NRC FORM 313 (10-03-2022) 10 CFR 30, 32, 33, 34, 35, 36, 37, 39, and 40

U.S. NUCLEAR REGULATORY COMMISSION

APPLICATION FOR MATERIALS LICENSE

APPROVED BY OMB: NO. 3150-0120 **EXPIRES: 01/31/2023**

Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the FOIA, Library, and Information Collections Branch (T-6 A10M), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to Infocollects.Resource@nrc.gov, and the OMB Reviewer at: OMB Office of Information and Regulatory Affairs, (3150-0120), Attn: Desk Officer for the Nuclear Regulatory Commission, 725 17th Street NW, Washington, DC 20503; e-mail: oira_submission@omb.eop.gov. The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

INSTRUCTIONS: SEE THE CURRENT VOLUMES OF THE NUREG-1556 TECHNICAL REPORT SERIES ("CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES") FOR DETAILED INSTRUCTIONS FOR COMPLETING THIS FORM: http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/. SEND TWO COPIES OF THE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

MATERIALS SAFETY AND TRIBAL LIAISON BRANCH
DIVISION OF MATERIALS SAFETY, SECURITY, STATE AND TRIBAL PROGRAMS
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,

SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM
DIVISION OF RADIOLOGICAL SAFETY AND SECURITY
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD, SUITE 102
KING OF PRUSSIA, PA 19406-1415
R1DRSSMail.Resource@nrc.gov
*Note: The preferred method to submit NRC Form 313 is e-mail. Any other document (e.g., financial assurance documents) should be sent via mail.

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352
R3-DRSSMail.Resource@nrc.gov
*Note: The preferred method to submit NRC Form 313 is e-mail. Any other documents (e.g., financial assurance documents) should be sent via mail.

IF YOU ARE LOCATED IN:

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING,

SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
1600 E. LAMAR BOULEVARD
ARLINGTON, TX 76011-4511
r4licensingactionsubmittals@nrc.gov
*Note: The preferred method to submit NRC Form 313 is e-mail. Any other document (e.g., financial assurance documents) should be sent via mail.

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR *(Check appropriate item)*

- ☐ A. NEW LICENSE
- ☐ B. AMENDMENT TO LICENSE NUMBER
- ☑ C. RENEWAL OF LICENSE NUMBER 06-19165-02G

2. NAME AND MAILING ADDRESS OF APPLICANT *(Include zip code)*

Fischer Technology Inc.
750 Marshall Phelps Road
Windsor, CT 06095

3. ADDRESS WHERE LICENSED MATERIALS WILL BE USED OR POSSESSED

Fischer Technology Inc.
750 Marshall Phelps Road
Windsor, CT 06095

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Ray Moncevicius

BUSINESS TELEPHONE NUMBER	BUSINESS CELLULAR TELEPHONE NUMBER
860-298-6073	n/a

BUSINESS E-MAIL ADDRESS
rmoncevicius@fischer-technology.com

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE **LICENSE APPLICATION GUIDE**.

5. RADIOACTIVE MATERIAL
   a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

12. LICENSE FEES (Fees required only for new applications, with few exceptions*)
(See 10 CFR 170 and Section 170.31)
***Amendments/Renewals that increase the scope of the existing license to a new or higher fee category will require a fee.**

FEE CATEGORY [ ] AMOUNT ENCLOSED $ [ ]

PER THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 (PUBLIC LAW 104-134), YOU ARE REQUIRED TO PROVIDE YOUR TAXPAYER IDENTIFICATION NUMBER. PROVIDE THIS INFORMATION BY COMPLETING NRC FORM 531: https://www.nrc.gov/reading-rm/doc-collections/forms/nrc531info.html.

13. CERTIFICATION. *(Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.*

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 37, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.
WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER -- TYPED/PRINTED NAME AND TITLE	SIGNATURE	DATE
Ray Moncevicius RSO		10-17-22

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			$		
APPROVED BY				DATE	

Fischer Technology, Inc.
750 Marshall Phelps Rd.
Windsor, CT 06095 USA
Tel. (860) 683-0281, Fax (860) 688-8496
Toll Free: 800-243-4417
www.fischer-technology.com

Helmut Fischer GmbH & Co.
71069 Sindelfingen, Germany
Tel. (49) 70 31 303-0, Fax. (49) 70 31 303-710
Internet: http://www.Helmut-Fischer.com

Fischer Instrumentation (G.B.) Ltd.
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Tel. (44) 1590-624100,
Fax. (44) 1590-624111
Internet: http://www.fischer.co.uk

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E-mail: switzerland@helmutfischer.com

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E-mail: japan@helmutfischer.com

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E-mail: hongkong@helmutfischer.com

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Singapore 415529, Singapore
Tel. (65) 276 87 78, Fax. (65) 276 76 67
E-mail: singapore@helmutfischer.com

Nanjing Fischer Instrumentation Ltd.
Shanghai 200437, P.R.C. China
Tel. (86) 21 6555 7485,
Fax. (86) 21 6555 2461
E-mail: china@helmutfischer.com

GUIDELINES FOR THE HANDLING, STORAGE AND TRANSPORT OF SEALED SOURCES USED WITH FISCHERSCOPE® BETA INSTRUMENTS

Document GL-114

CONTENTS

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I. INTRODUCTION

This document provides users of the Fischerscope® Beta coating thickness measuring systems with guidelines in the proper use and handling of the sealed source devices used in these systems.

II. SOURCE IDENTIFICATION- TECHNICAL DATA

Each sealed source, while alike in physical appearance, can contain different types of radioactive material. Each type of material has its own characteristics which make it suitable for a particular measuring problem as described in the operators manual. For this reason each type of isotope is color coded by means of a bead of colored glue at the base of the sealed source pin.

Source	Activity MBq (μci)	Half-Life (years)	Color Code
PM-147	14.8 (400μci)	2.62	Brown
TL-204	1.85 (50μci)	3.80	Orange
SR-90	.185 (5μci)	28	Green
C-14	9.25(250μci) 3.70(100μci)	5730	Black

III. GENERAL LICENSE REQUIREMENTS

You, the user of sealed radioactive material used in a thickness measurement system, have automatically become a general licensee by virtue of the fact that this material was purchased from Fischer Technology, Inc., which holds a specific license from the NRC for such devices.

As a general licensee, you must comply with certain requirements of the NRC. Copies of certain NRC requirements are stipplied in the Addendum. Note: That if you the customer are part of an Agreement State these radioactive devices are regulated by your Agreement State regulations. All services performed by Fischer Technology, Inc., such as training, leak testing, disposal of radioactive, and transportation of sources are listed in this booklet. A complete set of these regulations can be obtained from NRC on www.nrc.gov.

IV. HANDLING

The removable source holders which contain the radioactive material must not be handled except with the aid of the extractor tools provided.

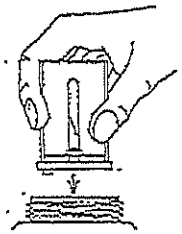
The sources used in the Fischerscope Beta Systems are sealed sources having activity levels which present no hazard to health when handled as indicered.

ALARA stands for AS LOW AS REASONABLY ACHIEVABLE. This principle suggests that it is appropriate to take reasonable precautions to eliminate or minimize unnecessary exposures such as:

The beam area should not be observed up close without eye protection. Devices containing sources should not be held or placed against ones body for any prolonged period of time. When not in use, the source holder should be removed from the measuring table or probe and placed in its color coded storage container. The extractor tools mentioned should always be used for installing, removing, or transferring the removable source holders.

INSTRUCTIONS FOR INSTALLING AND REMOVING TYPE I AND TYPE II REMOVABLE SOURCE HOLDERS

The plexiglass cover or cap in the diagram below is the installing and removing tool for Type I and Type II removable source holders. The acrylic tool is used as a gripping device for the removable source holders and permits the operator to perform the installation and removable without exposure to radiation. To install and remove the removable source holder, complete the following steps.



Acrylic Removing Tool Type 1

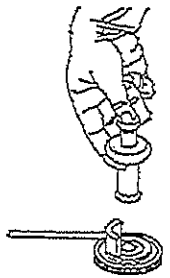
1. Rotate the table or probe so that the mount (or measuring head) is in the upward position.
2. Unscrew and remove the retaining sleeve at the site of the mount.
3. Remove the plastic cap which covers the Geiger Mueller Tube.

4. Unscrew cap from aluminum shielded container to expose the removable source holder desired.
5. With hand on top of the plexiglass removing tool, "Cap" the removable source holder by fixing the acrylic tool into base or adapter of the removable source holder. Be sure the dog of the plexiglass tool engages with the recess of the adapter.
6. Lift the removable source holder out of the aluminum shielded canister by means of the acrylic tool and fix it on the table mount. Remove acrylic tool leaving the removable source holder at the site of mount.
7. Reinstall retaining sleeve and tighten with hand, always keeping hand away from the top of removable source holder.
8. Rotate the table back to the original position or leave it in place depending upon the application desired.
9. To remove the removable source holder, reverse the above procedure. The removable source should then be stored in its shielded container with its protective cover screwed tightly in place.

INSTRUCTIONS FOR INSTALLING AND REMOVING TYPE II REMOVABLE SOURCE HOLDER

The type II removable source holder is mounted on to the table or probe and removed after using the tools shown below.

To install and remove the removable source holder, complete the following steps in sequence.



1. Rotate the table so that the mount (measuring head) is in the upward position.
2. Remove the metallic protective cap from the Geiger Mueller Tube by (a) inserting the prongs of the circlip key into the circlip (the spring steel retaining ring) at the site of the mount; and (b) simultaneously placing the removing tool over the protective cap and depressing the plunger at the

top of the removing tool. Depressing the plunger will open the "jaws" of the circlip.

3. The "jaws" of the circlip now held by the removing tool are then placed over the metallic protective cap of the Geiger Mueller Tube.
4. Release the plunger of the removing tool so that the jaws of the circlip grip the metallic protective cap of the Geiger Mueller Tube.
5. Withdraw the cap and store it in a safe place.

   (Note: The play in the jaws of the circlip can be adjusted by screwing the plunger clockwise or counter clockwise as required).
6. Unscrew the shielded container of the removable source holder required, always keeping hands away from the top of the removable source holder.
7. Grip the removable source holder with the removing tool and fix it to the table mount (measuring table) so that the "dog" of the removing tool engages with the recess of the mount.
8. Withdraw the removing tool from the removable source holder making sure it is securely mounted.
9. To remove the removable source holder, reverse the above procedure. The removable source holder, using the removing tool as a grip, should then be placed and stored in its shielded container with its protective cover screwed tightly in place.

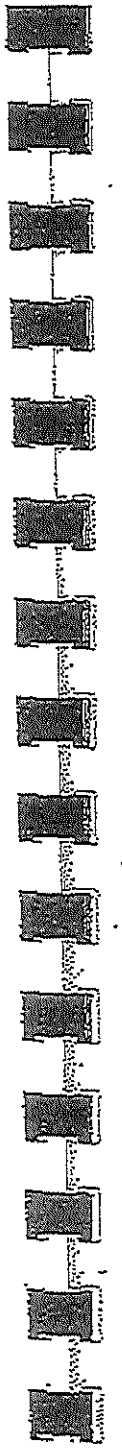
V. STORAGE

The sealed source device containers are designed so as to prevent any leakage of radiation and afford maximum protection against mechanical damage.

All users of the Fischerscope Beta Systems should form the habit of placing the sealed source device into its storage container even if it is only for a short time while it is not being used for measurements.

VI. LEAK TESTING

As with all radioactive devices, testing of the device for possible leakage or contamination should be done at regular intervals or when damage is suspected. A reasonable protection against physical and chemical damage to any Beta systems containing sources should be followed such as:



No source should not be used in a harsh environment, recommended operating temperature is 10 to 40 degrees celsius, no source should be immersed in water or exposed to chemicals, no source should be dropped, modified or reworked in any way.

If you suspect a source is damaged or leaky, immediately inform your radiation safety officer who will take appropriate measures or contact Fischer Technology Inc., for advice. Avoid unnecessary handling and transport.

The sealed sources included with the Fischerscope Beta System should be leak tested every six (6) months so as to maintain a relatively high level of confidence in the integrity of the device. This leak testing should be done only by laboratories licensed to do so. Fischer Technology, Inc. can perform this service if the device is shipped to our Windsor, CT facility in the shielding container provided at the time of purchase.

VII. TRANSPORT

The transportation of radioactive material is strictly controlled in the United States. Due to the limited quantities of radioactive material being shipped by Fischer Technology, Inc., under Federal regulations 10CFR173.421, 173.422, 173.423 and 173.424.

The only requirement is that UN2910 identification number be marked on the outside of the shipping container.

Isotopes should always be shipped in the original container in which they were originally furnished. For any questions concerning shipping or packaging requirements please contact Fischer Technology, Inc., directly.

VIII. DISPOSAL

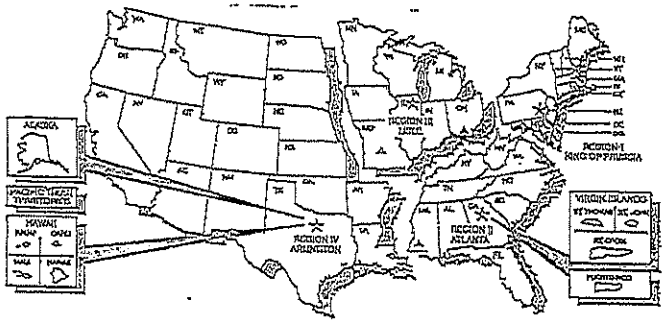
Fischer Technology, Inc. offer all customers the service of disposal of Fischer radioactive sources in compliance with all NRC regulations. A disposal certificate will be supplied and a nominal disposal fee is charged for this service (see your original purchase quotation for disposal fee). The NRC has a strict policy for improper disposal and will issue high civil penalties.

For more information on disposal procedures please contact Fischer Technology, Inc.

UNITED STATES NUCLEAR REGULATORY COMMISSION CODE OF FEDERAL REGULATIONS (CFR)

IX. ADDENDUM

The following CFR pertains to the topics General Domestic Licenses, Leak Testing, and Transportation. 10 CFR 30.51, 31.2, 31.5, 20.2201, 20.2202, 31.6 49 CFR 173.421, 173.422, 123.423, 173.424.



A - Callaway Plant Site in Missouri and Grand Gulf Plant Site in Mississippi are under the purview of Region IV. The Portsmouth Gaseous Diffusion Plant in Ohio is under the purview of Region II.

REGIONAL OFFICES

REGION	ADDRESS	TELEPHONE
I	U.S. Nuclear Regulatory Commission, Region I 2100 Renaissance Boulevard, Suite 100 King of Prussia, PA 19406-2713	(800) 432-1156
II	U.S. Nuclear Regulatory Commission, Region II 245 Peachtree Center Avenue, NE., Suite 1200 Atlanta, GA 30303-1257	(800) 577-8510
III	U.S. Nuclear Regulatory Commission, Region III 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	(800) 522-3025
IV	U.S. Nuclear Regulatory Commission Region, IV 1600 East Lamar Boulevard Arlington, Texas 76011-4511	(800) 952-9677

§ 31.5 Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere[5]

(a) A general license is hereby issued to commercial and industrial firms and research, educational and medical institutions, individuals in the conduct of their business, and Federal, State or local government agencies to acquire, receive, possess, use or transfer, in accordance with the provisions of paragraphs (b), (c) and (d) of this section, byproduct material contained in devices designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

(b)(1) The general license in paragraph (a) of this section applies only to byproduct material contained in devices which have been manufactured or initially transferred and labeled in accordance with the specifications contained in—

(i) A specific license issued under § 32.51 of this chapter; or

(ii) An equivalent specific license issued by an Agreement State; or

(iii) An equivalent specific license issued by a State with provisions comparable to § 32.51 of this chapter.

(2) The devices must have been received from one of the specific licensees described in paragraph (b)(1) of this section or through a transfer made under paragraph (c)(9) of this section.

(c) Any person who acquires, receives, possesses, uses or transfers byproduct material in a device pursuant to the general license in paragraph (a) of this section:

(1) Shall assure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained thereon and shall comply with all instructions and precautions provided by such labels;

(2) Shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such other intervals as are specified in the label; however:

(i) Devices containing only krypton need not be tested for leakage of radioactive material, and

(ii) Devices containing only tritium or not more than 100 microcuries of other beta and/or gamma emitting material or 10 microcuries of alpha emitting material and devices held in storage in the original shipping container prior to initial installation need not be tested for any purpose;

(3) Shall assure that the tests required by paragraph (c)(2) of this section and other testing, installation, servicing, and removal from installation involving the radioactive materials, its shielding or containment, are performed:

(i) In accordance with the instructions provided by the labels; or

(ii) By a person holding a specific license pursuant to parts 30 and 32 of this chapter or from an Agreement State to perform such activities;

(4) Shall maintain records showing compliance with the requirements of paragraphs (c)(2) and (c)(3) of this section. The records must show the results of tests. The records also must show the dates of performance of, and the names of persons performing, testing, installing, servicing, and removing from the installation radioactive material and its shielding or containment. The licensee shall retain these records as follows:

(i) Each record of a test for leakage or radioactive material required by paragraph (c)(2) of this section must be retained for three years after the next required leak test is performed or until the sealed source is transferred or disposed of.

(ii) Each record of a test of the on-off mechanism and indicator required by paragraph (c)(2) of this section must be retained for three years after the next required test of the on-off mechanism and indicator is performed or until the sealed source is transferred or disposed of.

(iii) Each record that is required by paragraph (c)(3) of this section must be retained for three years from the date of the recorded event or until the device is transferred or disposed of.

(5) Shall immediately suspend operation of the device if there is a failure of, or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on-off mechanism or indicator, or upon the detection of 185 bequerel (0.005 microcurie) or more removable radioactive material. The device may not be operated until it has been repaired by the manufacturer or other person holding a specific license to repair such devices that was issued under parts 30 and 32 of this chapter or by an Agreement State. The device and any radioactive material from the device may only be disposed of by transfer to a person authorized by a specific license to receive the byproduct material in the device or as otherwise approved by the Commission. A report containing a brief description of the event and the remedial action taken; and, in the case of detection of 0.005 microcurie or more removable radioactive material or failure of or damage to a source likely to result in contamination of the premises or the environs, a plan for ensuring that the premises and environs are acceptable for unrestricted use, must be furnished to the Director, Office of Federal and State Materials and Environmental Management Programs, ATTN: GLTS, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001 within 30 days. Under these circumstances, the criteria set out in § 20.1402 of this chapter, "Radiological criteria for unrestricted use," may be applicable, as determined by the Commission on a case-by-case basis;

(6) Shall not abandon the device containing byproduct material;

(7) Shall not export the device containing byproduct material except in accordance with part 110 of this chapter;

(8)(i) Shall transfer or dispose of the device containing byproduct material only by export as provided by paragraph (c)(7) of this section, by transfer to another general licensee as authorized in paragraph (c)(9) of this section, or to a person authorized to receive the device by a specific license issued under parts 30 and 32 of this chapter, or part 30 of this chapter that authorizes waste collection, or equivalent regulations of an Agreement State, or as otherwise approved under paragraph (c)(8)(iii) of this section.

(ii) Shall, within 30 days after the transfer of a device to a specific licensee or export, furnish a report to the Director, Office of Federal and State Materials and Environmental Management Programs, ATTN: Document Control Desk/GLTS, using an appropriate method listed in § 30.6(a) of this chapter. The report must contain—

(A) The identification of the device by manufacturer's (or initial transferor's) name, model number, and serial number;

(B) The name, address, and license number of the person receiving the device (license number not applicable if exported); and

(C) The date of the transfer.

(iii) Shall obtain written NRC approval before transferring the device to any other specific licensee not specifically identified in paragraph (c)(8)(i) of this section; however, a holder of a specific license may transfer a device for possession and use under its own specific license without prior approval, if, the holder:

(A) Verifies that the specific license authorizes the possession and use, or applies for and obtains an amendment to the license authorizing the possession and use;

(B) Removes, alters, covers, or clearly and unambiguously augments the existing label (otherwise required by paragraph (c)(1) of this section) so that the device is labeled in compliance with § 20.1904. of this chapter; however the manufacturer, model number, and serial number must be retained;

(C) Obtains the manufacturer's or initial transferor's information concerning maintenance that would be applicable under the specific license (such as leak testing procedures); and

(D) Reports the transfer under paragraph (c)(8)(ii) of this section.

(9) Shall transfer the device to another general licensee only if—

(i) The device remains in use at a particular location. In this case, the transferor shall give the transferee a copy of this section, a copy of § 31.2, 30.51, 20.2201, and 20.2202 of this chapter, and any safety documents identified in the label of the device. Within 30 days of the transfer, the transferor shall report to the Director, Office of Federal and State Materials and Environmental Management Programs, ATTN: Document Control Desk/GLTS, using an appropriate method listed in § 30.6(a) of this chapter—

(A) The manufacturer's (or initial transferor's) name;

(B) The model number and the serial number of the device transferred;

(C) The transferee's name and mailing address for the location of use; and

(D) The name, title, and phone number of the responsible individual identified by the transferee in accordance with paragraph (c)(12) of this section to have knowledge of and authority to take actions to ensure compliance with the appropriate regulations and requirements; or

(ii) The device is held in storage by an intermediate person in the original shipping container at its intended location of use prior to initial use by a general licensee.

(10) Shall comply with the provisions of §§ 20.2201, and 20.2202 of this chapter for reporting radiation incidents, theft or loss of licensed material, but shall be exempt from the other requirements of parts 19, 20, and 21, of this chapter.

(11) Shall respond to written requests from the Nuclear Regulatory Commission to provide information relating to the general license within 30 calendar days of the date of the request, or other time specified in the request. If the general licensee cannot provide the requested information within the allotted time, it shall, within that same time period, request a longer period to supply the information by providing the Director, Office of Federal and State Materials and Environmental Management Programs, by an appropriate method listed in § 30.6(a) of this chapter, a written justification for the request.

(12) Shall appoint an individual responsible for having knowledge of the appropriate regulations and requirements and the authority for taking required actions to comply with appropriate regulations and requirements. The general licensee, through this individual, shall ensure the day-to-day compliance with appropriate regulations and requirements. This appointment does not relieve the general licensee of any of its responsibility in this regard.

(13)(i) Shall register, in accordance with paragraphs (c)(13)(ii) and (iii) of this section, devices containing at least 370 megabecquerels (10 millicuries) of cesium-137, 3.7 megabecquerels (0.1 millicurie) of strontium-90, 37 megabecquerels (1 millicurie) of cobalt-60, 3.7 megabecquerels (0.1 millicurie) of radium-226, or 37 megabecquerels (1 millicurie) of americium-241 or any other transuranic (i.e., element with atomic number greater than uranium (92)), based on the activity indicated on the label. Each address for a location of use, as described under paragraph (c)(13)(iii)(D) of this section, represents a separate general licensee and requires a separate registration and fee.

(ii) If in possession of a device meeting the criteria of paragraph (c)(13)(i) of this section, shall register these devices annually with the Commission and shall pay the fee required by Sec. 170.31 of this chapter. Registration must be done by verifying, correcting, and/or adding to the information provided in a request for registration received from the Commission. The registration information must be submitted to the NRC within 30 days of the date of the request for registration or as otherwise indicated in the request. In addition, a general licensee holding devices meeting the criteria of paragraph (c)(13)(i) of this section is subject to the bankruptcy notification requirement in § 30.34(h) of this chapter.

(iii) In registering devices, the general licensee shall furnish the following information and any other information specifically requested by the Commission—

(A) Name and mailing address of the general licensee.

(B) Information about each device: the manufacturer (or initial transferor), model number, serial number, the radioisotope and activity (as indicated on the label).

(C) Name, title, and telephone number of the responsible person designated as a representative of the general licensee under paragraph (c)(12) of this section.

(D) Address or location at which the device(s) are used and/or stored. For portable devices, the address of the primary place of storage.

(E) Certification by the responsible representative of the general licensee that the information concerning the device(s) has been verified through a physical inventory and checking of label information.

(F) Certification by the responsible representative of the general licensee that they are aware of the requirements of the general license.

(iv) Persons generally licensed by an Agreement State with respect to devices meeting the criteria in paragraph (c)(13)(i) of this section are not subject to registration requirements if the devices are used in areas subject to NRC jurisdiction for a period less than 180 days in any calendar year. The Commission will not request registration information from such licensees.

(14) Shall report changes to the mailing address for the location of use (including change in name of general licensee) to the Director, Office of Federal and State Materials and Environmental Management Programs, ATTN: GLTS, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001 within 30 days of the effective date of the change. For a portable device, a report of address change is only required for a change in the device's primary place of storage.

(15) May not hold devices that are not in use for longer than 2 years. If devices with shutters are not being used, the shutter must be locked in the closed position. The testing required by paragraph (c)(2) of this section need not be performed during the period of storage only. However, when devices are put back into service or transferred to another person, and have not been tested within the required test interval, they must be tested for leakage before use or transfer and the shutter tested before use. Devices kept in standby for future use are excluded from the two-year time limit if the general licensee performs quarterly physical inventories of these devices while they are in standby.

(d) The general license in paragraph (a) of this section does not authorize the manufacture or import of[5] devices containing byproduct material.

[39 FR 43532, Dec. 16, 1974, as amended at 40 FR 8785, Mar. 3, 1975; 40 FR 14085, Mar. 28, 1975; 42 FR 25721, May 19, 1977; 42 FR 28896, June 6, 1977; 43 FR 6922, Feb. 17, 1978; 53 FR 19246, May 27, 1988; 56 FR 23471, May 21, 1991; 56 FR 61352, Dec. 3, 1991; 58 FR 67659, Dec. 22, 1993; 64 FR 42275, Aug. 4, 1999; 65 FR 79188, Dec. 18, 2000; 68 FR 58804, Oct. 10, 2003; 72 FR 55926, Oct. 1, 2007; 72 FR 58486, Oct. 16, 2007; 73 FR 5718, Jan. 31, 2008; 73 FR 42673, July 23, 2008]

[5] Persons possessing byproduct material in devices under a general license in § 31.5 before January 15, 1975, may continue to possess, use, or transfer that material in accordance with the labeling requirements of § 31.5 in effect on January 14, 1975.

§ 31.2 Terms and conditions.

The general licenses provided in this part are subject to the general provisions of Part 30 of this chapter (Secs. 30.1 through 30.10), the provisions of §§ 30.14(d), 30.34(a) to (e), 30.41, 30.50 to 30.53, 30.61 to 30.63, and Parts 19, 20, and 21, of this chapter[1] unless indicated otherwise in the specific provision of the general license.

[65 FR 79187, Dec. 18, 2000]

§ 31.6 General license to install devices generally licensed in § 31.5.

Any person who holds a specific license issued by an Agreement State authorizing the holder to manufacture, install, or service a device described in § 31.5 within such Agreement State is hereby granted a general license to install and service such device in any non-Agreement State and a general license to install and service such device in offshore waters, as defined in § 150.3(f) of this chapter: *Provided*, That:

(a) [Reserved]

(b) The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to such person by the Agreement State.

(c) Such person assures that any labels required to be affixed to the device under regulations of the Agreement State which licensed manufacture of the device bear a statement that removal of the label is prohibited.

[30 FR 8189, June 26, 1965, as amended at 30 FR 10947, Aug. 24, 1965; 39 FR 43533, Dec. 16, 1974; 46 FR 44151, Sept. 3, 1981]

§ 20.2201 Reports of theft or loss of licensed material.

(a) *Telephone reports.* (1) Each licensee shall report by telephone as follows:

(i) Immediately after its occurrence becomes known to the licensee, any lost, stolen, or missing licensed material in an aggregate quantity equal to or greater than 1,000 times the quantity specified in appendix C to part 20 under such circumstances that it appears to the licensee that an exposure could result to persons in unrestricted areas; or

(ii) Within 30 days after the occurrence of any lost, stolen, or missing licensed material becomes known to the licensee, all licensed material in a quantity greater than 10 times the quantity specified in appendix C to part 20 that is still missing at this time.

(2) Reports must be made as follows:

(i) Licensees having an installed Emergency Notification System shall make the reports to the NRC Operations Center in accordance with § 50.72 of this chapter, and

(ii) All other licensees shall make reports by telephone to the NRC Operations Center (301)-816-5100.

(b) *Written reports.* (1) Each licensee required to make a report under paragraph (a) of this section shall, within 30 days after making the telephone report, make a written report setting forth the following information:

(i) A description of the licensed material involved, including kind, quantity, and chemical and physical form; and

(ii) A description of the circumstances under which the loss or theft occurred; and

(iii) A statement of disposition, or probable disposition, of the licensed material involved; and

(iv) Exposures of individuals to radiation, circumstances under which the exposures occurred, and the possible total effective dose equivalent to persons in unrestricted areas; and

(v) Actions that have been taken, or will be taken, to recover the material; and

(vi) Procedures or measures that have been, or will be, adopted to ensure against a recurrence of the loss or theft of licensed material.

(2) Reports must be made as follows:

(i) For holders of an operating license for a nuclear power plant, the events included in paragraph (b) of this section must be reported in accordance with the procedures described in § 50.73(b), (c), (d), (e), and (g) of this chapter and must include the information required in paragraph (b)(1) of this section, and

(ii) All other licensees shall make reports to the Administrator of the appropriate NRC Regional Office listed in appendix D to part 20.

(c) A duplicate report is not required under paragraph (b) of this section if the licensee is also required to submit a report pursuant to §§ 30.55(c), 37.57, 37.81, 40.64(c), 50.72, 50.73, 70.52, 73.27(b), 73.67(e)(3)(vii), 73.67(g)(3)(iii), 73.71, or 150.19(c) of this chapter.

(d) Subsequent to filing the written report, the licensee shall also report any additional substantive information on the loss or theft within 30 days after the licensee learns of such information.

(e) The licensee shall prepare any report filed with the Commission pursuant to this section so that names of individuals who may have received exposure to radiation are stated in a separate and detachable part of the report.

[56 FR 23406, May 21, 1991, as amended at 58 FR 69220, Dec. 30, 1993; 60 FR 20186, Apr. 25, 1995; 66 FR 64738, Dec. 14, 2001; 67 FR 3585, Jan. 25, 2002; 78 FR 17006, Mar. 19, 2013]

§ 173.421 Excepted packages for limited quantities of Class 7 (radioactive) materials.

(a) A Class 7 (radioactive) material with an activity per package which does not exceed the limited quantity package limits specified in Table 4 in § 173.425, and its packaging, are excepted from requirements in this subchapter for specification packaging, labeling, marking (except for the UN identification number marking requirement described in § 173.422(a)), and if not a hazardous substance or hazardous waste, shipping papers, and the requirements of this subpart if:

(1) Each package meets the general design requirements of § 173.410;

(2) The radiation level at any point on the external surface of the package does not exceed 0.005 mSv/hour (0.5 mrem/hour);

(3) The nonfixed (removable) radioactive surface contamination on the external surface of the package does not exceed the limits specified in § 173.443(a);

(4) The outside of the inner packaging or, if there is no inner packaging, the outside of the packaging itself bears the marking "Radioactive";

(5) The package does not contain fissile material unless excepted by § 173.453.

(6) The material is otherwise prepared for shipment as specified in accordance with § 173.422.

(b) A limited quantity of Class 7 (radioactive) material that is a hazardous substance or a hazardous waste, is not subject to the provisions in § 172.203(d) or § 172.204(c)(4) of this subchapter.

[Amdt. 173-244, 60 FR 50307, Sept. 28, 1995, as amended at 69 FR 3675, Jan. 26, 2004; 70 FR 56098, Sept. 23, 2005]

§ 173.423 Requirements for multiple hazard limited quantity Class 7 (radioactive) materials.

(a) Except as provided in § 173.4, when a limited quantity radioactive material meets the definition of another hazard class or division, it must be—

(1) Classed for the additional hazard;

(2) Packaged to conform with the requirements specified in § 173.421(a)(1) through (a)(5) or § 173.424(a) through (g), as appropriate; and

(3) Offered for transportation in accordance with the requirements applicable to the hazard for which it is classed.

(b) A limited quantity Class 7 (radioactive) material which is classed other than Class 7 in accordance with this subchapter is excepted from the requirements of §§ 173.422(a), 172.203(d), and 172.204(c)(4) of this subchapter if the entry "Limited quantity radioactive material" appears on the shipping paper in association with the basic description.

§ 173.422 Additional requirements for excepted packages containing Class 7 (radioactive) materials.

An excepted package of Class 7 (radioactive) material that is prepared for shipment under the provisions of § 173.421, § 173.424, § 173.426, or § 173.428 is not subject to any additional requirements of this subchapter, except for the following:

(a) The outside of each package must be marked with the four digit UN identification number for the material preceded by the letters UN, as shown in column (4) of the Hazardous Materials Table in § 172.101 of this subchapter;

(b) Sections 171.15 and 171.16 of this subchapter, pertaining to the reporting of incidents;

(c) Sections 174.750, 175.700(b), and 176.710 of this subchapter (depending on the mode of transportation), pertaining to the reporting of decontamination;

(d) The training requirements of subpart H of part 172 of this subchapter; and

(e) For materials that meet the definition of a hazardous substance or a hazardous waste, the shipping paper requirements of subpart C of part 172 of this subchapter.

[69 FR 3675, Jan. 26, 2004]

§ 173.424 Excepted packages for radioactive instruments and articles.

A radioactive instrument or article and its packaging are excepted from requirements in this subchapter for specification packaging, labeling, marking (except for the UN identification number marking requirement described in § 173.422(a)), and if not a hazardous substance or hazardous waste, shipping papers and the requirements of this subpart if:

(a) Each package meets the general design requirements of § 173.410;

(b) The activity of the instrument or article does not exceed the relevant limit listed in Table 4 in § 173.425;

(c) The total activity per package does not exceed the relevant limit listed in Table 4 in § 173.425;

(d) The radiation level at 10 cm (4 in) from any point on the external surface of any unpackaged instrument or article does not exceed 0.1 mSv/hour (10 mrem/hour);

(e) The active material is completely enclosed by non-active components (a device performing the sole function of containing radioactive material shall not be considered to be an instrument or manufactured article);

(f) The radiation level at any point on the external surface of a package bearing the article or instrument does not exceed 0.005 mSv/hour (0.5 mrem/hour), or, for exclusive use domestic shipments, 0.02 mSv/hour (2 mrem/hour);

(g) The nonfixed (removable) radioactive surface contamination on the external surface of the package does not exceed the limits specified in § 173.443(a);

(h) Except as provided in § 173.426, the package does not contain more than 15 g of uranium-235; and

(i) The package is otherwise prepared for shipment as specified in § 173.422.

[69 FR 3675, Jan. 26, 2004]