

N O T A T I O N V O T E

RESPONSE SHEET

TO: John C. Hoyle, Secretary

FROM: COMMISSIONER MCGAFFIGAN

SUBJECT: SECY-96-252 - EXTENSION OF LICENSE TERM FOR
MATERIAL LICENSES

Approved X Disapproved Abstain

Not Participating Request Discussion

COMMENTS:

Please note minor edit in press release

E. McGaffigan Jr.

SIGNATURE

Release Vote X

1/8/97

DATE

Withhold Vote

Entered on "AS" Yes X No

NRC EXTENDS LICENSE TERM FOR MOST NUCLEAR MATERIAL LICENSEES

The U.S. Nuclear Regulatory Commission is extending the license term for most nuclear materials licensees from 5 years to 10 years.

The extension will reduce the administrative burden of license renewals for both NRC and the licensee and will support NRC's goal of streamlining the licensing process. It also will bring materials license durations into line with uranium mill licenses and other major facility licenses.

NRC may issue some licenses for shorter terms, if warranted by the individual circumstances of license applicants.

The current 5 year term is not set out in NRC's regulations in most cases. Thus the longer term will be implemented immediately, by NRC decision, for most new licenses and renewals. For licensed medical users of nuclear material, however, the 5 year term is established by regulation. For those licensees, NRC plans to develop a rule change that would permit the license term to be lengthened.

The Commission estimates that about 4000 licenses will be affected by the license-term change. These include, for example, universities that use radioactive materials in research; companies that use moisture density gauges ^X containing ~~with~~ radioactive material in road construction and other industrial users.

The extensions do not apply to nuclear power plant licenses, which are issued for a 40 year term.



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 24, 1997

MEMORANDUM TO: Hugh L. Thompson, Jr.
Acting Executive Director for Operations

FROM: John C. Hoyle, Secretary

SUBJECT: STAFF REQUIREMENTS - SECY-96-252 - EXTENSION
OF LICENSE TERM FOR MATERIAL LICENSES

The Commission has approved an increase in license terms for licenses issued pursuant to 10 CFR Parts 30, 40, and 70 (with the exception of licenses issued pursuant to 10 CFR Part 35) from the current 5-year period to a 10-year period and approved the rulemaking plan to remove the 5-year term for medical use licenses in 10 CFR Part 35. This approval also includes extending the license term from the current 5-years to 10-years for licenses to manufacture and/or transfer byproduct material, issued pursuant to 10 CFR Part 32.

The next to the last sentence in the press release should be revised as follows. "These include, for example, universities that use radioactive materials in research; companies that use moisture density gauges containing radioactive material in road construction; and other industrial users."

The staff should report to the Commission on how the savings of approximately 6 FTE would be reprogrammed beginning in 2001. The staff should also identify the high priorities in the materials program where the resources saved by license term extension can be reprogrammed more effectively to promote the NRC's mission.

(EDO) (SECY Suspense: 4/25/97)

The use of license terms shorter than 10 years is appropriate on a case-specific basis and for situations where the industry or NRC has not had extensive experience in using or regulating the proposed use of the material. This shorter license option provides an excellent opportunity to make the NRC's regulatory program more performance-based. The staff should report to the Commission on whether the guidance to licensing staff on this

SECY NOTE: THIS SRM, SECY-96-252, AND THE COMMISSION VOTING RECORD CONTAINING THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

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issue is sufficient. If further guidance or procedures are needed, Law should be developed by the staff.
(EDO) (SECY Suspense: 4/25/97)

The staff should consider and report back to the Commission on the feasibility and cost effectiveness of moving to an annual (or longer) registration in lieu of periodic license renewal for certain categories of materials licensees and of further extending license terms to longer than 10-years (e.g., 20 years) for certain categories of materials licensees. The registration could be tied to certification that the licensee is complying with applicable regulations, license terms and conditions, and is remitting the appropriate fees. This would provide an opportunity to use risk-informed decision making when determining whether to eliminate the requirement to renew licenses, for some or many materials licensees, if it provides little or no health and safety benefit.
(EDO) (SECY Suspense: 1/30/98)

cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
OGC
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)