

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY

January 13, 2021 OFFICE OF ENVIRONMENTAL COMPLIANCE

Theresa Valentine Clark, Deputy Director
Division of Materials Safety, Security, State,
and Tribal Programs
Office of Nuclear Material Safety
And Safeguards
U.S. Nuclear Regulatory Commission
T8-E18
Washington, D.C. 20555-0001

Dear Ms. Clark:

Enclosed are the legally binding requirements submitted for review and request of approval.
The legally binding requirements correspond to the following equivalent amendments to NRC's regulations.

<u>NRC Part/Section</u>	<u>Title</u>	<u>State Section</u>
1) 35.75	Release of individuals containing unsealed byproduct material or implants containing byproduct material	License Condition
2) 34.43	Training	License Condition
3) 34.43	Training	License Condition
4) 34.27	Leak testing and replacement of sealed sources	License Condition
5) N/A	N/A	License Condition
6) 34.29/ 34.43	Quarterly Inventory/ Training	License Condition
7) N/A	N/A	License Condition
8) N/A	N/A	License Condition

We believe that adoption of these legally binding requirements satisfies the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

If you have any questions, please feel free to contact me at 225-284-7604 or Tiffany White of my staff at 225-219-3680 or Tiffany.White@la.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karen Burgard".

Karen Burgard, Radiation Manager
Emergency & Radiological Services Division
Radiation Section

Enclosures:
As stated

REQUEST TO UPDATE RADIOACTIVE MATERIAL LICENSE CONDITION:

Medical

1) Old condition listed as:

For patients who have received therapeutic amounts of radionuclides, the provisions of NCRP Report No. 37, "Precautions in the Management of Patients Who Have Received Therapeutic Amounts of Radionuclides," shall govern:

- A. hospital and nursing care; and
- B. release from the hospital, which may be authorized only by those physicians named in Condition 2 for the specified therapy procedures.

New condition now listed as:

For patients who have received therapeutic amounts of radionuclides, the provisions of US NRC Regulatory Guide 8.39 shall govern:

- A. hospital and nursing care; and
- B. release from the hospital, which may be authorized only by individuals listed in Condition 2 above for the mentioned therapy procedures.

****This condition has been updated to reflect the NCRP Report No. 37 now being a part of the NUREG 8.39.**

REQUESTS TO UPDATE RADIOACTIVE MATERIAL LICENSE CONDITIONS:

Industrial Radiography

2) Old condition listed as:

Pursuant to LAC 33:XV.575.A., the licensee may permit an individual to act as a radiographer provided:

- A. Verification of satisfactory completion has been received from a person approved by the Department, an Agreement State, or the Nuclear Regulatory Commission to conduct a radiography training program which meets the requirements equivalent to LAC 33:XV.575.A.1. If verification cannot be received, then the licensee may accept verification from the holder of a license issued by the Department, an Agreement State or the Nuclear Regulatory Commission that the individual has been employed as a radiographer as defined by LAC 33:XV.503; and
- B. The individual has received instruction and training which meets the requirements of LAC 33:XV.575.A.2 and 3 as specified in the licensee's Operating and Emergency Procedures; and
- C. Appropriate records are maintained which demonstrate the individual has met the above requirements, and Form DRC-20 has been filed with the Department.
- D. The individual has successfully completed within the past five (5) years a radiation safety examination administered by the Department or its agent. The examination must be successfully completed at least once every five (5) years.
- E. On-the-job training at temporary jobsites shall be under the direct personal supervision of the instructors listed in Attachment 1.

New condition now listed as:

On-the-job training received to act as a radiographer shall be under the direct personal supervision of the instructors listed in Attachment 1 of this license.

****This condition has been updated to reflect the removal of parts A. through D. as they are directly referenced in the regulations at LAC 33:XV.Chapter 5.**

3) Old condition listed as:

A. Pursuant to LAC 33:XV.575, the licensee is specifically authorized to train and qualify individuals as radiographers. Notification announcing the dates of the class must be submitted to the Department at least two (2) weeks in advance.

B. The licensee shall instruct individuals in the subjects outlined in Appendix A of Chapter 5 of the Louisiana Radiation Regulations in accordance with the course outline dated *insert date*. Instruction shall be given by *insert instructor*.

C. On-the job training shall be under the direct personal supervision of the instructors listed in Attachment 1.

D. Form DRC-20 shall be filed with the Department for each individual qualified under this license to act as a radiographer.

E. The individual has successfully completed within the last five years a radiation safety examination administered by the Department or its agent.

New condition now listed as:

A. Pursuant to LAC 33:XV.575, the licensee is specifically authorized to train and qualify individuals as radiographers. Notification announcing the dates of the class must be submitted to the Department at least two (2) weeks in advance.

B. The licensee shall instruct individuals in the subjects outlined in Appendix A of Chapter 5 of the Louisiana Radiation Regulations in accordance with the course outline dated *insert date*. Instruction shall be given by *insert instructor*.

****This condition has been updated only for licenses approved to teach the 40-hour radiation safety course with parts C. through E. being removed as they are directly referenced in the regulations at LAC 33:XV.Chapter 5.**

4) Old condition listed as:

Tests for leakage and/or contamination of sealed sources listed in the schedule shall be performed in accordance with LAC 33:XV.544.

New condition now listed as:

Tests for leakage and/or contamination of sealed sources listed in the schedule for industrial radiography shall be performed in accordance with LAC 33:XV.544 using approved leak test kits and procedures specified in the Licensee's application.

****This condition has been updated to address items (leak test kits and procedures) not directly referenced in the regulations at LAC 33:XV.544.**

5) Old condition listed as:

The licensee is authorized to receive, possess and transfer depleted uranium for use as shielding material in amounts not greater than 999 kilograms.

New condition now listed as:

The licensee is authorized to receive, possess and transfer depleted uranium for use as shielding material in amounts not greater than *insert kilograms amount*.

****This condition has been updated to no longer reflect a standard amount of 999 kilograms of depleted uranium. It now has the actual amount of depleted uranium allowed on the license with an additional 500 kg applied to the total. This additional amount is added in order to account for any device additions that may be made to the license without the depleted uranium being updated at that time which will allow the licensee to remain in compliance.**

6) Old conditions listed separately as:

Each licensee or registrant shall conduct a program of internal inspections to ensure that the Louisiana Radiation Regulations, Louisiana Radioactive Material License Conditions, and the licensee's or registrant's operation and emergency procedures are followed by each radiographer. Each radiographer will be inspected at least quarterly.

-and-

The licensee shall conduct a quarterly inventory and inspection of all devices containing radioactive material which determines the general physical condition of all devices. Records shall be maintained for inspection by the Department for three years and shall include, but not be limited to, the date of the inventory, the location and identification of the devices, the quantity and kinds of radioactive material, the sealed source identity, the findings of the physical inspection, and name of individual(s) performing the inspection and inventory.

New condition combined and now listed as:

Any irregularities or equipment malfunction observed during the quarterly inventory or inspection of all devices containing radioactive material shall be reported to the Department in accordance with LAC 33:XV.341.

****This condition has been updated to reflect the removal of items directly referenced in the regulations at LAC 33:XV.545 and LAC 33:XV.575.D. The new condition now addresses items not directly referenced in the regulations at LAC 33:XV.Chapter 5.**

7) Old condition listed as:

The Licensee shall perform a misconnect test in accordance with the manufacturer's recommendations. Records shall be maintained for inspection by the Department for three years and shall include, but not be limited to, the date, the name of the person who performed the test and the device serial number.

New condition now listed as:

The Licensee shall perform a misconnect test in accordance with the manufacturer's recommendations. If third party equipment is utilized, then a **daily** misconnect test shall be performed. Records shall be maintained for inspection by the Department for three years and shall include, but not be limited to, the date, the name of the person who performed the test and the device serial number.

****This condition has been updated to reflect the increase of frequency for misconnect tests when utilizing third party equipment.**

REQUEST TO ADD NEW RADIOACTIVE MATERIAL LICENSE CONDITION:

Gauges

8) Online internet training from an Agreement State or NRC approved course for portable nuclear gauge safety training must be followed by hands on training from the Radiation Safety Officer or Manufacturer prior to the use of the gauge. A written record of the hands on training shall be maintained for inspection by the Department.

****This condition has been added to address the hands on training requirement for all users that receive online training.**