

NRC Update on Federal Regulatory Activities Affecting Industrial Radiography

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Topics

- 10 CFR Part 34 Rulemaking
- 10 CFR Part 37 Activities
- Materials Inspection Program Changes
- Escalated Enforcement Actions

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
- Rule and Guidance Information should be issued as final in first half of 2020

Revised Radiation Safety Requirements Rule

- PRM 34-6: Clarification to Training, Surveillance, and the Two Man Rule
- Petition Proposed Changes to the following:
 - 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
- NRC Evaluating Next Steps for Addressing Issues Raised in the PRM

10 CFR Part 37 Activities

Current Part 37 Activities

- Draft revisions to NUREG-2155 completed
 - Public comment period ongoing and closes next week
- 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>

Information Notice (IN)

- IN 2019-04 issued August 14, 2019

Effective Cyber Security Practices to Protect Digital Assets of Byproduct Materials Licensees

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

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)

Materials Inspection Program Changes

Current and Future Changes to the Inspection Program

- IMC 2800, “Materials Inspection Program” changed in 2017 to allow extension of the inspection interval for high performers
- IMC 2800 completely revised and reciprocity inspection information moved to this IMC (scheduled to be issued later this year)
- Future inspection program changes expected to further risk-inform the materials inspection program, including the Inspection Procedure for Industrial Radiography (IP 87121)

Escalated Enforcement Actions

Industrial Radiography Escalated Enforcement

- IA-18-043 [30.10(a)(1)and 30.34(c)]
 - Deliberately failed to use iridium-192 for the purpose of radiographic operations as authorized by the license

Industrial Radiography Escalated Enforcement

- EA-18-113 [30.34(c)]
 - Failure to confine the use of byproduct material to the purposes authorized in the license

Industrial Radiography Escalated Enforcement

- EA-19-090 [34.13(g), 30.9(a), and 37.21]
 - Submitted inaccurate information about the qualifications of the proposed Radiation Safety Officers (RSOs)
 - Maintained a license without a qualified RSO
 - Allowed unauthorized possession of and access to a radiography source without an access authorization program

Import of Non-U.S. Byproduct Material (Sealed Sources (Waste)) Without an Import License

- EA-18-170 [110.5, 110.9, 110.20(a) and 110.27(c)]
 - Failure to obtain a specific license authorizing the import of non-U.S. origin radioactive waste (disused sealed sources) containing byproduct material (iridium-192, selenium-75, and ytterbium-169) into the U.S.

Industrial Radiography Security Enforcement Issues

- Several Severity Level III (10 CFR Part 37) Violations during the Past Year

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

Questions?

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