

NRC Update on Federal Regulatory Activities Affecting Industrial Radiography

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Topics

- Electronic Dosimeters
- 10 CFR Part 34 Rulemaking
- 10 CFR Part 37 Activities
- Escalated Enforcement Actions

Electronic Dosimeters

Dosimetry Enforcement Discretion

- EGM-18-001 issued on May 11, 2018
- EGM provided enforcement discretion for the use of direct ion storage dosimetry
- RIS 2018-04 issued September 11, 2018
*Notice of Issuance of Enforcement Guidance
Memorandum—Interim Guidance for
Dispositioning Apparent Violations of 10 CFR
Parts 34, 36, and 39 Requirements Resulting from
the Use of Direct Ion Storage Dosimetry During
Licensed Activities*

10 CFR Part 34 Rulemaking

Individual Monitoring Devices

Direct Final Rule

- PRM 34-7: Rulemaking approved to go forward as a direct final rule by the NRC Commission on January 4, 2019
- Regulatory basis associated with this rule should go out for public comment Spring/Summer 2019
- Rule should be issued as final in 2020

Revised Radiation Safety Requirements Rule

- PRM 34-6: Clarification to Training, Surveillance, and the Two Man Rule
- Proposed Amendments in Rulemaking Plan to Part 34
 - 34.41(a): two qualified individuals present, but second person no longer required to observe the operations
 - 34.43: revise training requirements for radiographers and radiographer's assistants regarding number of training hours
 - 34.47: combined dosimetry devices
 - 34.51: eliminate that the other individual present maintain continuous direct visual surveillance
- Rulemaking plan associated with this rule should go to the NRC Commission in the Spring 2019

10 CFR Part 37 Activities

Current Part 37 Activities

- Revisions to NUREG-2155 ongoing
- NRC provided responses to the 2018 GAO Audit in January 2019
 - Audit addressed implementation of Part 37 by NRC and Agreement State licensees
- Task Force on Radiation Source Protection and Security

<https://www.nrc.gov/security/byproduct.html>

Regulatory Information Summaries (RIS)

- RIS 2018-03 issued June 1, 2018

National Terrorism Advisory System and Protective Measures for the Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material

- RIS 2018-01 ERRATA issued March 1, 2018

Common Violations Cited During First 2 Years of 10 CFR Part 37, “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material” Implementation and Guidance Documents Available to Support Rule Implementation

<https://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/>

Pending Commission Papers - Security

- SECY-17-0083: Category 3 initiative - rulemaking recommendations
 - Amend 10 CFR Parts 30, 40, and 70 to require safety and security equipment to be in place before granting a license for an unknown entity.
 - Amend 10 CFR Parts 30, 40, and 70 to clarify license verification methods for transfers involving quantities of radioactive material below Category 2.
- SECY-16-0115: Financial Assurance proposed rulemaking plan for Category 1 and 2 quantities of materials
- Rulemaking aspects of these initiatives part of integrated rulemaking plan (SECY-17-0025)

Escalated Enforcement Actions

Industrial Radiography Escalated Enforcement

- IA-16-049 [30.10(a)(1) and 34.41(a)]
 - Deliberately failed to accompany another radiographer during radiographic operations at a temporary job site resulting in only one qualified individual at the site
- IA-16-050 [30.10(a)(1), 34.31(a), 34.41(a) and 34.49(b)]
 - Deliberately failed to perform operability checks to ensure that the drive cable for a radiographic exposure device was in good working condition prior to use
 - Deliberately performed radiography with only one qualified individual present at the temporary job site
 - Deliberately failed to conduct a survey of the radiographic exposure device after each radiographic exposure to determine that the source had returned to the shielded position

Industrial Radiography Escalated Enforcement

- EA-16-130 [34.31(a), 34.41(a) and 34.49(b)]
 - Failure to perform operability checks to ensure that the drive cable for a radiographic exposure device was in good working condition prior to use
 - Performed radiography with only one qualified individual present at the temporary job site
 - Failure to conduct a survey of the radiographic exposure device after each radiographic exposure to determine that the source had returned to the shielded position

Industrial Radiography Escalated Enforcement

- EA-18-050 [34.31(a) and 150.20(b)(5)]
 - Failure to adequately perform visual and operability checks on a radiographic exposure device and associated equipment before use
 - Guide tube disconnect occurred because the operability check did not ensure that the grease, dirt, and grime were cleared from the guide tube connection to the exposure device
 - Failure to comply with all of the terms and conditions of the specific license issued by an Agreement State and failure to implement operating and emergency procedures

Materials Transportation Escalated Enforcement

- EA-17-101 [71.5(a) and 49 CFR 173]
 - Failure to package radioactive sources in a containment system securely closed by a positive fastening device that couldn't open during normal transport
 - Failure to ensure that a package of Class 7 (radioactive) material was designed and prepared properly for shipment
 - Although this issue didn't involve radiography, the violations associated with this event resulted in a Severity Level II citation and a \$22,400 fine

Industrial Radiography Escalated Enforcement

- Several Severity Level III (10 CFR Part 37) Violations

<https://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/>

Questions?

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