

Georgia Department of Natural Resources

Environmental Protection Division, Air Protection Branch
4244 International Parkway, Suite 120, Atlanta, Georgia 30354
404-363-7000
Judson H. Turner, Director

9 May 2014

Pamela Henderson, Deputy Director
Division Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
T8-E24
Washington, D.C. 20555-0001

Dear Ms. Henderson:

Enclosed is a copy of the Georgia License Conditions which require licensees with risk significant radioactive material to abide by the Increased Controls and Fingerprinting Orders. The proposed conditions correspond to the following Nuclear Regulatory Commission's regulations:

<u>Rats ID</u>	<u>Title</u>	<u>State Section</u>
2005-3	Increased Controls for Risk-Significant Radioactive Sources	Rule 391-3-17.12
2007-4	Order Imposing Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material	Rule 391-3-17.12

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

Previously approved condition language was difficult for my staff to apply towards new licenses or for existing licenses that would be adding the orders. The revised condition language will be used for all existing licenses (once amended or renewed) and all new licenses that fall into this category. These conditions will only be used until Georgia can incorporate 10 CFR Part 37.

If you have any questions, please feel free to contact me at 404.363.7117 or at david.crowley@dnr.state.ga.us.

Sincerely,



David Crowley, MSMP
Radioactive Materials Program Manager
Georgia Environmental Protection Division

Enclosures:
Proposed Conditions.

From: [Ford, Monica](#)
To: [Schneider, Kathleen](#)
Subject: FW: Revision To GA Increased Controls and Fingerprinting Conditions
Date: Friday, May 09, 2014 12:56:06 PM
Attachments: [GA2014 IC-FP-license-condition CoverLtr.pdf](#)
[GA2014 IC-FP-license-condition Enclosure.pdf](#)
Importance: High

FYI

From: CROWLEY, David [mailto:David.Crowley@dnr.state.ga.us]
Sent: Friday, May 09, 2014 12:28 PM
To: Henderson, Pamela
Cc: Ford, Monica; Hays, Karen
Subject: Revision To GA Increased Controls and Fingerprinting Conditions
Importance: High

Good afternoon Pamela,

The Georgia Radioactive Materials Program decided to revise how it would condition the Increased Controls and Fingerprinting Orders (IC/FP Orders). The previous condition version was not clear for my staff as far as how they should be listed on new licenses or existing that were just now entering the realm of risk significant radioactive materials.

The general consensus of the program is that we'd like to simplify the process and thus rewrote these conditions. It is our plan to substitute these for the old conditions as existing licensees go through amendment or renewal processes. They will be included on all new licenses requiring the IC/FP Orders.

Because the conditions are a matter of compatibility, I have attached a cover letter and the actual condition language. Please let me know if there is anything additional you will need to process this compatibility review.

Thank you for your help, and have a great weekend!

Very respectfully,

David Crowley, MSMP
Radioactive Materials Program Manager
Georgia Environmental Protection Division
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(404)363-7117
david.crowley@dnr.state.ga.us

GEORGIA LICENSE CONDITIONS REQUIRING INCREASED CONTROLS & FINGERPRINTING FOR NEW LICENSEES

- A. The licensee shall comply with the requirements described in NRC Order EA-05-090 (the Increased Controls Order, published in the Federal Register on December 1, 2005 as 70 FR 72128) and NRC Order EA-07-305 (the Fingerprint Order, published in the Federal Register on December 13, 2007 as 72 FR 70901) with the exception of the following notifications: the licensee shall notify the Georgia Department of Natural Resources - Radioactive Materials Program rather than the NRC Operations Center immediately to satisfy the requirements of IC 2.d and IC 3.a.4 in the Increased Controls Order and within 24 hours if the results from a criminal history check indicate an individual is identified on the FBI's Terrorist Screening Data Base.
- B. The licensee shall complete implementation of the Increased Controls and Fingerprint Order by the first day that radionuclides in quantities of concern are possessed at or above the limits specified in "Table 1: Radionuclides of Concern." The licensee shall notify the Georgia Department of Natural Resources within twenty-five (25) days after achieving full compliance with the requirements described in these orders. This notification shall include a certification that the Trustworthiness and Reliability (T&R) Official (and any subsequent T&R Official) is themselves deemed trustworthy and reliable by the Licensee as required in B.2. of the Fingerprint Order.
- C. Licensee responses to the Increased Controls and Fingerprint Order conditions shall be marked as "Withhold from Public Disclosure Under Rule Chapter 391-3-17-.02(7)(f), and Georgia Open Records Act OCGA 50-18-70 et seq., Code Section 50-18-72 paragraph (15)(A)."