

A Mark IV Company

May 30, 1996

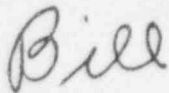
Mr. John W. Lubinski, Mechanical Engineer  
Sld Source Safety Sect., Src Cont & Dvcs Br.  
Div. of Industrial and Medical Nuclear Safety  
Office of Nucl. Mat. Safety & Safeguards US. NRC  
Washington, DC 20555-0001

Dear John:

I have noticed the use of the term "Radiologically Responsible Person" by your Device Control Working Group. In my opinion, this term is inappropriate if it is meant to be applied to employees of general licensees. As you know, general licensees are exempt from the training requirement of Part 19. (I have for some time disagreed with NRC on this exemption.) Typical general licensees do not have employees who qualify for this title. Do you intend to establish qualifications for persons holding this title?

I agree that general licensees must be held responsible and accountable. I suggest that the person be titled "Responsible Person" or "Contact Person".

Very truly yours,



William R. Prendergast  
Radiation Safety Officer LFE Industrial Systems Corporation

WRP/ddl

55 Green Street  
Clinton,  
Massachusetts  
01510  
Telephone  
(508) 365-3400

9610300123 960830  
PDR REVGP NRGRDRG  
PDR

Strawman submitted by Martha Dibblee:

1. All portable devices must be specifically licensed
2. GL devices limits to 20 mCi quantity and <300 day half-life
3. Require a national inventory of GLs maintained by NRC with annual reports from Agreement States for their licensees
4. Annual registrations/mail inspections of GLs
5. Require GL manufacturers to provide all required servicing of GLs
6. GLs can be leased only
7. All of above compatibility level 1 for Agreement States.



INC.

2937 ALT BOULEVARD, P.O. BOX 310, GRAND ISLAND, NEW YORK 14072-0310

REVIEW GROUP -  
RADIOACTIVE DEVICESTELEPHONE: (716) 773-7634  
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TOLL FREE: (800) 525-8076

December 7, 1995

Mr. Joel Lubenau  
M/S T-8F5, Sealed Source and Device Branch  
Division of Industrial and Medical Nuclear Safety  
Office of Nuclear Materials Safety and Safeguards  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001

Ref: Joint State-NRC Working Group on Regulation of Radioactive Devices

Gentlemen:

After reviewing the draft minutes of the October meeting of the Working Group, several things are clear.

1. A number of specifically and generally licensed devices are no longer controlled by the original licensee.
2. Incidents involving some of these devices have resulted in damage to property, and exposure to individuals.
3. All of these incidents resulting in damage or exposure involved devices containing significant amounts of long-lived gamma-emitting isotopes.
4. Virtually all discussion involved devices referenced in Item 3.

It was apparent that 95% or more of the problems were resulting from a very small number of devices, many of which were specifically-licensed devices, not subject to Part 31.5. Tritium and polonium generally-licensed devices were not, and should not be, considered a significant problem.

Considering the above, we would urge that Part 31.5 be split into three parts. One part, with much tighter control requirements, for isotopes emitting gamma and/or high energy beta (greater than 250 kev) radiation; a second part for isotopes having half-lives of six (6) months or longer, and emitting alpha and/or low energy beta (equal to or less than 250 kev); and a third part for isotopes emitting alpha or low energy beta with half-lives shorter than six (6) months.

An alternative approach would be to modify 10 CFR 31.3 to allow devices containing 200 millicuries of polonium-210, and to add a new part to license self-luminous signs for buildings in a fashion similar to self-luminous signs for aircraft.

The discussions witnessed at the October meeting, and review of the minutes would seem to indicate that either of these approaches would help solve the problem.

Respectfully yours,

J. David McGraw  
Vice-President  
General Manager

BSI Log # 0079 Operator Mary  
Send to Fax #: 301-415-5369  
Page 1 of 1

**BERTHOLD SYSTEMS, INC.**

Process Control Instruments

Hopewell Business & Industrial Park  
101 Corporation Drive  
Aliquippa, Pennsylvania 15001-4863  
Telephone: (412) 378-1800  
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December 1, 1995

REVIEW GROUP -  
RADIOACTIVE DEVICES

Mr. Joel Lubenau  
USNRC Office of  
Materials Safety and Safeguards  
Washington, D.C. 20555

Dear Mr. Lubenau:

We wish to respond to your request for constructive recommendations, following the Working Group meeting of October 24-26, 1995.

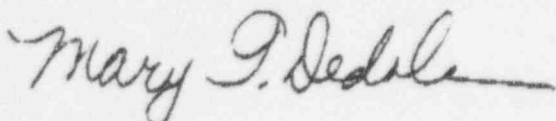
We have studied this issue, including consultation with our customers and other Distributors. We have read the letter prepared by Ohmart Corporation, and endorse those comments as well.

Berthold Systems proposes that the NRC expand on Ohmart's recommendation for more frequent inspection by Generally Licensees, specifically:

Each General Licensee (GL) should be required to perform an annual inventory of the GL devices on-site, similar to that required by the Specific licensees. This inventory should be signed by an authorized person, a copy should be kept on file at site and a copy sent to the manufacturer or distributor of the device.

We look forward to another constructive meeting in December.

Sincerely,



Mary T. Dedola  
Engineering Services Manager/  
Assistant Radiation Safety Officer  
Berthold Systems, Inc.

cc: G.M. (Bud) Smith, Jr.  
Charles Ferrin

berthold systems

TOTAL P.01

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SAMPLE

US letter

29-Nov-95

John Radwatcher, RSO  
Sagebrush Paper  
1999 Prairie Street  
Bentwood, TX 55555

Subject: Storage or Disposal of Radioactive Source(s), System No. 9999

Dear Measurex Customer:

The Measurex Radiation Safety Office has received information that one or more radioactive sources originally used in a sensor manufactured by Measurex is presently not in use. We recommend that you contact a Measurex representative and arrange to temporarily or permanently return any unused radioactive sources. Note that as the licensee in possession of a sensor, your firm is responsible for satisfying safety and legal requirements for the use, testing, transfer, storage, and disposal of radioactive sources.

Having Measurex store or dispose of a source is recommended because:

- o Such storage or disposal will eliminate the risk of a source loss. It is far too easy for a radioactive source in an unused sensor to be accidentally released with scrap material!
- o Proper off-site storage or disposal will minimize the hazard of radiation exposure to your employees and others.
- o Having Measurex personnel transfer sources back to Measurex satisfies regulatory requirements. U.S. firms are generally prohibited from transferring such sources to other locations.
- o Sources such as Sr-90, Pm-147, and Am-241 must be tested for leakage by appropriately licensed individuals at six-month intervals. This requirement applies regardless of whether the sensor is in use. By transferring a radioactive source to Measurex, you also transfer to Measurex the ongoing responsibility for the testing of that source.

Please contact your Measurex representative to arrange for return of a radioactive source that was used in a Measurex sensor.

Sincerely,

SAMPLE

Lynell Lyon  
Asst. Radiation Safety Officer

CC: Reginald Techmanager  
Sunny Assistradwatcher  
System 9999 file

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