UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD – SUITE 102
KING OF PRUSSIA, PA 19406-1415

April 6, 2023

Christopher F. Smith, Senior Deputy Director
U. S. Army TMDE Activity
Department of the Army
U. S. Army Aviation and Missile Command
5300 Martin Road
Redstone Arsenal, AL 35898-5000

SUBJECT: DEPARTMENT OF THE ARMY, U. S. ARMY AVIATION AND MISSILE COMMAND, LICENSE RENEWAL, MAIL CONTROL NO. 633666

Dear Mr. Smith:

This is in reference to your letter dated April 4, 2023, providing additional information as requested by our letter dated March 14, 2023. In order to continue our review, we need the following additional information:

1. The application dated October 28, 2022, lists the duties of the USATA Radiation Safety Committee (RSC). The duties listed do not include the approval for authorizing new uses in accordance with 10 CFR 33.13(c) or new users in accordance with 10 CFR 33.17(b). The approval of new uses and new users is required to be a responsibility of the licensed radiation safety committee pursuant to 10 CFR Part 33, "Specific domestic licenses of broad scope for byproduct material," not a subset of the RSC such as a site RSO or site radiation safety committee.

    a. Confirm that the USATA RSC duties will include responsibility for approval of new proposed uses of licensed materials as described in 10 CFR 33.13(c).

    b. Confirm that, in accordance with 10 CFR 33.17(b) that material possessed under the license may only be used by, or under the direct supervision of, individuals approved by the USATA RSC.

2. The letter dated April 4, 2023, stated that user training requirements for all calibrators are outlined in paragraph 9 of Item 7 of the renewal application. Paragraph 7 of Item 7 states that paragraphs 8 and 9 provide the minimal training and experience for a local RSO; Paragraphs 8 and 9 refer to "individuals responsible for local radiation safety programs". Please confirm if all users of licensed materials are included in "individuals responsible for the radiation safety programs".

3. The letter dated April 4, 2023, included a description of nuclear counting laboratories, specializing in counting contamination wipes for radioactive source leak tests and contamination surveys, but did not specify is such analysis is for your own licensed activities only, or if it is also available as a commercial service for other entities. An NRC inspection record from 2019 indicated that leak testing was performed for NASA during the period covered by that inspection. Confirm if leak testing and sample analysis is as

a commercial service should be added as an authorized use in Item 9.A. for atomic numbers 1 through 83.

4. The April 4, 2023, letter response to the request for additional information about safe use and emergency procedures stated that Item 10, Paragraph 6 outlines basic requirements to receive and use radioactive materials. However, this section does not include the actual procedures for safe use of radionuclides, as requested in NUREG-1556, Vol. 11. This section also states that emergency procedures are required and will be developed; and further states that emergency procedures for calibrators instruct users to contact the RSO. However, it does not provide the actual emergency procedures as requested in NUREG-1556, Vol. 11. In accordance with NUREG-1556, Vol. 11, Rev 1, Section 8.10.6, "Safe Use of Radionuclides and Emergency Procedures," either submit procedures for safe use of radionuclides, and procedures for emergencies, which meet the guidance in NUREG-1556 Vol. 11 and Vol. 5; or confirm that you will adopt the procedures for the safe use of radionuclides and emergencies as published in Appendix K of NUREG-1556, Vol. 11, Rev. 1 and Appendix M of NUREG-1556, Vol. 5, Rev. 1.

5. The April 4, 2023, letter stated that the USATA leak test program is in accordance with 10 CFR 39.35. Please note that 10 CFR Part 39 is applicable to use of well logging sources. Although the 10 CFR 39.35 leak test requirements are similar to the license condition requirements, they are not identical. The license condition includes longer intervals between leak tests if approved in the Sealed Source and Device Registry; limits the amount of time that sources may be stored without leak testing; and has different reporting requirements. This condition has been on your license for many years and is the requirement for leak testing of your sources. No response to this item is required.

We will continue our review upon receipt of this information. A pdf copy of a signed response may be provided by email directly to Elizabeth.Ullrich@nrc.gov . If you prefer to send a hard copy, please reply to my attention at:

Mail Control No. 633666
USNRC, Region I
Division of Radiological Safety and Security
475 Allendale Road – Suite 102
King of Prussia, PA 19406

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

An electronic version of the NRC's regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: http://www.nrc.gov/materials/miau/mat-toolkits.html. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system. Pursuant to NRC's RIS 2005-31, and in accordance with 10 CFR 2.390, this letter is exempt from public disclosure because its disclosure to unauthorized

individuals could present a security vulnerability. The RIS may be located on the NRC Web Site at: http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf and the link for frequently asked questions regarding protection of security-related sensitive information may be located at: http://www.nrc.gov/reading-rm/sensitive-info/faq.html.

If you have any questions regarding this request for additional information, please contact me at 240-704-4575 or by electronic mail to Elizabeth.Ullrich@nrc.gov.

Thank you for your cooperation.

Sincerely,

Elizabeth Ullrich

Digitally signed by Elizabeth Ullrich
Date: 2023.04.06 13:11:35 -04'00'

Betsy Ullrich, Senior Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Radiological Safety and Security
Region I

License No. 01-00126-16
Docket No. 030-12630
Mail Control No. 633666

cc: Shen Zhu, Radiation Safety Officer
David M. Walsh, Alternate Radiation Safety Officer

DEPARTMENT OF THE ARMY, U. S. ARMY AVIATION AND MISSILE COMMAND, LICENSE RENEWAL, MAIL CONTROL NO. 633666 DATED APRIL 6, 2023

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SUNSI Review Complete: Betsy Ullrich

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