TO ALL POWER REACTOR FACILITY LICENSEES

50-263

Gentlemen:

NOV 1 1977

It has come to our attention that NRC reactor facility licensees occasionally find it necessary to send a component contaminated with radioactivity to manufacturers or service companies for repair or calibration. It is not always practical or feasible, however, for the facility licensee to reduce the radioactivity associated with the component to levels acceptable for unrestricted use. The manufacturers or service companies do not, in many cases, have appropriate NRC or Agreement State licenses authorizing receipt, possession, use and transfer of byproduct material nor do they have the qualified personnel necessary to obtain such licenses. The shipment of these components by or to unlicensed persons has resulted in enforcement action being taken against the persons shipping or receiving the contaminated components. Urgently needed repairs and service have been delayed while the concerned regulatory agencies attempted to resolve the problem.

It is essential that appropriate licenses be held by the repair shop or the facility licensee in accordance with the guidance of this letter, prior to shipment of the contaminated component. Some NRC facility licensees have obtained NRC or Agreement State licenses, as appropriate, authorizing possession and use of components containing byproduct material at unspecified off site locations throughout the state in which the facility is located. We suggest that you consider obtaining such a license to avoid such problems.

Applications to the NRC or to an Agreement State by NRC facility licensees for such byproduct materials licenses must be completely supported by necessary information, including contract provisions to be employed to demonstrate full licensee control of all related matters, such as shipping procedures, health physics support personnel, health physics procedures, training and experience, cleanup operations, and final survey reports. In instances where full licensee control of all matters relating to the contaminated item while in the repair shop is not intended or is not feasible, the repair shop must obtain the appropriate license to permit the repair. If the licensee is able to satisfy the requirements for a byproduct materials license authorizing possession and use of his contaminated materials at unspecified sites, he may, in accordance with reciprocal NRC or Agreement State regulations receive, possess, use and transfer such contaminated components at unspecified off-site locations in other states.

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If the facility is located in a non-Agreement State, the NRC byproduct material license (issued pursuant to 10 CFR Part 30) would authorize the possession and use of the contaminated component in other non-Agreement States. By notifying the appropriate Agreement State authority by letter, or if necessary by telephone, at least five days prior to shipment of a contaminated component, an NRC licensee authorized to possess and use components containing byproduct material at unspecified off site locations throughout a non-Agreement State can (pursuant to Agreement State regulations similar to 10 CFR 150.20) obtain authorization to conduct the same activities within an Agreement State.

If the licensee facility is located in an Agreement State, the facility licensee must obtain from the Agreement State a license authorizing possession and use of components containing byproduct material at unspecified locations throughout that State. Under the reciprocity provisions of 10 CFR 150.20 and similar provisions in other Agreement State regulations, the licensee is permitted (for up to 180 days in any calendar year) to conduct the same activities in other Agreement and non-Agreement States. If the shipment is to be made to a location in a non-Agreement State, NRC Form 241 must be submitted at least three days prior to shipment. A copy of Form 241 is enclosed with this letter (enclosure 1). For shipments to locations in other Agreement States, appropriate notification must be made. If the licensee conducts the same activity for more than 180 days in any calendar year in any other state than the one for which the license was issued, he must obtain another byproduct material license from the NRC or the Agreement State, as appropriate, authorizing him to conduct such activities in that State.

For facilities located in a non-Agreement State, an application form and guidance for these byproduct materials licenses are included as Enclosures 2 and 3. For facilities located in Agreement States, you should contact the appropriate Agreement State licensing official (see Enclosure 4).

Sincerely,
Original signed by:
Karl R. Goller

Karl R. Goller, Assistant Director
for Operating Reactors
Division of Operating Reactors

Enclosures:
1. NRC Form 241
2. Application form
3. Guidance
4. Agreement States

cc w/o enclosures:
See next page

FOR CONCURRENCES TO THIS LETTER, SEE MEMO DATED 11/1/77 FOR DOR BRANCH CHIEF FROM KARL R. GOLLER: SHIPMENT OF CONTAMINATED COMPONENTS FROM NRC LICENSED NUCLEAR POWER FACILITIES TO VENDORS OR SERVICE COMPANIES FOR REPAIR. (CENTRAL FILES)

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DATE						

DISTRIBUTION FOR GENERIC CONTAMINATED COMPONENTS LETTER

Docket 50-263/282/306
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