

Mr. Stuart R. Levin, Chief  
Division of Radiation Control  
Bureau of Radiation Protection  
Commonwealth of Pennsylvania  
P.O. Box 8469  
Harrisburg, PA 17105-8469

JUL 1 - 1998

Dear Mr. Levin:

I am responding to your fax dated May 7, 1998, to Dr. Steve Salomon. In that fax, you requested recommendations from NRC in responding to an NRC licensee letter regarding the Proposed Rulemaking published in Pennsylvania Bulletin, Volume 28, Number 7, February 14, 1998. The inquiry grew out of concern for the proposed approach in comparison to the NRC temporary generic exemption for the well logging licensees from the requirement specified in 10 CFR 39.41 (a)(3). Currently sealed sources that were manufactured before July 14, 1989, may use design and performance criteria from the United States of America Standards Institute (USASI) N5.10-1968 or the criteria in Section 39.41. The use of the USASI standard is based on an NRC Notice of Generic Exemption issued on July 25, 1989 (54 FR 30883). This exemption allows the use of older sealed sources, that have not demonstrated that they meet current criteria, to be used for well logging. Sealed sources manufactured after July 14, 1989, had to continue to meet the requirements of Section 39.41.

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If you have any questions or we may be of further assistance, please let me know. Kevin Hsueh, (301) 415-2598, or KPH@NRC.GOV, is the Office of State Programs contact for this letter.

9807130189 980701  
PDR STPRG ESGPA  
PDR

Sincerely,  
/s/ Patricia Larkins  
Paul H. Lohaus, Deputy Director  
Office of State Programs

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DIR RF (8S143)  
SDroggitis  
SSalorr:on  
Pennsylvania File

DCD (SP05)  
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\*See previous concurrence.

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NRC FILE CENTER COPY

CSP FILE CODE: SP-NA-17



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

July 1, 1998

Mr. Stuart R. Levin, Chief  
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Bureau of Radiation Protection  
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*Patricia Lockman for*  
Paul H. Lohaus, Deputy Director  
Office of State Programs



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Office of State Programs

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Pennsylvania File

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*Proposed Rulemaking published in Pennsylvania Bulletin, Volume 24, Number 7, February 14, 1998. The inquiry grew out of concern for the proposed approach in comparison to the NRC*



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EXECUTIVE TASK MANAGEMENT SYSTEM

<<< PRINT SCREEN UPDATE FORM >>>

TASK # - 8S143

DATE- 05/11/98

MAIL CTRL. - 1998

TASK STARTED - 05/11/98

TASK DUE - 05/31/98

TASK COMPLETED - / /

TASK DESCRIPTION - REVIEW OF 10 CFR 39 FOR STATE OF PA

REQUESTING OFF. - PA

REQUESTER - LEVIN

WITS - 0 FYP - N

PROG. - KPH

PERSON -

STAFF LEAD - KPH

PROG. AREA -

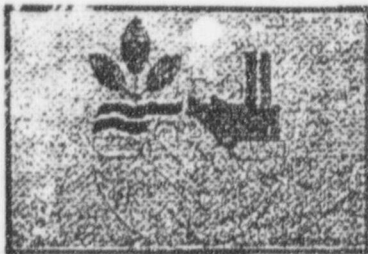
PROJECT STATUS -

PA DUE DATE: 5/31/98

PLANNED ACC. - N

LEVEL CODE - 1





Commonwealth of Pennsylvania  
Bureau of Radiation Protection  
P.O. Box 8469, Harrisburg, PA 17105-8469

## FAX COVER SHEET



4 pages including cover sheet



### BUREAU OF RADIATION PROTECTION

DATE: MAY, 7, 1998 TIME: AM

FROM: STUART LEVIN

TO: STEVE SALOMON, Ph. D.

ORGANIZATION: NRC / OSP

FAX NUMBER: 301-415-3502

SUBJECT: 10 CFR 39 COMMENT

(TEXT) Please help me respond.

Thanks.

DOES THE INCLUSION OF 34.20(a)(2) help?

FOR MORE INFORMATION, CONTACT STU LEVIN AT

717-787-3720.

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# APPALACHIAN GEOPHYSICAL SURVEYS

Division of Radiation Control  
Bureau of Radiation Protection  
13th Floor, Rachel Carson State Office Building  
P O. Box 8469  
Harrisburg, PA 17105-8469

276 PA Route 366-Mamont  
Apollo, Pennsylvania 15613  
Telephone (724) 327-8119  
(800) 653-8119

March 19, 1998

Attn: Stuart R. Levin  
Chief, Division of Radiation Control,  
Bureau of Radiation Protection  
re: Comment on Proposed Rulemaking, as per  
PENNSYLVANIA BULLETIN, Volume 28 Number 7, February 14, 1998.

Dear Dr. Levin:

We would like to make the following comments on Proposed Rulemaking found in the PENNSYLVANIA BULLETIN, Volume 28 Number 7, February 14, 1998:

## 1) CHAPTER 226. RADIATION SAFETY REQUIREMENTS FOR WELL LOGGING Section 226.17 Design and performance criteria for sealed sources.

"A licensee may not use a sealed source, except those containing radioactive material in gaseous form, in well logging unless the sealed source meets the following minimum criteria....."

We presume that the requirements of this proposed rule (226.17) recognizes the "temporary generic exemption published in the Federal Register on July 25, 1989 (54 FR 30683). The generic exemption exempted well logging licensees from the requirement specified in 10 CFR 39.41 (a)(3). The exemption applied to (and allowed the continued use of) well logging sources that meet certain alternate prototype testing criteria." These sources were identified by manufacturer and model number in an attachment titled "WELL LOGGING SOURCES APPROVED UNDER PART 39 REQUIREMENTS" in a USNRC memorandum dated November 1, 1991, to "All Well Logging Licensees" on the subject "STATUS OF WELL LOGGING SOURCES".

If proposed rule (226.17) does not permit recognition of this generic exemption we would like to suggest that language be added to make such an allowance possible. An intolerable financial burden would befall small businesses who currently possess sources of these types, such as ours, if the NRC generic exemption is not allowed.

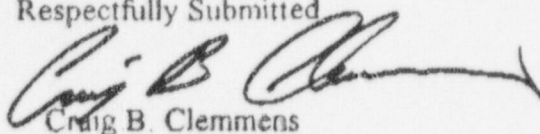
2) We did not see any discussion of fees of any type in the captioned Bulletin. We presume fee structure, including annual fees and reciprocity fees will be the subject of future Bulletins upon which comments can be made.

DIRECTOR'S OFFICE  
RADIATION PROTECTION

98 MAR 30 AM 11:04

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Respectfully Submitted



Craig B. Clemmens  
Managing Partner  
Radiation Safety Officer

GEOLOGICAL CONSULTING - GEOPHYSICAL LOGGING





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

NOV 01 1991

TO: All Well Logging Licensees

SUBJECT: STATUS OF WELL LOGGING SOURCES

In a memorandum dated August 10, 1989, we informed Nuclear Regulatory Commission (NRC) well logging licensees of a temporary generic exemption published in the Federal Register on July 25, 1989 (54 FR 30683). The generic exemption exempted well logging licensees from the requirement to use only sealed sources that meet the prototype testing requirement specified in 10 CFR 39.41(a)(3). The exemption applied to (and allowed the continued use of) well logging sources that meet certain alternate prototype testing criteria.

The notice indicated that the exemption would remain in effect until NRC published its final findings in the Federal Register. Thus far, NRC has been unable to initiate this action due to higher priority activities; however, NRC now anticipates commencing this task in the near future.

Included in the memorandum with the Federal Register notice were three enclosures that listed various sealed source models common to well logging and identified their suitability for continued use in well logging operations. There have been a few changes to the lists since first transmitted. There are a few sources which we have determined meet the criteria specified in 10 CFR Part 39, and have added the sources to the approved list.

Enclosed are the three enclosures which have been updated on a one-time-only basis to show the apparent current status of known well logging sources. Enclosure 1 lists those source models which appear to meet Section 39.41 requirements and are approved for continued use. Enclosure 2 lists those source models whose continued use is authorized under the temporary generic exemption. Enclosure 3 lists those source models that do not meet the requirements of Section 39.41 or the generic exemption. When a sealed source is contained (and normally stored) within a device (logging tool), the sealed source manufacturer and model number is shown below the entry. When NRC has been able to determine that a sealed source model was manufactured/distributed by another company, or more than one model designation may have been used, this information is shown in parentheses below the entry. Neutron generators are shown by the designation "Nu GEN." An asterisk (\*) indicates that the source is used within the logging tool's electronics package.

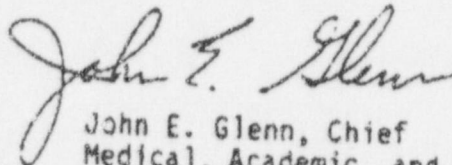
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We do not intend to update these lists in the future. Due to the time which has passed, we believe that all questions concerning sources identified on the unapproved list should have been answered. Any new well logging source introduced by source manufacturers must be designed to meet the criteria specified in 10 CFR 39.41. Therefore, it will not be necessary to update the list to include a new source, as the NRC or Agreement State registration sheet for the source will indicate that use of the source in well logging operations is acceptable.

If you have any questions, please contact Torre Taylor at (301) 492-0611 or J. Bruce Carrico at (301) 492-0634.



John E. Glenn, Chief  
Medical, Academic, and Commercial  
Use Safety Branch  
Division of Industrial and  
Medical Nuclear Safety, NMSS

Enclosures: As stated

4