



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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****CORRECTED****

NRC CONSIDERS CHANGES TO REGULATIONS ON PRODUCTS CONTAINING RADIOACTIVE MATERIAL

The Nuclear Regulatory Commission is considering amending its regulations to improve, update and clarify its requirements for the possession and use of products containing radioactive material. The changes would better ensure future protection of public health and safety, make licensing more effective and efficient and reduce unnecessary regulatory burden.

The Commission has authority under the Atomic Energy Act to issue both general and specific licenses for the use of byproduct material. Exemptions from licensing may be issued for beneficial uses of licensed material, where the exemption will not constitute an unreasonable risk. Commission regulations currently have 15 exemptions from licensing for byproduct material. Examples include watches and smoke detectors containing certain amounts and types of radioactive material.

The proposed improvements and updates to the exemptions include the following changes:

(1) Transfers of products and materials to persons exempt from licensing would have to be reported by the next January 31 date. Currently such reports are required only once every five years.

(2) Exempt amounts of radioactive material could not be bundled together into one product if it would create a radiation level above what was anticipated in authorizing the exempt use.

(3) Extraneous provisions of the regulations would be removed by deleting exemptions for products that are no longer being distributed. These products include automobile lock illuminators, balances of precision, automobile shift quadrants, marine compasses, thermostat dials and pointers, spark gap irradiators and resins containing scandium-46 for sand consolidation in oil wells. However, in the unlikely event that someone still possesses any of these products, the rule would not change the regulatory status of any such products previously distributed under the regulations in effect at that time.

(4) The proposed rule would establish a specific exemption from licensing requirements for smoke detectors containing only specified small amounts of americium-241. This would help reduce the regulatory burden and fees for persons applying for licenses to distribute smoke detectors.

In addition to these changes for exempt distribution licenses, the NRC proposes to make a

change to the requirements involving general licenses. A general license grants authority to a person for certain activities involving nuclear material and is effective without the filing of an application with the NRC or the issuance of a license to a particular person. The proposed rule would also clarify the steps general licensees must take if they wish to transfer a product to a specifically licensed status.

The proposed rule was published Jan. 4 in the *Federal Register*. Interested persons are invited to submit written comments by March 20. The comments should be mailed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or e-mailed to SECY@nrc.gov. Comments may also be submitted via the NRC's rulemaking Web site at: <http://ruleforum.llnl.gov/>.

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