



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Office of Waste, Air, Radiation & Remediation

Final Rulemaking Security Rule for Radioactive Materials

Environmental Quality Board Meeting
September 15, 2015

Tom Wolf, Governor

John Quigley, Secretary

Final Rule

The rulemaking adds a reference to the PA Code for DEP to incorporate by reference a new Nuclear Regulatory Commission (NRC) security regulation, specifically 10 CFR Part 37.

Background

- Security orders were issued by the NRC following the terrorist attacks of September 11, 2001, to radioactive material licensees possessing large-quantity, high-activity materials
- Identical DEP orders were re-issued by DEP when Pennsylvania became an Agreement State in March 2008

Requirements

- The security orders mandate licensees who possess high activity radioactive sources to have additional requirements, such as, assuring personnel who handle the sources to be trustworthy and reliable (T&R)
- T&R personnel would be required to be fingerprinted and undergo a criminal background check

Requirements

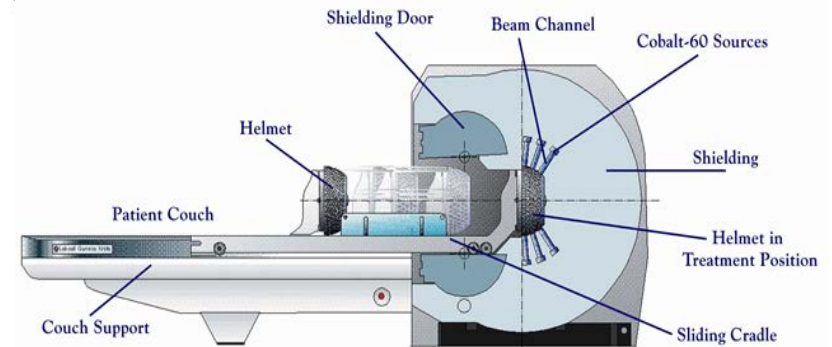
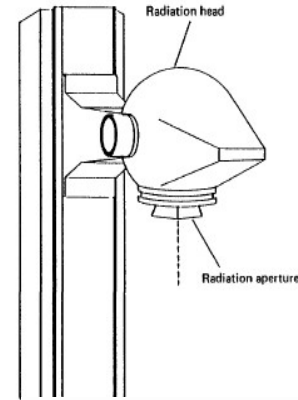
- Licensees are required to have double locked storage areas and a monitoring surveillance system
- The new regulations are virtually the same as what the increased control orders required
- DEP held a series of workshops throughout the state

Licenses in Pennsylvania

- Pennsylvania has approximately 650 specific radioactive material licenses
- Out of these 650 licenses, 65 require the more stringent security orders

Examples of High-Activity Sources

- Teletherapy
- Gamma knife
- Blood irradiator
- Industrial radiography



Federal Regulation

- The NRC orders were codified in Title 10 Code of federal regulations as a new Part 37
- NRC requires all Agreement States to adopt compatible regulations
- DEP orders will remain in place until compatible Pennsylvania state regulations are issued

DEP Implementation

- DEP published the proposed regulation in the PA Bulletin on March 21, 2015
- There were no comments from the regulated community, public, IRRC, or NRC on this regulation

DEP Implementation

- DEP's Radiation Protection Advisory Committee endorsed this rulemaking
- Pennsylvania is obligated to have 10 CFR Part 37 equivalent requirements in effect by March 2016
- NRC will audit Pennsylvania's program to ensure this regulation is in place

Summary and Recommendation

- Enhanced security of potentially dangerous radioactive materials will be maintained with the adoption of this regulation
- DEP recommends EQB approval



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Kenneth Reisinger
Acting Deputy Secretary
Waste, Air, Radiation and Remediation
kereisinge@pa.gov
717-772-2724