



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AE07-1 024

25 MAY 1993

PDR

MEMORANDUM FOR: Mark Au
Information Management Coordinator
Office of Nuclear Regulatory Research

FROM: Brenda J. Shelton, Chief
Information and Records Management Branch
Division of Information Support Services
Office of Information Resources Management

SUBJECT: 10 CFR 34, LICENSES FOR RADIOGRAPHY AND RADIATION SAFETY
REQUIREMENTS FOR RADIOGRAPHIC OPERATIONS, PROPOSED RULE

We appreciate your response to our memorandum of March 5, 1993. We have reviewed the revised subject rule and the draft supporting statement and have provided additional comments on the rule, as indicated below, and comments on the draft supporting statement, as annotated on the enclosed copy.

Comments on the rulemaking:

Section 34.8: Not all sections that contain information collections are included. In addition, please replace the wording of paragraph (c) with Enclosure 1. We have deleted §34.11 from paragraph (b) because it is covered by paragraph (c).

no record of visual check needed

Section 34.31(a): As worded, the section appears to require a record of inspection to be made only when defects are found. However, §34.73 states that a record should be made of each inspection. You may wish to modify §34.31(a).

Section 34.41(b): The RSO is responsible for establishing operating, emergency and ALARA procedures. Establishment of the first two procedures is covered in §34.45. ALARA procedures are not included. Should these procedures be included in §34.45?

Section 34.43(a) and (b): The statement that the radiographer and radiographer's assistant should receive "copies of and instruction in NRC regulations" is unclear and should be reworded. Do you mean, "receive copies of the following NRC regulations: and training in their interpretation."?

Section 34.61 requires that licensees maintain a copy of their license until the Commission terminates the license. It makes no mention of superseded material. The supporting statement supplied for the rule indicates that the licensee shall maintain a copy of the license and amendments until superseded or the NRC terminates the license. The rule should address the handling of superseded material.

new license handles that issue.

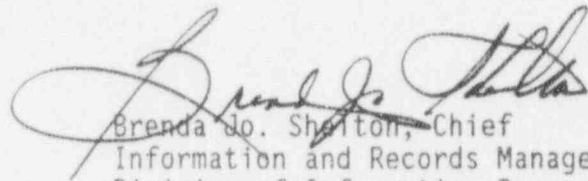
Comments on the OMB Supporting Statement:

Because this rulemaking will replace the current 10 CFR Part 34 in its entirety when it is codified, the OMB clearance package should include all information collection requirements with their full burden, irrespective of whether or not they are currently covered by OMB approval. Include each section that has any modified requirements, documentation, retention, or burden, e.g., the extension of requirements to source assemblies in §34.20.

Because this rulemaking also modifies application requirements that are covered by the clearance for the NRC Form 313, please include the change in burden for the NRC Form 313 in the supporting statement.

Please include the need for each specific information collection by section or subsection and include the retention period for each record.

If you have any questions regarding our comments on the rule or the OMB clearance package, please contact Beth St. Mary on 492- 8540.



Brenda Jo. Shelton, Chief
Information and Records Management Branch
Division of Information Resources Management
Office of Information Resources Management

Enclosures:
As stated

cc: M. Thomas, RES
M. Lesar, ADM

34.8 Information collection requirements: OMB approval

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0023.

(b) The approved information collection requirements contained in this part appear in §§ 34.13, 34.15, 34.20, 34.25, 34.27, 34.29, 34.31, 34.33, 34.35, 34.41, 34.43, 34.45, 34.47, 34.49, 34.61, 34.63, 34.65, 34.67, 34.69, 34.71, 34.73, 34.75, 34.79, 34.81, 34.83, 34.85, 34.87, 34.89, 34.91, 34.101, and 34.111.

(c) This part contains an information collection requirement in addition to those approved under the control number specified in paragraph (a) of this section. The information collection requirement and the control number under which it is approved is as follows:

(1) In §34.11, NRC Form 313 is approved under control number 3150-0120.

Because this rulemaking completely replaces part 34, it should include the burden & description for all sections, not just those that have changed. Please describe each section separately, if it merely replaces an existing section, you may state so and include

OMB SUPPORTING STATEMENT FOR 10 CFR PART 34

LICENSES FOR RADIOGRAPHY AND RADIATION SAFETY REQUIREMENTS

FOR RADIOGRAPHIC OPERATIONS

(3150-0007)

*need from existing Part 34 clearance package.
22 May 93*

Description of the Information Collection

10 CFR Part 34 provides certain requirements exclusive to licensees using byproduct material for purposes of industrial radiography, a technique of non-destructive testing. The byproduct material is normally employed in the form of sealed sources which emit high levels of radiation. Those sources are remotely moved from their shielded position in the radiographic device to an unshielded position up to 15 feet away and again returned to their shielded position following each radiograph. These radiographic devices are also often moved from location to location at a jobsite, and transported from jobsite to jobsite. The many manipulations of the sources, movement, and transport of the devices result in unique and continuing potential and actual hazardous radiological conditions.

§ This rulemaking revises 10 CFR Part 34 in its entirety. (Add reason revision is being done - eg. clarity, update to modern standards, result of serious problems found, conformance to other 10 CFR Parts, etc.)

A. JUSTIFICATION

1. Need for the Collection of Information *and Practical Utility*

The information collection requirements of the revised 10 CFR Part 34 are identified below.

§ 34.11 Application for a specific license, and § 34.13 Specific license for radiography.

Taken together, these two sections (currently at § 34.3 and § 34.11) require a license applicant to submit an application on NRC Form 313, ~~the purpose of the application is to permit the NRC to determine whether the applicant's equipment, procedures, and personnel are adequate to protect public health and safety.~~ As part of the application there are new requirements in § 34.13(g), to designate a Radiation Safety Officer, and § 34.13(i), to list permanent radiographic facilities on the application. The following paragraphs do not contain changes in requirements, they are simply redesignated: Paragraph 34.13(b)(3), currently paragraph 34.11(b)(4); paragraph 34.13(d), currently 34.11(c); and paragraph 34.13(f), currently 34.11(e).

Handwritten notes:
34.13(b)(2) OK
34.13(b)(3) OK
34.13(b)(4) OK
34.13(e) OK
34.13(f) OK
34.13(g) OK
34.13(i) OK
Requirements of manufacturers to include identity of manufacturer and should be included

note) § 34.20 Performance requirements for radiography equipment.

add (a), (b)(1), (b)(4) *does not exist*

* RER Paragraph (b)(2) of this section requires that radiographic exposure devices intended for use as Type B transport containers meet the applicable requirements

of 10 CFR Part 71, including documentation of the QA program requirements outlined in § 71.105. The addition of the requirement to document the QA program was included to reduce the existing confusion concerning the meaning of requiring licensees to meet the requirements of Part 71. While NRC licensees have always been expected to meet this requirement a number have not done so.

Need

Add (c) & (d) Labeling for source assemblies

Add (e) Source assemblies must meet all requirements after 1/10/96

Paragraph 34.20(f) is also new, it requires that all associated equipment acquired after January 10, 1996, be labelled to identify that the components have met the requirements of section 34.20. This was added to reduce the burden of proof on the licensee and to speed up the inspection process by reducing record searches for a component to ensure that it meets the requirements of Part 34.

in use to demonstrate the labeling requirements

§ 34.25 Radiation survey instruments and § 34.65 Records of radiation survey instruments.

Paragraphs (b) and (c) of § 34.25 require that each radiation survey instrument be calibrated at intervals not to exceed 6 months and after each instrument servicing, and that a record be maintained in accordance with § 34.65. The existing rule requires that radiation survey instruments be calibrated at 3 month intervals and a record maintained of the calibrations. The calibration interval is being extended from 3 months to 6 months because survey instruments are now sturdier and more reliable. The making of radiation surveys is one of the most important aspects of radiation safety and the instruments must provide reasonable accuracy in the measurement of the levels of radiation to which individuals are exposed during conduct of radiographic operations. The records allow NRC

inspectors to verify that required calibrations have been performed. The licensee will use the records to assure itself that the instruments available to radiographers and radiographer's assistants are properly calibrated. This is a burden reduction, since licensees will be required to maintain ~~less~~ ^{fewer} records under the proposed rule.

§ 34.27 Leak testing and replacement of sealed sources; and § 34.67 Records of leak testing and replacement of sealed sources.

Add (b)(3), (c), (e)

Paragraph (b) of § 34.27 requires the licensee to maintain records of leak test results in accordance with § 34.67 and is the same as the existing requirements in § 34.25(c). The only new requirement in this subsection is the addition of leak testing of "S" tubes.

Paragraph (f) of § 34.27 requires licensees to conduct leak tests of "S" tubes manufactured using depleted uranium for shielding, and to maintain records of these tests in accordance with § 34.67.

A leak test is the only effective method of determining the integrity of the sealed source. Serious health hazards could result from a leaking source. The records allow NRC inspectors to verify that required tests to detect radioactive contamination have been done. Paragraph (d) of § 34.27 requires that licensees report within 5 days of the leak testing any result which would indicate that a source is leaking. The report must describe the equipment involved, the test results, and the corrective action taken. The NRC staff uses the report in assessing whether the corrective actions initiated by the licensee are adequate to protect workers and the public from the hazards of a leaking source. The NRC staff also uses the report to identify generic problems with respect to source

design, radiographic equipment design, or problems in source manufacturing and quality control.

§ 34.29 Quarterly inventory and § 34.69 Records of quarterly inventories.

Paragraph (b) of § 34.29 requires the licensee to conduct a quarterly physical inventory to account for all sealed sources received and possessed under the license, and to maintain records under § 34.69 of the material inventoried, and is similar to the existing requirements in 34.26. The proposed rule specifies that the record must include the sealed source model number, serial number and manufacturer, as well as the name of the individual conducting the inventory. These additional records are specified to ensure that licensees maintain complete records to ensure traceability of sealed sources. The inventories are used by the licensee to verify the location of the sources and to control the type, quantity and use of byproduct material. The records allow NRC inspectors to verify that the required inventories have been conducted and to ensure that the licensee is in compliance with authorized possession limits.

§ 34.31 Inspection and maintenance of radiographic exposure devices, storage containers, and source changers and § 34.73 Records of inspection and maintenance of radiographic exposure devices, storage containers, and source changers.

Paragraph (a) of § 34.31 requires that the licensee have a program to inspect for obvious defects of radiographic exposure devices, source changers, associated

As 34.31(a) is revised, it appears to require a record of inspection only when defects are found. § 34.73 reads otherwise. You may wish to modify 34.31(a).

equipment and storage containers prior to use each day the equipment is used to ensure that the equipment is in good working condition and that required labeling is present, to remove defective equipment from service until it is repaired, and to make a record under § 34.73 of each inspection and keep these records for 3 years. The proposed recordkeeping requirements are an expansion of what is presently in § 34.28(b) which requires that records be kept of inspections for 3 years but does not specify what information to keep. The records must include the date of check, equipment inspected, name of inspector, and any defects found and repairs made. The records assist the licensee in keeping track of when the equipment was last inspected and maintained and when inspection is next due. The records are used by NRC staff to determine the extent of compliance by the licensee, and to detect problems that may be generic to the equipment so that corrective action might be taken. The new requirements of this section are to ensure that the associated equipment is in good working condition and that the required labels are present.

* would be better to include § 34.73 separately if you want to include detail

and any defects found from 34.31(b)
 34.31(b)

warning

§ 34.33 Permanent radiographic installations and § 34.75 Records of permanent radiographic installations.

Paragraph 34.33(c) requires that the alarms on permanent radiographic installations required by § 34.33(b) be tested at intervals not to exceed 3 months. There is a new requirement that the alarm be tested at the beginning of each day of equipment use in order to ensure that they are functioning properly to prevent inadvertent entry into a radiographic installation (cell) while a source is in the unshielded position. Defective control devices on alarms are

Exclude reason, eg, "to alert personnel to potential radiation hazards."

to be immediately labeled as such. Records of the alarm test are to be maintained under § 34.75 for 3 years, which is the same as the current requirement in § 34.29(c), with the additional requirement of recording the alarm system tests performed before each day of use. These alarms are an important backup to the radiation survey instrument and are intended to prevent inadvertent entry into a radiographic installation (cell) while a source is in the unshielded position. The records are used by the licensee to keep track of when the tests were last performed and when they are next due. Paragraph (b) of § 34.75 requires that the licensee retain these records for a period of 3 years after the record is made, so that they may be reviewed by NRC inspectors to determine compliance with required testing of important safety equipment.

*included?
add'l
requirements
to label
equipment
is it
also
true*

§ 34.35 Labels, storage, and transportation precautions.

Section § 34.35(a) is a new section that requires labels used to identify radioactive material containers use formats and wording which is consistent with § 20.1904. This is to minimize the potential for worker confusion by using consistent warning labels for radioactive material. Part 34 licensees have always been required to comply with this requirement under Part 20. The new section is added to eliminate confusion in implementing some of the requirements in Part 20. *Add (2)(2).*

47
§ 34.41 Radiation Safety Officer

This is a new section which requires that the Radiation Safety Officer (RSO) meet

ALARA
process done
on 10/92
by Patzo

Documented

certain training and experience qualifications prior to being designated as the RSO. The RSO is responsible for establishing and overseeing the development of procedures required by § 34.45, overseeing the training program required by § 34.43, and overseeing the performance of radiation surveys and leak tests required by § 34.49 and § 34.27 respectively and that records of personnel monitoring results are maintained as required by § 20.2203. The RSO is to be listed on the license application as required in § 34.13(g).

What about ALARA procedure? (not in 34.45)

§ 34.43 Training and § 34.79 Records of training.

(a)(2) (info) don't see why should add it

Paragraph (b)(1) of § 34.43 (currently at § 34.31) contains a new requirement for the licensee to provide radiographer's assistants with copies of pertinent sections of Parts 19, 20, 30, 34, and 71, and copies of 49 CFR Parts 171-173, in addition to the existing requirement to provide copies of operating and emergency procedures. This is needed to ensure that radiographer's assistants are sufficiently knowledgeable of NRC regulations prior to using licensed material. Paragraph 34.43(e) requires that the licensee maintain records of training to include written, ~~oral~~ and field examinations, ~~periodic training~~, semiannual inspections of job performance. The licensee shall maintain records of the aforementioned items in § 34.79, which is currently required in §34.31(c) with the addition of the new requirement for documenting the information covered in periodic training, which follows the initial training. The existing regulation does not have a specific recordkeeping requirement unless a test were administered. Without this record it would be difficult for licensees to keep track of when and what training was provided, thus making it difficult for the

see Part 171 for words.

do the record made at (b)(2) to ensure radiographer's assistants performance is recorded during the next radiographer's operation.

~~and semiannual inspection on job performance.~~

licensees to demonstrate compliance with NRC requirements. The records of the semiannual inspections of job performance will be used by the licensee to keep track of deficiencies, if noted, so that they can be corrected. Paragraph (c) of § 34.79 requires that the licensee retain these records for a period of 3 years after the record is made so that the NRC can inspect to ensure that these individuals are properly trained. The requirement for the semiannual inspection of job performance is not new. The inspection of job performance, currently in § 34.20(d)(1), is on a quarterly basis, it has now been reduced to semiannual to reduce the administrative burden on the licensee. *Add reason for reduction*

See rule text - [initials]

§ 34.45 Operating and emergency procedures and § 34.81 Records of operating and emergency procedures.

This section (currently at §34.32) requires that licensees develop procedures for routine operations and emergencies for employees to follow in performing safety functions. These include the safe handling and use of sealed sources and radiographic exposure devices; conducting radiation surveys; controlling access to radiographic areas; locking and securing radiographic exposure devices, storage containers, and sealed sources; personnel monitoring; transporting sealed sources; minimizing exposure; accident procedures; inspection and maintenance of radiographic exposure devices and storage containers; steps to be taken if a pocket dosimeter is off-scale; procedures for identifying and reporting defects and noncompliance; and a source recovery procedure if the licensee will perform this function rather than using a consultant (which is a new requirement). *The licensee must maintain copies of current operating and emergency procedures in*

Trans (b) & (c)

§ 34.81 which is unchanged from the requirements currently in § 34.32. ^{Section} Paragraph (b) of § 34.81 requires that the licensee retain these ^{records} until the Commission terminates the license. ~~Paragraph (c) of § 34.81~~ ^{and} requires that the licensee retain copies of superseded material for 3 years after each change. The records allow the operators to have access to an up-to-date set of written operating procedures so that they can operate the radiography equipment properly.

Paragraph 34.45(a)(6) (currently 34.32(f)) is not new, the word "posting" has been changed to "placarding" to fit better when discussing transportation issues, and the reference to the Department of Transportation, 49 CFR Parts 171, 172, and 173 has been added to provide further information regarding transportation of radioactive materials. The requirement for a source recovery procedure in paragraph 34.45(a)(12) is new. It is necessary for the licensee to have this procedure if the licensee is going to recover sources on their own.

Add 34.45(2)

§ 34.47 Personnel monitoring and § 34.83 Records of personnel monitoring.

Paragraph 34.47(a) requires that radiographers wear several types of devices to monitor their exposure to radiation. ^{These are:} ~~One of these devices is a~~ ^{The} pocket dosimeter, ~~which~~ is important because it tells the radiographers how much radiation dose they have accumulated during their shift. A new requirement is that the pocket dosimeter range must be from 0 to 2 millisieverts. Under the current regulation radiographers could use a pocket dosimeter with a wider range and a higher endpoint which does not provide sufficient sensitivity to record routine exposures. This leads to a potential for overexposures to occur without sufficient warning. Should the radiographer expect that the exposure will exceed

2 millisieverts they will need to file an exemption to use a pocket dosimeter with a higher endpoint. A new requirement in paragraph (b) of § 34.47 requires radiographers to read and record the exposure on the their pocket dosimeters at the beginning and end of each shift, and that records shall be maintained for 3 years as specified in § 34.83. Three years is the same time period that is specified in the current rule. Paragraph (c) of § 34.47 requires that the pocket dosimeters be checked at periods not to exceed 12 months (rather than 1 year as in the current rule) for correct response to radiation, and that records shall be maintained for 3 years as specified in § 34.83. Again, 3 years is the same time period as specified in the current rule. When the radiographer records the pocket dosimeter reading, the licensee then knows the amount of exposure a worker received during a given shift and the licensee can take needed actions (e.g., adjust the worker's assignments so as to maintain their accumulated dose within regulatory limits; provide training to improve their work habits and thus reduce their dose). Radiographers are also required to wear a film badge or TLD which is used as their permanent record of their occupational exposure. Reports received from film badge and TLD processors must be maintained in until the license is terminated as specified in the current rule under § 34.33(e) and in § 34.83 of the proposed rule.

Because 34.03 is largely contained in 34.47's permanent requirement it must include 34.47(c) it would be nice to see it.

This is part of 34.47(d) referring to 34.83.

This is (f). More after (e) and identify.

Paragraph 34.47(d) requires that a determination of exposure be made if a individual's pocket dosimeter goes off-scale and that the result of the determination be maintained in accordance with § 34.83. *Need?*

Verify re.

Paragraph 34.47(e) requires that if a film badge or TLD is lost or damaged that

the exposure be calculated for the time period ~~from~~ issuance to loss or damage, and that a record be maintained of the calculation in accordance with § 34.83.

The records serve as an important mechanism for controlling exposure on a day-to-day basis, provide indications of inadvertent exposure, and provide a backup record of estimated exposure in case a film badge or thermoluminescent dosimeter is lost. Pocket dosimeter readings are often the first indication a radiographer has of an overexposure or an improperly stored source. Records of pocket dosimeter readings are needed in investigations of incidents and overexposures, since they are the only available record for the exposure received that day.

The last of the devices used by radiographers is the alarm ratemeter, which is important because it tells the radiographer that ^{he is} ~~they are~~ in an radiation area where the dose is greater than or equal to 500 milliroentgen/hour (mR/hr). This device allows the radiographer to quickly leave the area to minimize ^{his} ~~their~~ dose.

Paragraph (g) of § 34.47 requires that these devices be calibrated at periods not to exceed one year for correct response to radiation. A new requirement is added that the licensee must maintain records of the calibrations for 3 years after the record is made as specified in § 34.83. This was added to provide a means for the licensees to demonstrate to NRC that their alarm ratemeters are properly calibrated.

§ 34.49 Radiation surveys and § 34.85 Records of radiation surveys.

Paragraph (e) of § 34.49 requires that radiography licensees maintain records of storage surveys in accordance with § 34.85. The storage surveys are required by paragraph (c) of § 34.49 when that survey is the last one that is performed on that day and is unchanged from the current rule. Paragraph (b) of § 34.85 requires that the licensee retain these records for 3 years after the record is made. The records allow NRC inspectors to verify that the required radiation surveys have been done, and that the radiation dose limits are being complied with, ~~and that sources are not left in unshielded positions.~~

The requirement in paragraph (d) of § 34.49 is intended to assure that the radioactive source is in the fully shielded position at the end of the work day after the device has been placed in its storage location. A device may remain stored for an extended period and, if the source is not fully shielded, it could cause excessive and unnecessary radiation exposure to unsuspecting individuals. This is a current requirement at § 34.43(c) and is not being revised.

§ 34.53 Posting.

This section requires the licensee to conspicuously post areas in which radiography is being performed to serve as a warning to anyone that might enter the area. ~~This is a current requirement at § 34.42.~~ *and merely restates the requirements of § 20.1902(a) & (b).*

The following sections are not entirely new. Most of the requirements contained

in these sections are imbedded throughout the current rule. This subpart has been added to place recordkeeping requirements in one location in the rule.

§ 34.61 Records of specific licenses for radiography.

Rule does not say "until superseded." Should it be added? NO

This new section requires the licensee to have a copy of the license and amendments ~~until superseded or~~ until the NRC terminates the license. The purpose is so that the licensee will review the document regularly to verify that they are in compliance with the conditions of the license and the commitments that it has made.

§ 34.63 Records of receipt and transfer.

This new section requires that the licensee maintain records, showing receipts and transfers of sealed sources ^{for 3 years after the record is made,} ~~Paragraph (a) requires that~~ The following information ^{must} be included in the record: the date, the individual making the record, the radionuclide, number of curies, and make, model, and serial number of each sealed source and device, as appropriate. ~~Paragraph (b) requires that the licensee retain these records for a period of 3 years after the record is made.~~ The records allow NRC inspectors to verify the sources the licensee is presently using.

§ 34.65 Records of radiation survey instruments.

This new section requires that the licensee maintain records of the calibrations of their radiation survey instruments, and that the records be retained for 3 years. These requirements are the same as those in the current § 34.24. *Need?*

*To verify that licensee is in compliance w/ NRC reqts
also designated as 34.25*

§ 34.67 Records of leak-testing and replacement of sealed sources.

This new section requires that the licensee maintain records of leak test results and that the records be retained for 3 years. These requirements are the same as those in the current § 34.35(c). *Need?*

Compliance 34.27

§ 34.69 Records of quarterly inventory.

This new section requires that the licensee maintain records of quarterly inventories. Paragraph (a) requires that the record include the quantities and kinds of byproduct material (including the model number, the serial number and manufacturer), location of sealed sources, the name of the individual conducting the inventory and the date of the inventory. Paragraph (b) requires that the records be retained for 3 years. Most of these requirements are the same as those in the current § 34.26. The new requirements are the model and serial numbers, and the manufacturer of the sealed source, and the name of the individual conducting the inventory. These new requirements were added to ensure that licensees maintain complete records to ensure traceability of sealed sources.

§ 34.71 Utilization logs.

Woods

Paragraph (a) of this section requires that the licensee maintain current utilization logs. Paragraph (b) of this section requires that the licensee retain these records for a period of 3 years after the record is made. These logs must show for each sealed source the following information: (a) a description, including the make, model number and serial number of the radiographic exposure device or storage container in which the sealed source is located; (b) the identity and signature of the radiographer to whom assigned; (c) the plant or site where used and dates of use, including the dates removed from and returned to storage. The new requirements in this section are the model and serial numbers and the manufacturer of the radiographic exposure device, the signature of the radiographer to whom assigned, and the dates the device is removed from and returned to storage. These requirements were added to provide *adequate improved* control of licensed material. *add when? based on events? etc* The current regulation only requires a description of the device or storage container, the identity of the radiographer to whom assigned and the plant or site where used and the dates of use. The records required by this section are used by the licensee to maintain control licensed material, and allow NRC inspectors to determine whether the licensed material has been properly controlled and used. *demonstrate*

§ 34.83



Add 34.73 n (See comment - jlc)

§ 34.87 Forms of records.

Include description

This section (currently at § 34.4) is not new. The word "maintenance" was changed to "form" in keeping with the latest language used in NRC regulations.

included w/ 34.31

§ 34.89 Documents and records required at field stations. *§ permit installation*

This new section adds the requirement to maintain copies of the following records at field stations to demonstrate compliance with NRC regulations in conducting radiographic operations:

- (a) A copy of Parts 19, 20, and 34 of NRC Regulations;
- (b) The license authorizing the use of licensed material;
- (c) Operating and emergency procedures required by § 34.45;
- (d) The record of radiation survey instrument calibrations required by § 34.65;
- (e) The record of leak test results required by § 34.67;
- (f) Physical inventory records required by § 34.69;
- (g) Utilization records required by § 34.71;
- (h) Records of inspection and maintenance required by § 34.73;
- (i) Training records required by § 34.79; and
- (j) Survey records required by § 34.85. *include need. Need appears to be ~~§ 34.85~~ information is available to H-1.*

§ 34.91 Documents and records required at temporary jobsites.

This new section adds the requirement that each licensee conducting operations at a temporary jobsite shall maintain copies of the following documents and records at the temporary jobsite in order to safely perform radiographic operations:

- (a) Operating and emergency procedures required by § 34.45.
- (b) Evidence of latest calibration of the radiation survey instruments in use at

the site required by § 34.65.

(c) Latest survey records required by § 34.85.

(d) The shipping papers for the transportation of radioactive materials required by § 71.5 of this chapter; and

(e) When operating under reciprocity pursuant to § 150.20 of this chapter, a copy of the Agreement State license authorizing use of licensed materials.

34.101 Notifications of incidents.

(1) wanted for NRC to take prompt action is necessary in the case of a Health & Safety problem
(2) see PRN forwards

Include description & need

This section (currently at §34.30) has been retitled and re-organized. None of the requirements are new.

§ 34.111 Applications for exemptions.

Include complete description & need.

This section (currently at § 34.51) contains the following new language:

"...endanger life or property or the common defense and security and are otherwise in the public interest." as compared to the current language:

"...result in undue hazard to life or property." The new language was added to broaden the scope of this section, and to conform with other NRC regulations.

Rule permits licensee to request waiver from NRC that they to demonstrate to the Commission what means of ensuring that adequate H&S measures are

§ 34.121 Violations.

Not an information collection activity under a part of the reg.

This section is new, it describes the process that will occur should a licensee violate any provision of Part 34. Paragraph (a) states that an injunction or other court order may be obtained to prohibit a violation of any provision of

this part. Paragraph (b) states that a court order may be obtained for the payment of a civil penalty imposed for violation of this part. Paragraph (c) states that any person who willfully violates any provision of this part issued under section 161 b., i., or o. of the Atomic Energy Act of 1954, as amended, or the provisions cited in the authority citation at the beginning of this part may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment, or both, as provided by law.

§ 34.123 Criminal Penalties.

Not an information collection

This section is new, it describes the process that will occur should a licensee be served with a criminal penalty. Paragraph (a) states that Section 223 of the Atomic Energy Act of 1954, as amended, provides for criminal sanctions for willful violation of, or conspiracy to violate, any regulation issued under certain sections

include

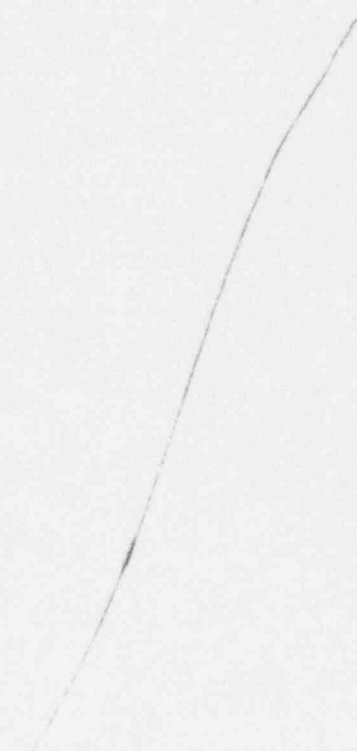
→ NRC Form 313 - Change in Burden since no requirements exist for application requirements

2. Agency Use of Information

The information collected is used to evaluate the effectiveness of NRC regulations in preventing safety issues and providing quick reaction to safety issues.

3. Reduction of Burden through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The revision to 10 CFR Part 34 encourages licensees, who desire, to submit information in electronic format.



3. Effort to Identify Duplication

The Information Requirements Control Automated System was searched and no duplication was found.

4. Effort to Use Similar Information

There is no similar information available to the NRC.

5. Effort to Reduce Small Business Burden

Many NRC radiography licensees are small businesses. Efforts have been made to keep the requirements for information to a minimum. However, since the consequences of mishandling of a radiography source are likely to be the same for large and small entities, it is not possible to further reduce the burden on small businesses by less frequent or less complete recordkeeping or reporting.

6. Consequences of Less Frequent Collection

Applications are only required to be submitted for the initial license, for amendments, and for renewal every 5 years. The application process requires that applicants and licensees perform a comprehensive review of their entire radiation safety program to assure that all activities will be or are being conducted safely and in accordance with NRC regulations. The review and submission of the information required for the application is essential to NRC's determination of whether the applicant has training, experience, equipment, facilities and procedures for the use of byproduct material that are adequate to protect the public health and safety. Other reporting and recordkeeping requirements are occasioned by specified events such as leak tests, instrument calibrations, and inventories of licensed material. Conduct of these tests and other events and

collection of information concerning them at the required frequency is essential to provide the assurance of protection for the health and safety of workers and the public.

8. Circumstances Which Justify Variation from OMB Guidelines

Section 34.27(d) varies from OMB guidelines in requiring that licensees report within 5 days of the leak testing any result which would indicate that a source is leaking. This requirement for a report in less than 30 days is necessary because a leaking source could present a radiological hazard to workers and the public, and NRC must be notified promptly in order to be able to assess whether corrective actions initiated by the licensee are adequate.

Section 34.45 varies from OMB guidelines in requiring that licensees retain a copy of current operating and emergency procedures as a record until the Commission terminates the license. It is necessary that these procedures be retained longer than 3 years because the information is used by the licensee and its employees throughout the period of licensed activity to guide the handling and use of radioactive material in normal and emergency situations.

9. Consultations Outside the NRC

There have been no consultations outside the agency since the previous clearance of this information collection requirement. The proposed rule will be published for public comment.

10. Confidentiality of Information

None, except for proprietary information.

11.0 Justification for Sensitive Questions

There are no questions regarding sensitive issues.

12.1 Estimated Annualized Cost to the Federal Government

13.2 Estimate of Burden

14.3 Reasons for Change in Burden

15.4 Publication for Statistical Use

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

complete

**INFORMATION COLLECTION BURDENS ASSOCIATED WITH
RECORDKEEPING REQUIREMENTS OF THE REVISED 10 CFR PART 34**

SECTION	LICENSEES AFFECTED	HOURS/LICENSEE	TOTAL BURDEN	COST AT \$115/HR	RECORD RETENTION	NOTES
34.49(e)				23	3 yrs	see §34.85
34.53					RULT ¹	Burden covered under NRC Form 313
34.61 34.63 — 34.62					RULT ¹	Burden covered under NRC Form 313
34.69 — 34.67					3 yrs	see OMB 3150-0007
34.71(a)(b)					3 yrs	see OMB 3150-0007
34.73(c) (b) 4					3 yrs	see OMB 3150-0007
34.75(b) 9					3 yrs	see OMB 3150-0007
34.79(c) 9, 6, 9					3 yrs	see OMB 3150-0007
34.81					RULT ¹	see OMB 3150-0007
34.83(a) (a)					3 yrs	
34.83(b)					RULT ¹	see OMB 3150-0007
34.83(c)					3 yrs	see OMB 3150-0007
34.85(b) 1					3 Yrs	see OMB 3150-0007
34.87 — 34.87			0			Format only
34.89					3 yrs	
34.91					3 yrs	
34.101 <i>Reports</i>					RULT ¹	see OMB 3150-0007
34.111 <i>Reports</i>					3 Yrs	Burden covered under NRC Form 313
34.121						
34.123						
TOTALS						

Look for
 Licenses
 covered
 under
 Part 34

Complete burden must be included for each section since this rule will replace entirely the current Part 34 when it is implemented.

INFORMATION COLLECTION BURDENS ASSOCIATED WITH
RECORDKEEPING REQUIREMENTS OF THE REVISED 10 CFR PART 34

SECTION	LICENSEES AFFECTED	HOURS/LICENSEE	TOTAL BURDEN	COST AT \$15/hr	RECORD RETENTION	NOTES
34.11				(23)	3 yrs ?	Burden covered under NRC Form 313
34.13					3 yrs ?	Burden covered under NRC Form 313
34.20(b)(2)	700	1.0	700		5 yrs ?	New, QA program
34.20(f)	700	0.4	280		5 yrs ?	New, labels
34.25(c)					3 mo	see §34.65
34.27(b)					3 yrs	see § 34.67
34.27(d)					3 yrs	Burden covered under OMB 3150-0007
34.27(f)	700	0.25	175		3 yrs	New, "S" tube leak-testing
34.29(b)					3 yrs	see §34.69
34.31(a)(b)					3 yrs	see §34.73
34.33(c)					3 yrs	see §34.75
34.35(a)	700	0.4	280		3 yrs	new, labels
34.41	700	1.0	700		RULT ¹	Burden covered under OMB 3150-0007
34.43(e)					RULT ² yrs	see §34.79
34.45(a)					RULT ¹	see § 34.81
34.45(b)					3 yrs	see §34.81
34.47(b)					3 yrs	see §34.83
34.47(c)	700	1.25	875		3 yrs	see § 34.83
34.47(d)					RULT ¹	NEW
34.47(e)	700	1.0	700		3 yrs	see § 34.83
34.47(f)					3 yrs	see OMB-3150-0007
34.47(g)(4)	700	1.25	875		3 yrs	new

¹Retain Until License Terminated

Add change in burden for NRC Form 313. Where is reporting table?