

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF FEDERAL AND STATE MATERIALS
AND ENVIRONMENTAL MANAGEMENT PROGRAMS
WASHINGTON, D.C. 20555

May XX, 2013

NRC REGULATORY ISSUE SUMMARY 2013-##
REPORTING TRANSACTIONS INVOLVING TEMPORARY JOB SITES
TO THE NATIONAL SOURCE TRACKING SYSTEM

ADDRESSEES

All industrial radiography and well logging licensees, and all Radiation Control Program Directors and State Liaison Officers.

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to clarify the reporting requirements when transferring a nationally tracked source to temporary job sites. The NRC is providing this RIS to the Agreement States for their information and for distribution to their radiography and well logging licensees as appropriate. This RIS does not transmit any new requirements and does not require any specific action or written response on the part of an addressee.

BACKGROUND

There are two main industrial uses of nationally tracked sources that involve temporary job sites: industrial radiography and well logging. The regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) 20.2207, which address the National Source Tracking System (NSTS), cover the reporting of transactions of nationally tracked sources. The regulations describe the requirements for reporting five separate transactions: manufacture, transfer, receipt, disassembly, and disposal. The regulations do not directly address transfers to temporary job sites; however, the issue of temporary job sites was addressed in the proposed and final rules' Supplementary Information (70 FR 43646 and 71 FR 65686, respectively). The NRC carefully considered the information provided by commenters to the proposed rule published in 2005, and indicated in the Supplementary Information of the final rule that temporary job site transactions should not be reported to the NSTS.

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SUMMARY OF ISSUE

Reporting of temporary job site transfers would impose a large additional burden on licensees without the corresponding security and accountability benefit. In addition, the information would likely be out of date by the time the source transfer or receipt is reported to the NSTS. The Supplementary Information of the final rule specifies that no reporting of any transfer to a temporary job site is required, provided the transfer does not fall within another category of transaction requirement specified in 10 CFR 20.2207 (i.e., manufacture, transfer, receipt, disassembly, or disposal).

The following are some examples (but not exhaustive) of the concept of transferring sources to temporary job sites:

1. If a licensee has transferred a source only for use at a temporary job site (even out of state, or under reciprocity), and there is no change in possession with another licensee, and the source is returned to the original licensee, no reporting to the NSTS is required;
2. If a licensee has transferred a source to another licensee's storage location at a temporary job site, but this is only for the purpose of temporary storage prior to use at the temporary job site, and the source is returned to the original licensee, no reporting to the NSTS is required; however,
3. If a licensee has transferred a source to another licensee for use at a temporary job site, and a change in possession occurs and the source is not returned to the original licensee, reporting to the NSTS is required even if the transfer is within the same company and the source still meets the definition of a nationally tracked source. Licenses for temporary job sites should be in the NSTS so that this type of transaction can be made. Two illustrative examples are the transfer of a source from the manufacturer to a temporary job site, or the transfer of a source from a temporary job site to the manufacturer for disposal.

In summary, transfers of nationally tracked sources to temporary job sites do not need to be reported, unless preempted by a transaction specified in 10 CFR 20.2207.

BACKFIT DISCUSSION

This RIS requires no action or written response. Any action on the part of addressees in accordance with the guidance contained in this RIS is strictly voluntary and, therefore, is not a backfit under any requirement. Consequently, the 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 and does not represent a departure from current regulatory requirements.

CONGRESSIONAL REVIEW ACT

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

PUBLIC PROTECTION NOTIFICATION

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid Office of Management and Budget control number.

CONTACT

This RIS requires no specific action or written response. If you have any questions about this summary, please contact the technical contact listed below or the appropriate regional office.

Brian J. McDermott, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

CONTACT: Irene Wu, FSME/SMPB
(301) 415-1951
Email: irene.wu@nrc.gov