reporting of manufacture, transfer, receipt, disassembly, and disposal. Transactions will have to be reported by the close of the next business day. The rule also requires manufacturers to assign a unique serial number to each source.

The system will allow State and Federal agencies to track transactions of Category 1 and 2 sources from origin (manufacture or import) to disposition (disposal, export, decay below Category 2 level), including all transactions in between. The system is designed to be a genuinely national, comprehensive resource that includes sources held by NRC and Agreement State licensees and by DOE. Licensees (and DOE facilities) will be able to enter information on transactions online, electronically, by mail, by phone, or by fax, and view their own information online. Until the system is operational, NRC has an Interim Database of sources that was established in 2003 and is annually updated.

**ML072680241**

## **SUMMARY OF ISSUE**

Development of the NSTS has been delayed by emergent security issues. NRC does not expect the system to be ready for operation before Fall of 2008. Licensees may, therefore, expect that they will not have to report to the system before then and may plan on that basis. When a firm date for operation of the system has been decided, NRC will amend the rule to relieve licensees of the requirement to report by November 2007 and to provide the new reporting date. This rulemaking will be published in the *Federal Register* before the November 2007 start date.

## **BACKFIT DISCUSSION**

This RIS requires no action or written response and the backfit rule (10 CFR 50.109, 70.76, 72.62, or 76.76) does not apply. Consequently, the NRC staff did not perform a backfit rule analysis.

## **FEDERAL REGISTER NOTIFICATION**

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because it is informational.

## **CONGRESSIONAL REVIEW ACT STATEMENT**

This RIS is not a rule as designated by the Congressional Review Act (5 U.S.C. §§ 801-886) and, therefore, is not subject to the Act.

## **PAPERWORK REDUCTION ACT STATEMENT**

This RIS does not contain information collections and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, et seq.).

## **CONTACT**

This RIS requires no specific action nor written response. If you have any questions about this summary, please contact the technical contact listed below.

**/RA/**

Michael J. Case, Director  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

**/RA/**

Janet R. Schlueter, Director  
Division of Materials Safety  
and State Agreements  
Office of Federal and State Materials  
and Environmental Management Programs

Contact: Paul F. Goldberg, FSME  
(301) 415-7842  
Email: [pfq@nrc.gov](mailto:pfq@nrc.gov)

Enclosure: List of Recently Issued FSME/NMSS Generic Communications

**SUMMARY OF ISSUE**

Development of the NSTS has been delayed by emergent security issues. NRC does not expect the system to be ready for operation before Summer of 2008. Licensees may, therefore, expect that they will not have to report to the system before then and may plan on that basis. When a firm date for operation of the system has been decided, NRC will amend the rule to relieve licensees of the requirement to report by November 2007. This rulemaking will be published in the *Federal Register* before the November 2007 start date.

**BACKFIT DISCUSSION**

This RIS requires no action or written response and the backfit rule (10 CFR 50.109, 70.76, 72.62, or 76.76) does not apply. Consequently, the NRC staff did not perform a backfit analysis.

**FEDERAL REGISTER NOTIFICATION**

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because it is informational.

**CONGRESSIONAL REVIEW ACT STATEMENT**

This RIS is not a rule as designated by the Congressional Review Act (5 U.S.C. §§ 801-886) and, therefore, is not subject to the Act.

**PAPERWORK REDUCTION ACT STATEMENT**

This RIS does not contain information collections and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, et seq.).

**CONTACT**

This RIS requires no specific action nor written response. If you have any questions about this summary, please contact the technical contact listed below.

**/RA/**  
Michael J. Case, Director  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

**/RA/**  
Janet R. Schlueter, Director  
Division of Materials Safety  
and State Agreements  
Office of Federal and State Materials  
and Environmental Management Programs

Contact: Paul F. Goldberg, FSME  
(301) 415-7842  
Email: [pfg@nrc.gov](mailto:pfg@nrc.gov)

Enclosure: List of Recently Issued FSME/NMSS Generic Communications

**ML072680241**

<b>OFC</b>	FSME/MSSA	Tech Editor	FSME/MSSA	FSME/MSSA	FSME/DWMEP
<b>NAME</b>	THarris for PGoldberg	QTE via email	THarris	RLewis	LCamper
<b>DATE</b>	08/02/07	9/25/07	08/02/07	9 / 11/07	9/20/07
<b>OFC</b>	NMSS/FCSS	NRR/DIRS	NRR/DORL	OE	OGC-NLO
<b>NAME</b>	R.Pierson	FBrown	CHaney	NHilton	ENS for FXCameron
<b>DATE</b>	9/21/07	9/ 21/07	9/24/07	9/24 /07	08/28/07
<b>OFC</b>	OGC-CRA	NRR/PMDA	OIS	FSME/MSSA	NRR/PGCB
<b>NAME</b>	TRothschild	LHill	TDonnell	AMcIntosh	CHawes by email
<b>DATE</b>	08/28/07	9/21/07	9/10/07	08/06/07	9/28/07
<b>OFC</b>	NRR/PGCB	NRR/PGCB	NRR/DPR	FSME/MSSA	
<b>NAME</b>	MMruphy for AMarkley	MMurphy	MCase	JSchleuter RXL1 for	
<b>DATE</b>	10/03/07	10/03/07	10/04/07	9/28/07	

**OFFICIAL RECORD COPY**

<b>Recently Issued FSME/NMSS Generic Communications</b>			
<b>Date</b>	<b>GC No.</b>	<b>Subject</b>	<b>Addressees</b>
02/02/07	IN-07-03	Reportable Medical Events Involving Patients Receiving Dosages of Sodium Iodide Iodine-131 less than the Prescribed Dosage Because of Capsules Remaining in Vials after Administration	All U.S. Nuclear Regulatory Commission medical use licensees and NRC Master Materials Licensees. All Agreement State Radiation Control Program Directors and State Liaison Officers.
02/28/07	IN-07-08	Potential Vulnerabilities of Time-reliant Computer-based Systems Due to Change in Daylight Saving Time Dates	All U. S. Nuclear Regulatory Commission licensees and all Agreement State Radiation Control Program Directors and State Liaison Officers.
03/13/07	IN-07-10	Yttrium-90 Theraspheres <sup>®</sup> and Sirspheres <sup>®</sup> Impurities	All U.S. Nuclear Regulatory Commission Medical Licensees and NRC Master Materials Licensees. All Agreement State Radiation Control Program Directors and State Liaison Officers.
04/04/07	IN-07-13	Use of As-Found Conditions to Evaluate Criticality-related Process Upsets at Fuel Cycle Facilities	All licensees authorized to possess a critical mass of special nuclear material.
05/02/07	IN-07-16	Common Violations of the Increased Controls Requirements and Related Guidance Documents	All licensees who are implementing the U.S. Nuclear Regulatory Commission Order Imposing Increased Controls (EA-05-090), issued November 14, 2005 and December 22, 2005.
05/21/07	IN-07-19	Fire Protection Equipment Recalls and Counterfeit Notices	All holders of operating licenses for nuclear power reactors and fuel cycle facilities; except those licensees for reactors that have permanently ceased operations and who have certified that fuel has been permanently removed from the reactor vessel; and except those licensees for decommissioned fuel cycle facilities.
06/11/07	IN-07-20	Use of Blank Ammunition	All power reactors, Category I fuel cycle facilities, independent spent fuel storage installations, conversion facility, and gaseous diffusion plants.

Date	GC No.	Subject	Addressees
07/19/07	IN-07-25	Suggestions from the Advisory Committee on the Medical Use of Isotopes For Consideration to Improve Compliance With Sodium Iodide I-131 Written Directive Requirements in 10 CFR 35.40 and Supervision Requirements in 10 CFR 35.27	All U.S. Nuclear Regulatory Commission medical-use licensees and NRC Master Materials Licensees. All Agreement State Radiation Control Program Directors and State Liaison Officers.
08/08/07	IN-07-23	Inadvertent Discharge of Halon 1301 Fire-suppression System from Incorrect and/or Out-of-date Procedures	All holders of operating licenses for nuclear power reactors, except those who have permanently ended operations and have certified that fuel has been permanently removed from the reactor vessel. All holders of licenses for fuel cycle facilities.
08/13/07	IN-07-26	Combustibility of Epoxy Floor Coatings at Commercial Nuclear Power Plants	All holders of operating licenses for nuclear power reactors and fuel cycle facilities except licensees for reactors that have permanently ceased operations and who have certified that fuel has been permanently removed from the reactor vessel.
09/13/07	IN-07-30	Radiological Controls Create Criticality Safety Accident Scenario for Fissile Solution Container Transport at Fuel Cycle Facility	All licensees authorized to possess a critical mass of special nuclear material.
03/01/07	RIS-07-03	Ionizing Radiation Warning Symbol	All U.S. Nuclear Regulatory Commission licensees and certificate holders. All Radiation Control Program Directors and State Liaison Officers
03/09/07	RIS-07-04	Personally Identifiable Information Submitted to the U.S. Nuclear Regulatory Commission	All holders of operating licenses for nuclear power reactors and holders of and applicants for certificates for reactor designs. All licensees, certificate holders, applicants, and other entities subject to regulation by the U.S. Nuclear Regulatory Commission (NRC) of the use of source, byproduct, and special nuclear material
03/20/07	RIS-07-05	Status and Plans for Implementation of NRC Regulatory Authority for Certain Naturally-occurring and Accelerator-produced Radioactive Material	All U.S. Nuclear Regulatory Commission materials licensees, Radiation Control Program Directors, State Liaison Officers, and NRC's Advisory Committee on the Medical Uses of Isotopes
04/05/07	RIS-07-07	Clarification of Increased Controls for Licensees That Possess Collocated Radioactive Material During Transportation Activities	All U.S. Nuclear Regulatory Commission licensees issued NRC's Order Imposing Increased Controls and all Radiation Control Program Directors and State Liaison Officers

Date	GC No.	Subject	Addressees
05/04/07	RIS-07-09	Examples of Recurring Requests for Additional Information (RAIs) for 10 CFR Part 71 and 72 Applications	All holders of, and applicants for, a: (1) 10 CFR Part 71 certificate of compliance (CoC) for a radioactive material transportation package; (2) 10 CFR Part 72 CoC for a spent fuel storage cask; and (3) 10 CFR Part 72 specific license for an independent spent fuel storage installation (ISFSI).
06/27/07	RIS-06-27, Suppl. 1	Availability of NRC 313A Series of Forms and Guidance for Their Completion	All U.S. Nuclear Regulatory Commission medical-use licensees and NRC Master Materials licensees. All Radiation Control Program Directors and State Liaison Officers.
05/15/07	RIS-07-10	Subscriptions To New List Server For Automatic Notifications Of Medical-Related Generic Communications, <i>Federal Register</i> Notices And Newsletters	All U.S. Nuclear Regulatory Commission medical-use licensees and NRC Master Materials licensees. All Radiation Control Program Directors and State Liaison Officers.
08/31/07	RIS-07-13	Verification of the Authenticity of Materials Possession Licenses	All U.S. Nuclear Regulatory Commission materials licensees. All Agreement State Radiation Control Program Directors and State Liaison Officers.
09/07/07	RIS-07-18	Data for Updating the Interim Inventory of Radioactive Sources	All U.S. Nuclear Regulatory Commission Part 40, Part 50, Part 70, Part 72, and Part 76 licensees and certificate holders who are authorized to possess sources of radioactive material at the Category "3.5" (as defined below) activity or higher.

Note: A full listing of generic communications may be viewed at the NRC public website at the following address:  
<http://www.nrc.gov/Electronic Reading Room/Document Collections/Generic Communications>