

March 30, 2010

ALL AGREEMENT STATES, MICHIGAN

REQUEST TO PROVIDE INFORMATION ON INSPECTION OF LICENSEES REPORTING TO THE NATIONAL SOURCE TRACKING SYSTEM (FSME-10-028)

Purpose: To gather information on inspections of licensees reporting to the National Source Tracking System (NSTS).

Background: On April 9, 2009, U.S. Nuclear Regulatory Commission (NRC) issued Temporary Instruction (TI) 2800/039 to the Inspection Manual entitled "Verification of Licensee Responses to NRC Requirement for Inventories of Materials Tracked in the National Source Tracking System Pursuant to Title 10, Code of Federal Regulations, Part 20.2207 (10 CFR 20.2207)." On May 26, 2009, TI 2800/039 was transmitted to the Radiation Control Program Directors (RCPD) via RCPD-09-009 entitled "Availability of the Final Temporary Instruction for the National Source Tracking System." TI 2800/039 was issued to confirm that licensees have reported their initial inventories of sealed sources pursuant to 10 CFR 20.2207 and to verify that the NSTS database correctly reflects the Category 1 and 2 sealed sources actually possessed by licensees. In addition, inspections conducted in accordance with this TI will verify that certain administrative information in NSTS is accurate.

On August 28, 2009, NRC issued enforcement guidance memorandum EGM-09-007 "Interim Guidance For Dispositioning Violations of National Source Tracking System (NSTS) Requirements." The NRC determined that the interim guidance was needed until the enforcement manual or enforcement policy could be revised to include the topic of dispositioning of NSTS violations. EGM-09-007 was transmitted to the Agreement States via an NRC Office of Federal and State Materials and Environmental Programs (FSME) letter (FSME-09-083) entitled "NRC Notification of Issuance of Enforcement Guidance Memorandum-09-007, Revision 1, Interim Guidance for Dispositioning Violations of National Source Tracking System Requirements" on September 18, 2009.

Discussion: In response to a Staff Requirements Memorandum resulting from a Commission briefing on radioactive source security held in April 2009, NRC is seeking information on compliance with NSTS reporting requirements and inspection experience. FSME is requesting a response to the following:

1. Among licensees that possess nationally tracked sources, how many inspections have been performed in accordance with TI 2800/039 or equivalent requirements?

*This information request has been approved by OMB 3150-0029, expiration 08/31/2010. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

2. Among those inspected, have all achieved full compliance with 10 CFR 20.2207, or equivalent, reporting requirements?
3. Have you identified any issues or concerns as a result of these inspections?

We would appreciate receiving your comments (fax or e-mail) by April 19, 2010. Please send your comments to the contact individual listed below. If you have any questions regarding this communication, please contact me at 301-415-3340 or the individual named below.

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/RA/

Robert J. Lewis, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

4. Among those inspected, have all achieved full compliance with 10 CFR 20.2207, or equivalent, reporting requirements?
5. Have you identified any issues or concerns as a result of these inspections?

We would appreciate receiving your comments (fax or e-mail) by April 19, 2010. Please send your comments to the contact individual listed below. If you have any questions regarding this communication, please contact me at 301-415-3340 or the individual named below.

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