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RECORD #192

TITLE: Request for Guidance Regarding 10 CFR 20.204(d)

FICHE:

August 4, 1981

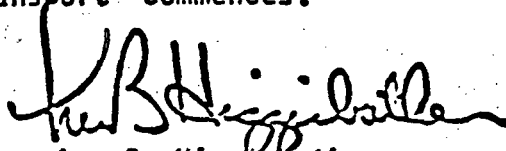
MEMORANDUM FOR: L. R. Greger, Acting Chief, TI Branch, Region III
FROM: Leo B. Higginbotham, Chief, Radiological Safety Branch, IE
SUBJECT: REQUEST FOR GUIDANCE REGARDING 10 CFR 20.204(d)
(AITS F03033581)

This refers to your July 7, 1981 memo on this subject. All of your conclusions regarding 20.204(d) are correct. The subject exception does allow both the "200 mr/hr" and the "1 r/hr" packages to be stored in unposted and uncontrolled areas for unspecified periods, as long as the material is packaged, marked and labelled in accordance with DOT regulations.

Unfortunately, the statements of considerations for the Federal Register publication of §20.204(d) shed no light on this rule. It would appear however, that in the original promulgation of the rule, the "1 r/hr" packages authorized by 49 CFR 173.393(j) were not considered.

The best guidance we can offer is to use persuasion and reasoned argument with a licensee, who does not post an area where high dose rate packages are in storage for transport, to try to get him to do so. We will pursue this issue with RES, with the view that the subject rule be re-examined, either as a separate action, or as part of the overall 10 CFR 20 revision.

Any revision of 20.204(d) should logically consider the higher radiation packages allowed by 173.393(j). Clarification is also needed as to the duration of storage, and perhaps, also some guidelines as to when the "operation" ceases and "storage awaiting transport" commences.



Leo B. Higginbotham
Chief
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UNITED STATES
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July 7, 1981

MEMORANDUM FOR: L. B. Higginbotham, Chief, Radiological Safety Branch, Division
of Safeguards and Radiological Safety Inspection, IE

FROM: L. R. Greger, Acting Chief, Technical Inspection Branch,
Division of Engineering and Technical Inspection

SUBJECT: REQUEST FOR GUIDANCE REGARDING 10 CFR 20.204(d)
(AITS NO. F03033581)

10 CFR 20.204(d) states that a room or other area is not required to be posted with a caution sign, and control is not required for each entrance or access point to a room or other area which is a high radiation area, solely because of the presence of radioactive materials prepared for transport and packaged and labeled in accordance with regulations of the Department of Transportation.

This exemption appears to permit licensees to possess and store radioactive material in unposted and uncontrolled areas for unspecified periods if the material is packaged for transport. The exposure rates from packaged waste can be quite high. For example, a single package of LSA material (if the exclusive use provisions of 49 CFR 173.393(j) are applied) is permitted to have radiation levels of 1000 mR/hr at three feet. Such packages can present a significant radiation hazard but appear to be exempted from the normal posting and control requirements for radiation and high radiation areas. The only required marking in our example appears to be "Radioactive LSA" on the package.

We request that you provide us with guidance concerning application of this regulation. Revision of 10 CFR 20.204(d) as part of the ongoing 10 CFR 20 rewrite may be desirable.

L. R. Greger, Acting Chief
Technical Inspection Branch