

September 8, 2011

Mr. Charles H. Rose, Executive Director
American Association for Nuclear
Cardiology, Inc.
5660 Airport Boulevard, Suite 101
Boulder, CO 80301

SUBJECT: Field Service Engineers – Medical Imaging Gamma Cameras

Dear Mr. Rose:

This letter is in response to your correspondence addressed to James Caldwell of the U.S. Nuclear Regulatory Commission (NRC) Region III office dated July 13, 2011. In your correspondence, you request that NRC respond to questions pertaining to which, if any, regulatory requirements would be applicable to a company that employs Field Service Engineers (FSE's) to perform service on gamma cameras at a customer's site. Specifically you asked "Assuming the employer of the FSE has provided adequate handling training of the FSE and the FSE is monitored with the appropriate dosimetry by the employer are there any other regulatory requirements that apply to the FSE's employer?" and "For example, does the FSE/FSE's employer have to be licensed to perform this service at a customers' site?"

The FSE/FSE's employer does not need to be licensed to possess radioactive materials in order to perform service on gamma cameras at a customer's site. However, the customer may have certain requirements that need to be met based on the requirements of their NRC or Agreement State-issued radioactive materials license, such as ensuring that all individuals that require access to their materials are deemed trustworthy and reliable or escorted by an authorized member of their staff. The ultimate determination for granting access is made by the customer whose facility and materials will be accessed.

If the employer of the FSE is an NRC or Agreement State licensee, regulatory requirements other than what were described in your inquiry could apply dependent upon any additional security orders or license conditions that may be tied to their license. Additionally, if the customer possesses a radioactive materials license, issued by NRC or an Agreement State, he may be required to meet additional security requirements, such as the Increased Controls (ICs), if he/she possesses Category 1 or 2 materials (per the International Atomic Energy Agency Code of Conduct). The ICs, issued in 2005, include guidance and requirements to determine the trustworthiness and reliability of individuals with access to the materials, and require licensees to ensure that all service providers are escorted when performing services at their facilities, unless the service provider is employed by a company that is licensed by the NRC or Agreement State to manufacture and/or distribute radioactive materials or devices. In 2009, the NRC issued requirements upon request to certain licensees that are service providers to implement a trustworthiness and reliability program making them eligible for unescorted access at IC licensees' facilities.

C. Rose

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The flood sources mentioned in your example would be listed on the customer facility's materials license for use by individuals named on that license. Individuals other than those listed on the license can use the source, provided it is 1) under the supervision of an authorized user on the license; or 2) under the license of the individual or his employer.

If you have any additional questions regarding the information provided here, you may contact Mr. Michael Fuller of my staff at (301) 415- 0520, or Michael.fuller@nrc.gov.

Sincerely,

/RA/

James G. Luehman, Acting Director
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

C. Rose

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Sincerely,

/RA/

James G. Luehman, Acting Director
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

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