

October 12, 2012

ALL AGREEMENT STATES

**NRC NOTIFICATION OF SECURITY REQUIREMENTS FOR GENERALLY LICENSED DEVICES CONTAINING HIGH ACTIVITY SOURCES (FSME-12-082)**

**Purpose:** To inform the Agreement States that security requirements are applicable for generally licensed devices (GLDs) which contain sources with activity levels in International Atomic Energy Agency (IAEA) Category 2 and above quantities of radioactive material, which the Nuclear Regulatory Commission (NRC) considers to be risk-significant and, therefore, warrant protection.

**Background:** GLDs must be registered for use under 10 CFR 30.32(g) and the registration is performed, through a safety evaluation of the device, under 10 CFR 32.51 or equivalent Agreement State regulations. The regulations do not specify the maximum activity level that GLDs may contain; the regulations use other performance-based criteria. An audit conducted by the Office of the NRC Inspector General (“Audit of the NRC’s Issuance of General Licenses,” Report No. OIG-12-A-14, dated June 28, 2012) noted that GLDs are allowed to be registered containing sources with activity levels of IAEA Category 2 or higher. The NRC or Agreement State increased controls security requirements are applicable to sealed sources and devices with such activity levels.

**Discussion:** The guidance, used by the staff of the NRC and the Agreement States, for the conduct of the safety evaluation is NUREG-1556, Vol. 3, Rev. 1, “Consolidated Guidance about Materials Licenses: Applications for Sealed Source and Device Registration.” The current edition of the guidance document does not address the issue of security requirements for high activity GLDs. The NRC is in the process of updating the guidance document, and we have developed direction regarding this issue for the new edition. Until the update is published, we are providing, for your use, the text of the additional guidance that we intend to include in the update of NUREG-1556, Vol. 3 (see Enclosure).

No action or response on part of the Agreements States is requested or required. The Agreement States may choose to adopt and use the guidance in the Enclosure.

If you have any questions regarding this communication, please contact me at (301) 415-3340 or my staff named below.

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and Environmental Management Programs

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