



# COMMONWEALTH of VIRGINIA

## Department of Health

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Margie Kotzalas  
Office of Nuclear Material Safety and Safeguards  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

RE: Request for Comments on the Draft White Paper on Applicability of Fukushima Lessons Learned to Facilities Other than Power Reactors (RCPD-15-003)

Dear Ms. Kotzalas,

The Virginia Radioactive Materials Program (VRMP) has reviewed the subject document. The VRMP agrees with the NRC's conclusion that no further study or regulatory action is warranted beyond those already being implemented as part of the regulatory oversight of these licensees.

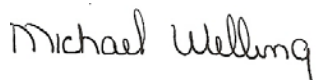
The VRMP offers the following comments for NRC's review regarding the detail listed in the white paper.

1. Throughout the white paper, several sections only describe what actions the NRC is performing regarding the use of radioactive materials and actions taken to protect public health and safety. VRMP recommends that either the phrase "and Agreement States" be added to these statements throughout the white paper or a more detailed explanation be placed in the first paragraph of Section "Radioactive Material Use" stating that the Agreement States perform licensing and inspections of radioactive material users and that the Agreement State program is periodically reviewed utilizing the IMPEP process to ensure the program is adequate to protect the public health and safety of their citizens.
2. On Page 1 in the 4<sup>th</sup> sentence of the 1<sup>st</sup> paragraph, the phrase "nuclear materials" is used to indicate what the Agreement States regulate. VRMP recommends this be changed to either "radioactive materials" or "by-product materials".
3. On Page 1, VRMP recommends the 2<sup>nd</sup> paragraph be removed.
4. On Page 4, the 3<sup>rd</sup> paragraph only mentions self-shielded irradiators as having engineering features to prevent unnecessary exposure. Many other devices (Gamma Knife, radiography cameras, gauges, etc.) have similar features. VRMP recommends this sentence be revised to say all devices have some engineering features (shielding, connectors, switches, etc) that prevent unnecessary exposure, not just self-shielded irradiators.
5. On Page 4, the last sentence says security for industrial irradiators is in Part 37 but fails to mention the other devices. VRMP recommends this sentence be revised to either include other devices covered under Part 37 or just say devices containing Category 1 and 2 sources.

6. On Page 6, VRMP recommends that the footnote be moved to paragraph 2 and include a statement that the footnote is the IAEA definition. Also, VRMP recommends that the Category 1 footnote on Page 12 be moved to this page and they be renumbered to footnote #1 and #2.
7. On Page 7, the 3<sup>rd</sup> paragraph says that only those licensees listed are required to develop and follow procedures. ALL licensees are required to do so. VRMP recommends this sentence be revised by removing the types of licensees included.
8. On Page 7, the 4<sup>th</sup> paragraph lists certain sources to be a substantial hazard. Most gauges contain low activity sources that do not pose a substantial hazard. VRMP recommends this sentence be revised to say that sources of larger activities may cause a substantial hazard. Those licensees are required by regulations to report the theft or loss of these sources to their regulatory authority to aid in the prevention of personnel exposures.
9. On Page 8, the 1<sup>st</sup> paragraph says all sources are required to be leak tested every 6 months. This is not 100% accurate as several sources are approved on an annual leak test frequency and some are approved for a three (3) year frequency. VRMP recommends this sentence be revised to say "at varying intervals, 6 months, annually and every three (3) years."
10. On Page 8, the first two paragraphs add no value to the evaluation and assessment topic. VRMP recommends deleting these paragraphs.
11. On Page 9, it lists the NSTS as a post Fukushima assessment. This was in place in 2009, before Fukushima occurred. VRMP recommends placing this information in the pre-Fukushima section. The mapping tool should be discussed in this section as an enhancement to NSTS for use during a natural event.
12. On Page 10, VRMP recommends removing the sentence about a gauge being lost or stolen in the assessment column. VRMP also recommends adding verbiage that licensees are required to meet any city, county or state requirements/regulations regarding building construction.
13. On Page 12 VRMP recommends moving the footnote to page 6.

We appreciate the chance to comment on this subject, and stand ready to answer any questions you may have.

Sincerely,



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