

November 14, 2013

MEMORANDUM TO: Michael J. Case, Director
Division of Engineering
Office of Nuclear Regulatory Research

FROM: Pamela J. Henderson, Acting Director **/RA Chris Einberg for/**
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: PERIODIC REVIEW OF REGULATORY GUIDES – FSME/MSSA

The Division of Materials Safety and State Agreements (MSSA) staff has reviewed 11 regulatory guides (RGs), in response to a July 1, 2013, request for periodic review from the Office of Nuclear Regulatory Research's Regulatory Guide Development Branch (RGDB).

The results of the staff's review of each of the RGs are summarized in the attached document. The review identified 11 RGs where a *Withdrawal* recommendation was made. The results of the staff's review of each of the RGs are summarized as follows:

MSSA has completed its 5 year review on Regulatory Guide(s) 6.1, 6.2, 6.4, 6.5, 10.2, 10.3, 10.5, 10.6, 10.7, 10.8, and 10.9. MSSA does not support the maintenance of these regulatory guides and recommends withdrawing them. These regulatory guides currently only provide a reference to various volumes of NUREG 1556 and do not contain technical content. The NUREG 1556 series serves as the materials guidance standard.

There will be no adverse impact of the U.S. Nuclear Regulatory Commission licensing and inspection activities or any adverse impact on internal or external stakeholders as result of our decision.

Enclosure:
Response to questions
regarding withdrawal of regulatory guides

CONTACT: Joe O'Hara, FSME/MSSA
(301) 415-6854

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OFC	FSME/MSSA/LB	FSME/MSSA	FSME/MSSA
NAME	JVazquez	JO'Hara	CEinberg for PHenderson
DATE	11/7/13	11/7/13	11/14/13

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Withdrawal of Regulatory Guide

Office: FSME/MSSA

Regulatory Guide Number: 6.1, 6.2, 6.4, 6.5, 10.2, 10.3, 10.5, 10.6, 10.7, 10.8, and 10.9

Title: Leak Testing Radioactive Brachytherapy Sources; Integrity and Test Specifications for Selected Brachytherapy Sources; Verification of Containment Properties of Sealed Radioactive Sources; General Safety Standard for Installations Using Nonmedical Sealed Gamma-Ray Sources; Guidance to Academic Institutions Applying for Specific Byproduct Material Licenses of Limited Scope; Guide for the Preparation of Applications for Special Nuclear Material Licenses of Less than Critical Mass Quantities; Applications for Type A Licenses of Broad Scope; Guide for the Preparation of Applications for Applications for an Industrial Radiography License; Guide for the Preparation of Applications for Licenses for Laboratory and Industrial Use of Small Quantities of Byproduct Material; Guide for the Preparation of Applications for Medical Use Programs; Guide for the Preparation of Applications for Licenses for the Use of Self-Contained Dry Source-Storage Gamma Irradiators

- (1) **What did the Regulatory Guide support?** These guides supported various subjects pertaining to materials licenses.
- (2) **What was the purpose of the Regulatory Guide?** These guides inform licensees of where licensees could find pertinent information.
- (3) **How was the Regulatory Guide used?** The licensees could seek the material (i.e. NUREGs) referenced in these guides to obtain the information needed.
- (4) **Why the Regulatory Guide is no longer needed?** These guides simply direct the reader to NUREG 1556, with which the licensee will already be familiar. The NUREG 1556 series serves as the materials guidance standard.
- (5) **What guidance is available once the Regulatory Guide is removed?** NUREG 1556 provides the guidance needed.
- (6) **Is the Regulatory Guide referenced in other documents and what are the “ripple effects” on these documents?** No, and there will be no negative effect resulting from their withdrawal.
- (7) **What is the basis for believing that no guidance similar to that in the Regulatory Guide will ever be needed?** The needed guidance is already available in NUREG 1556.

- (8) **Will generic guidance still be needed?** Any generic guidance needed is available in other documents which the licensees will find reference to NUREG 1556.
- (9) **What is the rationale for withdrawing this Regulatory Guide instead of revising it?** The needed information is provided in the NUREG 1556 series, which is already regularly updated and maintained.
- (10) **Do other agencies rely upon the Regulatory Guide, e.g., the Agreement States, National Aeronautical and Space Administration, Department of Energy?** Yes, the Agreement States would use them, but they are familiar with the use of NUREG 1556 for guidance.