

# **OAS Petition for Rulemaking Generally Licensed (GL) Devices**

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(OAS)

# **OAS Petition for Rulemaking Generally Licensed (GL) Devices**

- Require specific licensing for higher-activity devices currently available under the 10 CFR 31.5 general license and subject to registration

# **OAS Petition for Rulemaking Generally Licensed (GL) Devices**

- Delete registration requirement for GL devices
- Revise compatibility of 10 CFR 31.6 from 'B' to 'C'

# **General License Devices under 10 CFR 31.5**

- General license in 10 CFR 31.5 allows easy purchase of a wide range of devices containing radioactive materials
- Activities range from microcuries to many curies

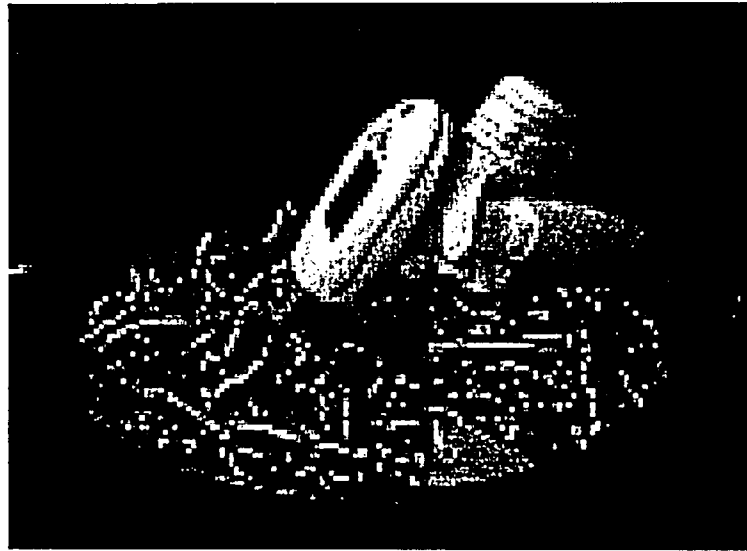
# General License Devices under 10 CFR 31.5



~20 Ci of H-3

No Registration

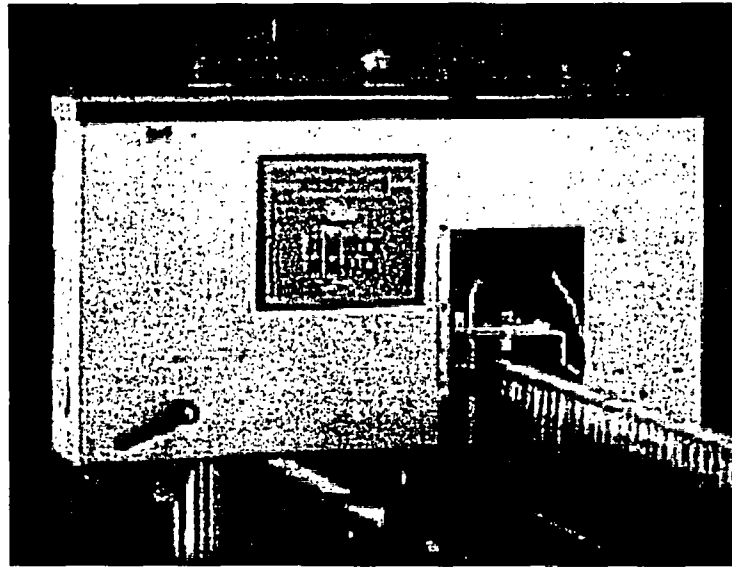
# General License Devices under 10 CFR 31.5



10 mCi of Cd-109

No Registration

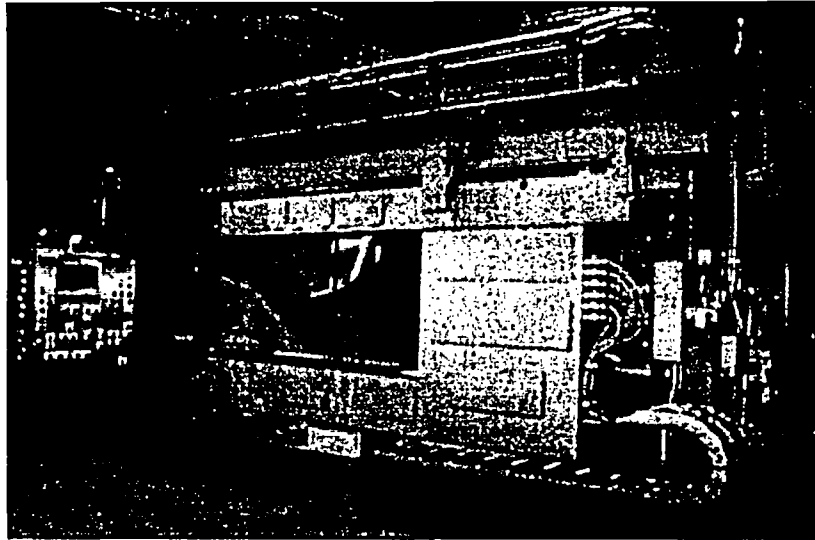
# General License Devices under 10 CFR 31.5



100 -300 mCi of Am-241

Registration Required

# General License Devices under 10 CFR 31.5



35 Ci of Am-241

Registration Required



# GL Regulatory Issues

- Low awareness of regulatory requirements by general licensees
  - High personnel turnover in industrial sector; institutional knowledge lost quickly.

# GL Regulatory Issues

- Minimal interaction with regulator (no routine inspection)
- GL device manufacturer service infrastructure collapsing (more licensee service of devices)

# GL Regulatory Issues (cont.)

- Compatibility
  - 10 CFR 31.5 ('D' to 'B' compatibility).  
GL device registration requirement is Comp Category B. States with pre-existing, effective GL regulatory programs suddenly incompatible.

# GL Regulatory Issues (cont.)

- 10 CFR 31.6 ('C' to 'B' compatibility).  
Allows GL device manufacturers to service devices in agreement states without reciprocity or notification.  
Removes tool used by states to verify device status.

# GL Regulatory Issues (cont.)

- Control & Accountability
  - No regulatory review prior to purchase of devices containing up to curie quantities of radioactive materials.
  - No routine inspection.
  - No enhanced requirements applied to GL devices.

# GL Regulatory Issues (cont.)

- Continued incidents involving real or suspected GL devices
- Alabama incident – July, 2005
  - Out of state company brings portable GL gauging device into state with no notification or specific license (required by state)

# GL Regulatory Issues (cont.)

- Device painted obscuring all labels
- General licensee removes and ships device containing 200 mCi Cs-137 source to manufacturer for repair
- Device shutter partially open upon receipt by manufacturer
- Dose reconstruction on-going

# Benefits of OAS Proposal

- Establish a higher, national standard of radioactive material regulation that addresses GL regulatory issues
- Require regulatory review (through licensing) of higher-activity devices purchases prior to receipt



# Benefits of OAS Proposal

- Increase licensee awareness of regulatory requirements by virtue of licensing and inspection
- Improve control and accountability of devices
- Reduce incident frequency