



**STATE OF NEW YORK
DEPARTMENT OF HEALTH**

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Executive Deputy Commissioner

November 18, 2008

Terrence Reis, Deputy Director
Division Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Mr.Reis:

Enclosed is a copy of a License Condition and LICENSE ADDENDUM – National Source Tracking System (NSTS) (11/17/08), for review. These license conditions will be issued to licensees who possess Category 1 and/or Category 2 sources. Please note that we have not included the requirements for manufacturers and distributors (M&D) (10 CFR 20.2207(a)) as there are no applicable M&D licensees in New York. However, we will include M&D when we propose NSTS requirements in regulation.

<u>RATS ID</u>	<u>Title</u>	<u>State Section</u>
2006-3	National Source Tracking System (20.1003, 20.2207)	10 NYCRR 16

We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Programs (FSME) Procedure SA-200.

If you have any questions, please feel free to contact me or Robert Dansereau at 518-402-7550.

Sincerely,

Stephen M. Gavitt, CHP, Director
Bureau of Environmental Radiation Protection
New York State Department of Health

Enclosure: As stated

LICENSE AMENDMENT Licenses will be amended to add the following License Condition:

Add License No. [*insert next available number*] to Read:

[*enter No.*] Radioactive material listed in License Condition(s) 6 [*enter subitem(s)*] is subject to National Source Tracking requirements contained in License Addendum, National Source Tracking Requirements (11/17/08).

License Addendum – National Source Tracking (11/17/08)

Nationally tracked source means a sealed source containing a quantity equal to or greater than Category 1 or Category 2 levels of any radioactive material listed in Appendix E of this Part. In this context a sealed source is defined as radioactive material that is sealed in a capsule or closely bonded, in a solid form and which is not exempt from regulatory control. It does not mean material encapsulated solely for disposal, or nuclear material contained in any fuel assembly, subassembly, fuel rod, or fuel pellet. Category 1 nationally tracked sources are those containing radioactive material at a quantity equal to or greater than the Category 1 threshold. Category 2 nationally tracked sources are those containing radioactive material at a quantity equal to or greater than the Category 2 threshold but less than the Category 1. (§20.1003)

(a) Each licensee that transfers a nationally tracked source to another person shall complete and submit a National Source Tracking Transaction Report. The report must include the following information: (1) The name, address, and license number of the reporting licensee; (2) The name of the individual preparing the report; (3) The name and license number of the recipient facility and the shipping address; (4) The manufacturer, model, and serial number of the source or, if not available, other information to uniquely identify the source; (5) The radioactive material in the source; (6) The initial or current source strength in becquerels (curies). (7) The date for which the source strength is reported; (8) The shipping date; (9) The estimated arrival date; and (10) For nationally tracked sources transferred as waste under a Uniform Low-Level Radioactive Waste Manifest, the waste manifest number and the container identification of the container with the nationally tracked source. (§20.2207(b))

(b) Each licensee that receives a nationally tracked source shall complete and submit a National Source Tracking Transaction Report. The report must include the following information: (1) The name, address, and license number of the reporting licensee; (2) The name of the individual preparing the report; (3) The name, address, and license number of the person that provided the source; (4) The manufacturer, model, and serial number of the source or, if not available, other information to uniquely identify the source; (5) The radioactive material in the source; (6) The initial or current source strength in becquerels (curies); (7) The date for which the source strength is reported; (8) The date of receipt; and (9) For material received under a Uniform Low-Level Radioactive Waste Manifest, the waste manifest number and the container identification with the nationally tracked source. (§20.2207(c))

(c) Each licensee that disassembles a nationally tracked source shall complete and submit a National Source Tracking Transaction Report. The report must include the following information: (1) The name, address, and license number of the reporting licensee; (2) The name of the individual preparing the report; (3) The manufacturer, model, and serial number of the source or, if not available, other information to uniquely identify the source; (4) The radioactive material in the source; (5) The initial or current source strength in becquerels (curies); (6) The date for which the source strength is reported; (7) The disassemble date of the source. (§20.2207(d))

(d) Each Licensee who disposes of nationally tracked source shall complete and submit a National Source Tracking Transaction Report. The report must include the following information: (1) The name, address, and license number of the reporting licensee; (2) The name of the individual preparing the report; (3) The waste manifest number; (4) The container identification with the nationally tracked source; (5) The date of disposal; and (6) The method of disposal. (§20.2207(e))

(e) The reports discussed in paragraphs (a) through (e) of this section must be submitted by the close of the next business day after the transaction. A single report may be submitted for multiple sources and transactions. The reports must be submitted to the National Source Tracking System by using: (1) The on-line National Source Tracking System; (2) Electronically using a computer-readable format; (3) By facsimile; (4) By mail to the address on the National Source Tracking Transaction Report Form (NRC) Form 748); or (5) By telephone with followup by fascimile or mail. (§20.2207(f))

(f) Each licensee shall correct any error in previously filed reports or file a new report for any missed transaction within 5 business days of the discovery of the error or missed transaction. Such errors may be detected by a variety of methods such as administrative reviews or by physical inventories required by regulation. In addition, each licensee shall reconcile the inventory of nationally tracked sources possessed by the licensee against that licensee's data in the National Source Tracking System. The reconciliation must be conducted during the month of January in each year. The reconciliation process must include resolving any discrepancies between the National Source Tracking System and the actual inventory by filing the reports identified by paragraphs (a) through (e) of this section. By January 31 of each year, each licensee must submit to the National Source Tracking System confirmation that the data in the National Source Tracking System is correct. (§20.2207(g))

(g) Each licensee that possesses nationally tracked sources shall report its initial inventory of nationally tracked sources to the National Source Tracking System, or verify the National Source Tracking System's inventory for his/her sources, by January 31, 2009. The information may be submitted by using any of the methods identified by paragraph (e)(1) through (e)(4) of this section. The initial inventory report must include the following information: (1) The name, address, and license number of the reporting licensee; (2) The name of the individual preparing the report; (3) The manufacturer, model, and serial number of each nationally tracked source or, if not available, other information to uniquely identify the source; (4) The radioactive material in the sealed source; (5) The initial or current source strength in becquerels (curies); and (6) The date for which the source strength is reported. (§20.2207(h))

Radioactive material	Category 1 (TBq)	Category 1 (Ci)	Category 2 (TBq)	Category 2 (Ci)
Actinium-227	20	540	0.2	5.4
Americium-241	60	1,600	0.6	16
Americium-241/Be	60	1,600	0.6	16
Californium-252	20	540	0.2	5.4
Cobalt-60	30	810	0.3	8.1
Curium-244	50	1,400	0.5	14
Cesium-137	100	2,700	1	27
Gadolinium-153	1,000	27,000	10	270
Iridium-192	80	2,200	0.8	22
Plutonium-238	60	1,600	0.6	16
Plutonium-239/Be	60	1,600	0.6	16
Polonium-210	60	1,600	0.6	16
Promethium-147	40,000	1,100,000	400	11,000
Radium-226	40	1,100	0.4	11
Selenium-75	200	5,400	2	54
Strontium-90	1,000	27,000	10	270
Thorium-228	20	540	0.2	5.4
Thorium-229	20	540	0.2	5.4
Thulium-170	20,000	540,000	200	5,400
Ytterbium-169	300	8,100	3	81