

Mendiola, Doris

Subject:

FW: Comments on Draft Guidance about Fixed Gauge Licensees

From: Lawrence, Craig (DOH) <Craig.Lawrence@DOH.WA.GOV>
To: Bladey, Cindy
Cc: Gallagher, Carol
Sent: Tue Apr 23 18:21:57 2013
Subject: Comments on Draft Guidance about Fixed Gauge Licensees

3/25/2013
78 FR 17943

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Please accept our comments on draft NUREG-1556, Volume 4, Revision 1.

<<FSME-13-030 NUREG-1556 FG comments 4-19-13.docx>>

Very Respectfully,

Craig

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Add= *J. Herrera (txh1)*

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Office of Radiation Protection Washington State Department of Health

OPPORTUNITY TO COMMENT ON DRAFT NUREG-1556, VOLUME 4,
REVISION 1, "CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES:
PROGRAM-SPECIFIC GUIDANCE ABOUT FIXED GAUGE LICENSES" (FSME-13-030))

April 22, 2013

We have reviewed the draft NUREG-1556, volume 4, Consolidated Guidance About Materials Licenses. Presently we have 26 fixed gauge licensees who will be affected by the proposed changes. Please see our comments below:

New Sections

A new section (3.2) was added to Part 3 under Management Responsibility regarding Safety Culture. The concept of safety culture is sound and we support it, although if the intention is to incorporate this concept into future regulations, the guidelines will need to be more clearly articulated. Licensees cannot be held to requirements that are subjective and difficult to measure.

Another new section (6) addresses Identifying and Protecting Sensitive Information. This part is sensible and clearly written, and we support it.

The new section (9.1) regarding Timely Notification of Transfer of Control is useful. We have had instances with our Washington licensees in which businesses changed hands and new managers became responsible for the radioactive material, but because there was no obvious change to the gauges or uses, no one thought to amend the license. This section spells out that prior written consent is required when making such ownership changes and explaining why.

The various small changes made throughout the document are good. They mostly clarify or expand upon the existing guidance and make it easier to understand, or incorporate references to updated technology (such as filing applications electronically). The examples given in section (8.1) License Action Type showing types of changes requiring a license amendment are helpful. The addition of the note addressing retention of training records in section (8.7.2) is also good. We like the change in section (8.10.2) Instruments recommending that the licensee should possess a survey meter and explaining why.

In section (8.3) Address Where Licensed Material Will Be Used or Possessed, it states that an applicant need not submit a sketch or identify the fixed gauge location(s) in the facility. It defers the approval of this to the inspection. In Washington it has been our practice to evaluate and approve fixed gauge locations during the licensing process, and then verify the suitability during the inspection. We will continue to do so as this added information helps to assure licensees avoid issues where the aggregate of sources may pose security concerns.