

From: Wade Loo
To: Internet:bmills@freedomautomotive.com
Date: 5/3/01 2:51PM
Subject: Reporting Requirements for the Lost/Stolen Static Eliminator

Sorry to bother you about this matter, but after further review of the matter, it was determined that you needed to do two things:

1) Telephone the NRC Operations Center to report this event (301-951-0550). This number is manned by the NRC's Incident Response Staff 24 hours a day. you can tell them that this has already been reported to the NRC by the Commonwealth of Virginia and a PN has already been written. You are calling them because you, as the licensee, are required to call them in accordance with the regulations. You can also reference that you have been talking with me (Wade T. Loo, Senior Health Physicist, Region II, Division of Nuclear Materials Safety).

I understand that this is after the fact; however, the regulations state that Freedom Licoln Mercury, the General Licensee, is required to report this event by telephone to the NRC Operations Center immediately after its occurrence becomes known to the licensee.

2) You need to submit a written report on this matter within 30 days after making the telephone report.

I have attached a copy of the regulations that outline the requirements that require you to report this to the NRC Operations Center and submit a written report. Also, you can go the following URL for the regulations: <http://www.nrc.gov/NRC/CFR/PART020/part020-2201.html>

When submitting your report, please make sure that you address each item as outlined in the regulations for the report details. You should send that report to the following address:

U. S. Nuclear Regulatory Commission
Region II
ATTENTION: Luis A. Reyes
Regional Administrator
61 Forsyth Street, S.W.
Suite 23T85
Atlanta, GA 30303

Just for your information, a copy of this E-Mail will go into our Electronic Public Docket File (ADAMS). All correspondence between licensee's are made available to the public unless it contains privacy or classified information.

I understand that you are not up on how we do business. However, if you have any questions regarding this E-Mail and need assistance with submitting the report, please call me at (404) 562-4727 or by E-Mail (WTL@NRC.GOV).

10 CFR 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 - 951 - 0550).

(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), 40.64(c), 50.72, 50.73, 70.52, 73.27(b), 73.67(e)(3)(vi), 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]