

# Licensing State Designation

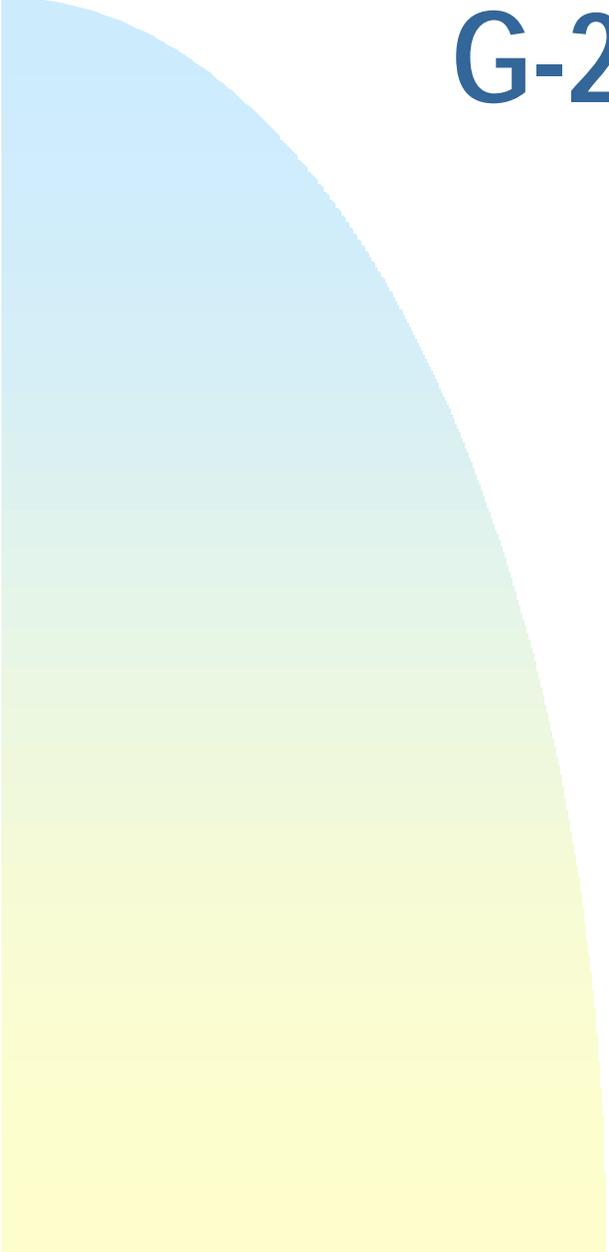
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Conference of Radiation Control Program  
Directors, Inc. (CRCPD)

Instituted in 1983, the  
Licensing State concept is  
meant to assure that **NARM** is  
adequately regulated

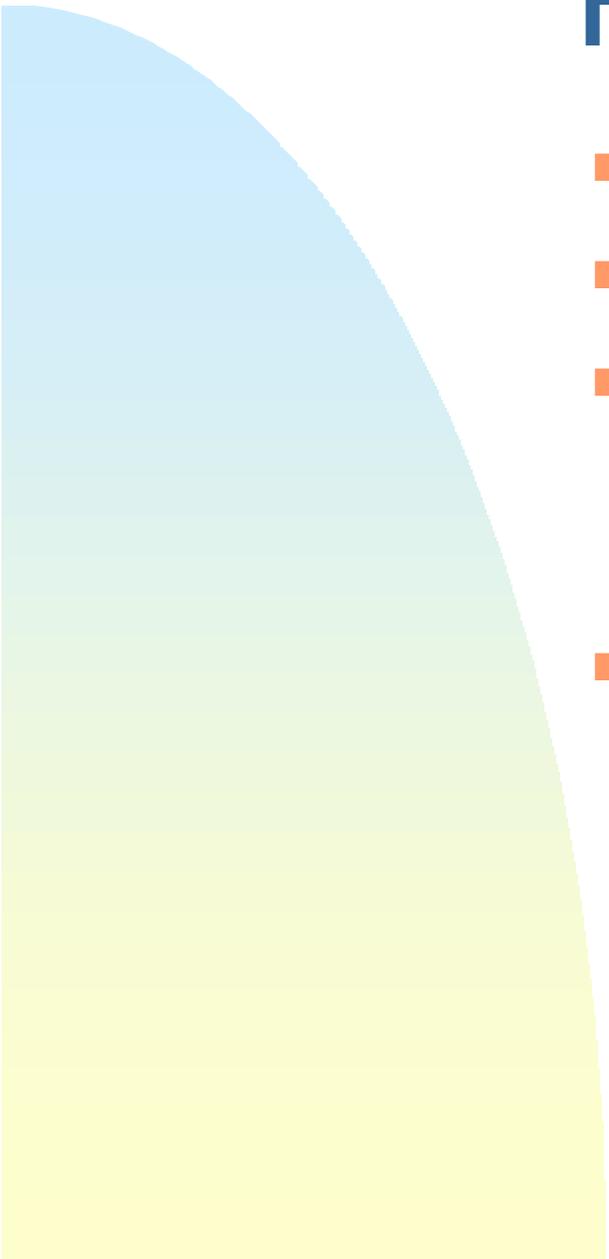
Naturally Occurring &  
Accelerator Produced  
Radioactive  
Material

Currently, the Licensing State Review  
Committee (G-20) is revising the criteria for  
“CRCPD Recognition of Licensing States  
for the Regulation and Control of NARM”



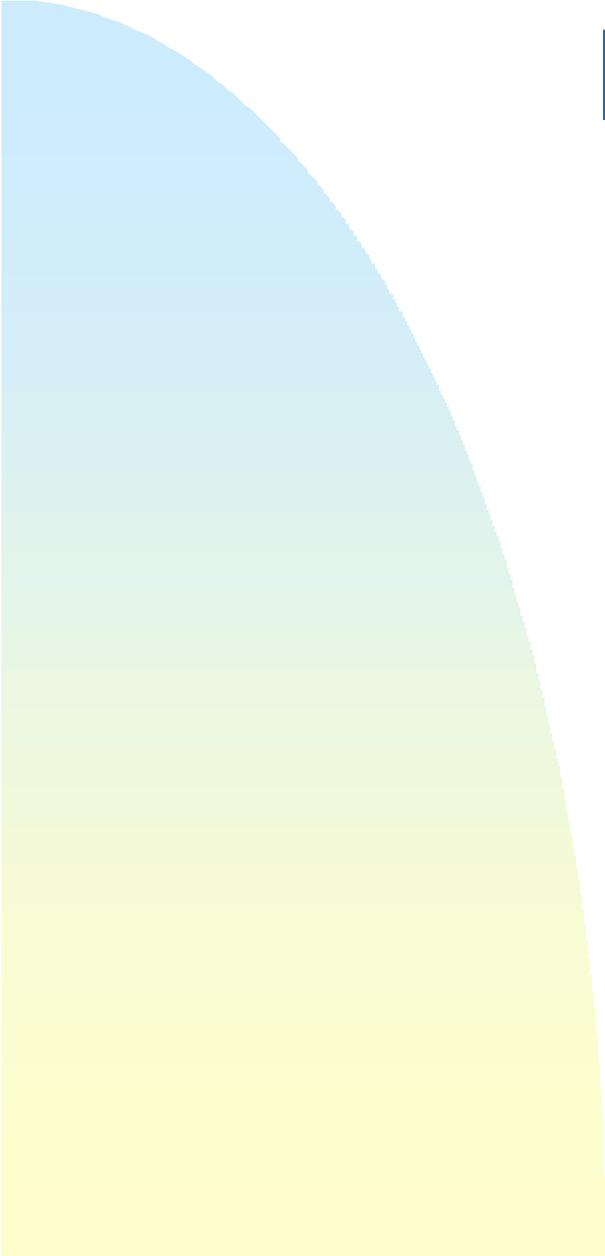
# G-20 Committee Activities

- Revising Criteria Document based on:
  - ◆ Results of 1999 Survey
  - ◆ New “Criteria for an Adequate Radiation Control Program”
  - ◆ Revised SSRCRs
- Considering Future Steps



# History

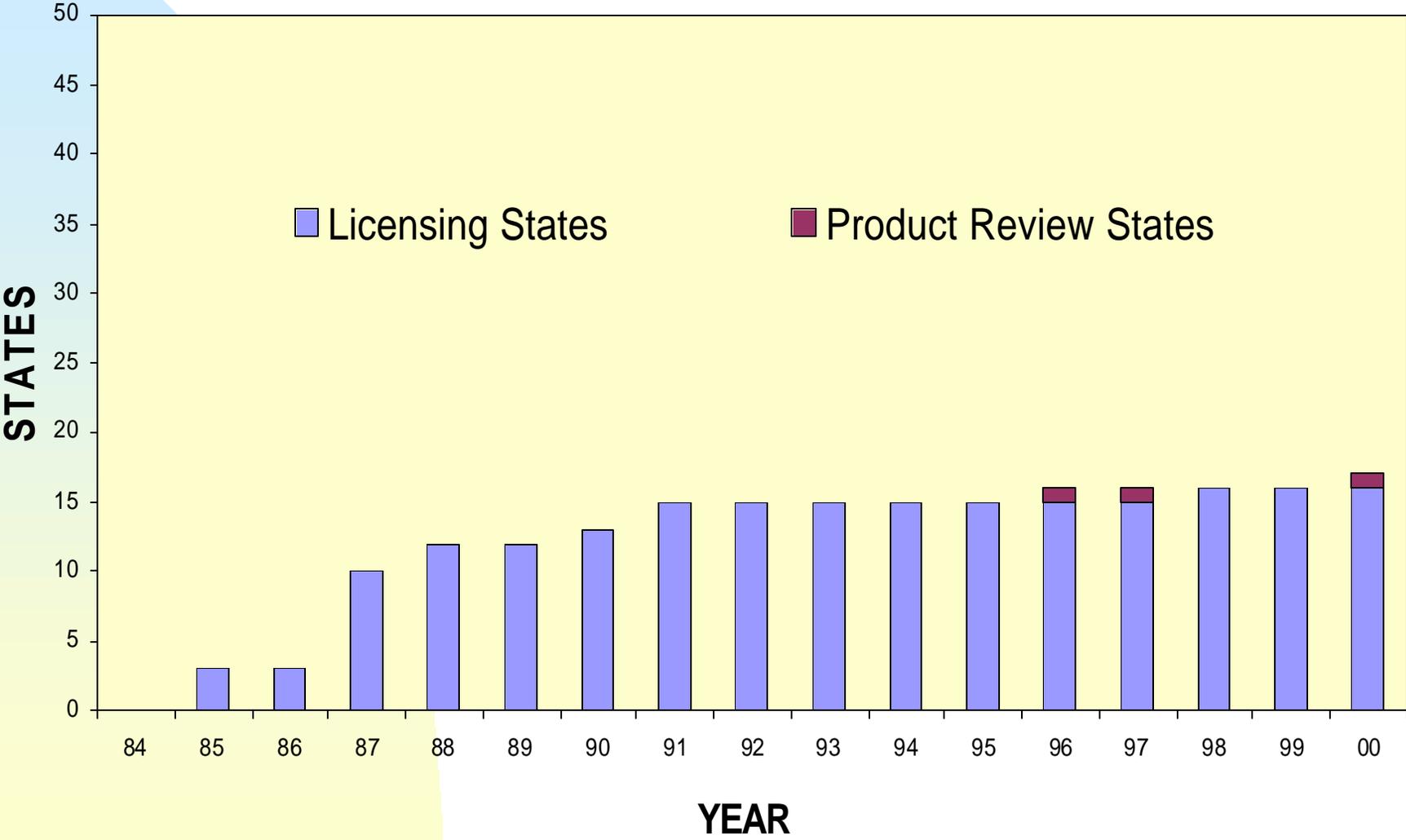
- 1983 - Interim Criteria Issued
- 1986 - Final Criteria Approved
- 1990 - CRCPD survey: over 70% of the states responding supported Licensing State concept
- 1994 - Licensing State application procedure simplified; a new, limited designation for states to review the manufacture and distribution of NARM was created (Product Review State)

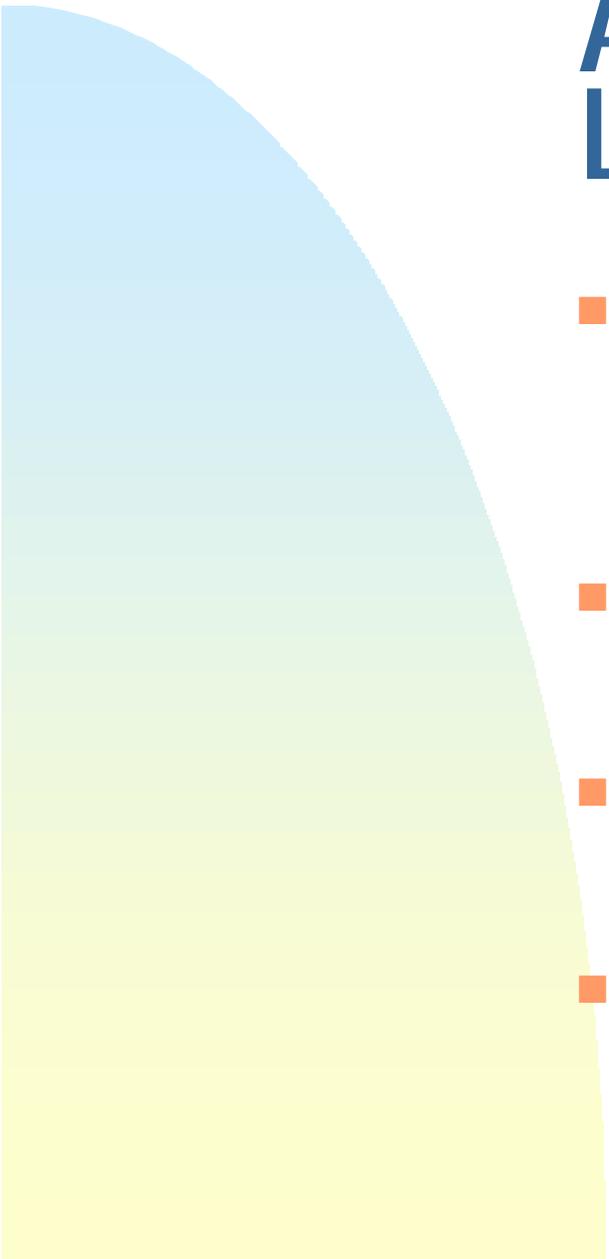


# Licensing State Program

- Modeled after NRC's Agreement State Program
- Designation must be requested
- Review of Regulations (SSRCR)
- Review of Program Elements
  - ◆ (authority, staffing, technical quality of licensing, inspection and enforcement, incident response, budget, equipment, etc.)

# Progress in Licensing State Designations





# Advantages of Being a Licensing State

- Acceptance by other Licensing States (reciprocity, manufactured products or devices)
- Evidence of Program Maturity and Adequacy
- Consistency and Uniformity in National Standards
- Improved Market Access for its Manufacturers

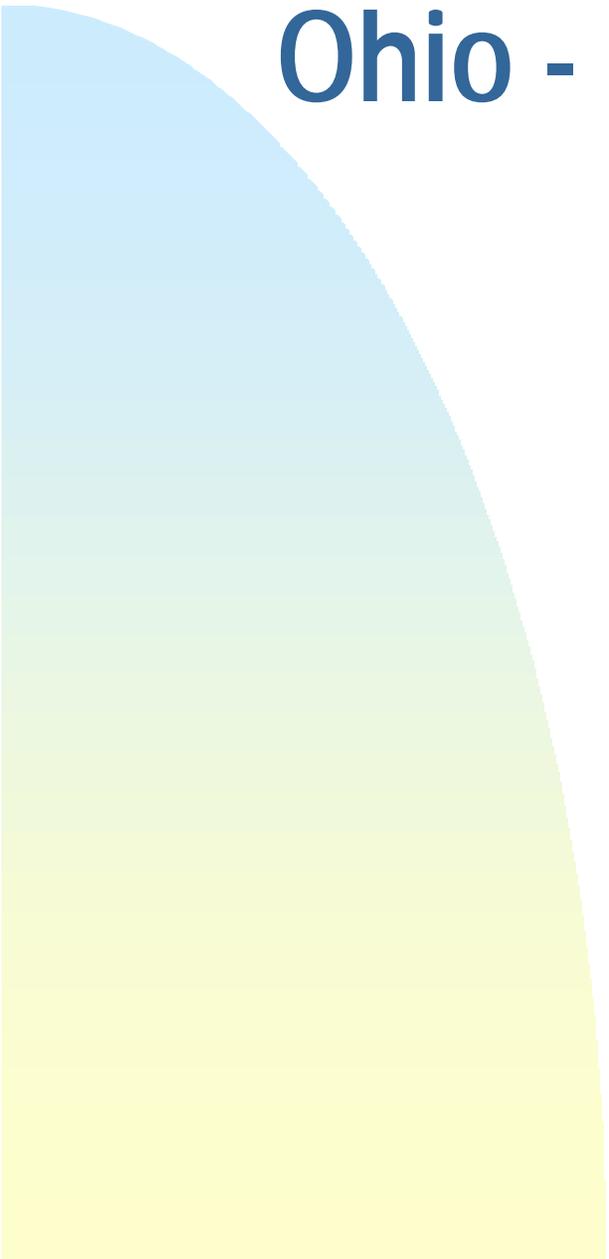
# Who Are the Licensing States?

- Arizona
- Colorado
- Florida
- Georgia
- Illinois
- Louisiana
- Maryland
- Massachusetts
- Mississippi
- North Dakota
- Ohio \*
- Oregon
- Rhode Island
- Tennessee
- Texas
- Utah
- Washington

\* for Product Review Only

# Ohio - Licensing State Update

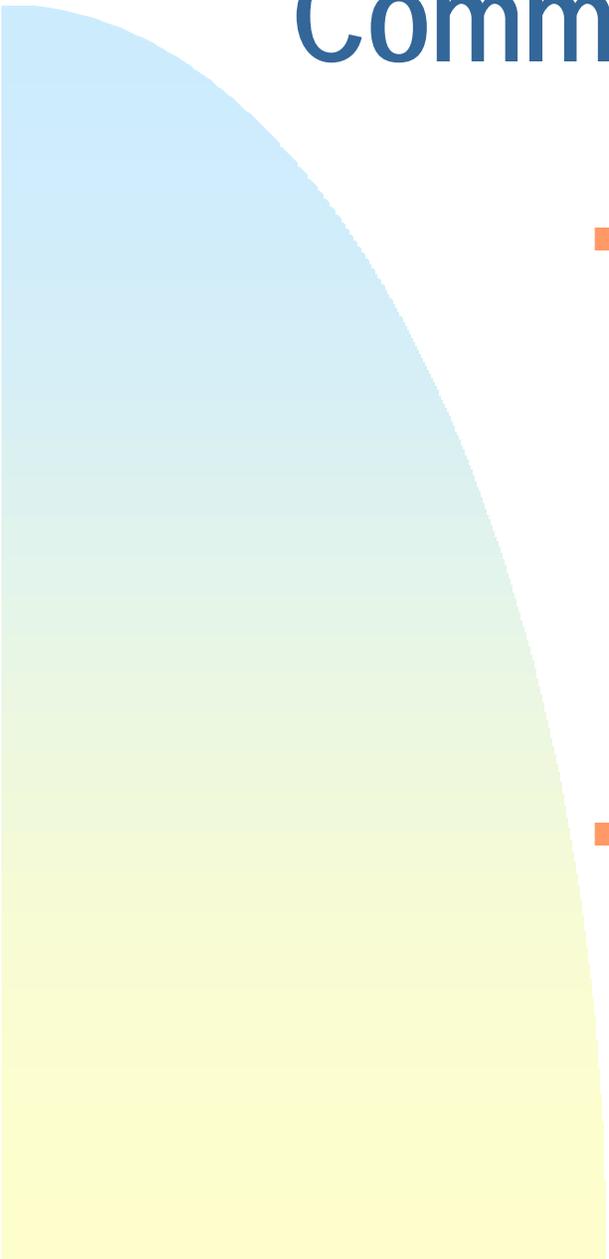
- Application for Licensing State designation submitted 9/98
- Became Agreement State 8/99
- Chief Administrative Officer's certification submitted 3/00
- Most regulations incorporated by reference to 10 CFR



# Ohio - Licensing State Update

- Approved as Licensing State for Product Review only - 5/00
- Application for full Licensing State remains open pending final adoption of NARM regulations and submittal of cross reference

# Common NARM Radionuclides

- 
- Nuclear Medicine
    - ◆ Thallium 201
    - ◆ Gallium 67
    - ◆ Indium 111
    - ◆ Iodine 123, 125
    - ◆ Palladium 103
    - ◆ Cobalt 57
  - PET
    - ◆ Fluorine 18
    - ◆ Nitrogen 13
    - ◆ Carbon 11
    - ◆ Oxygen 15
  - NORM
    - ◆ Radium 226
    - ◆ Radon 222
    - ◆ Polonium 210
    - ◆ Potassium 40
  - Others Possible
    - ◆ Sodium 22
    - ◆ Germanium 68
    - ◆ Sulfur 35

# 1999 State Survey

- 68% of States Responded
- Major findings:
  - ◆ The Licensing State program has created unintended problems between Agreement States
  - ◆ The target (Non-Agreement States) has been missed!
  - ◆ Bureaucratic requirements kept some Agreement States from applying to become Licensing States

Radiation Control Program (RCP) Directors in 50 states were contacted to determine why only 16 states have become Licensing States

# More Survey Results

- Enforcement of “Licensing States restriction” has been variable among Licensing States
  - ◆ Many Licensing States allow manufactured products or devices from non-Licensing States
- Most Agreement States do not distinguish their NARM licensees from their AEA licensees
- Over 800 NARM users and at least 5 manufacturers were identified in non-Agreement States

“AEA” is Atomic Energy Act materials regulated by the US Nuclear Regulatory Commission (NRC)

# Excuses for not becoming a Licensing State

<u>Excuse</u>	<u>AS</u>	<u>Non-AS</u>
<b>No Perceived Benefit</b>	<b>2</b>	<b>5</b>
<b>Workload or Cost</b>	<b>1</b>	<b>5</b>
<b>Voluntary/Not Required</b>	<b>2</b>	<b>3</b>
<b>Didn't Meet Criteria</b>	<b>1</b>	<b>2</b>
<b>Redundant for Agreement States</b>	<b>3</b>	<b>-</b>

AS means Agreement State

Non-AS means Non-Agreement State

3 states are currently  
“considering” Licensing  
State designation

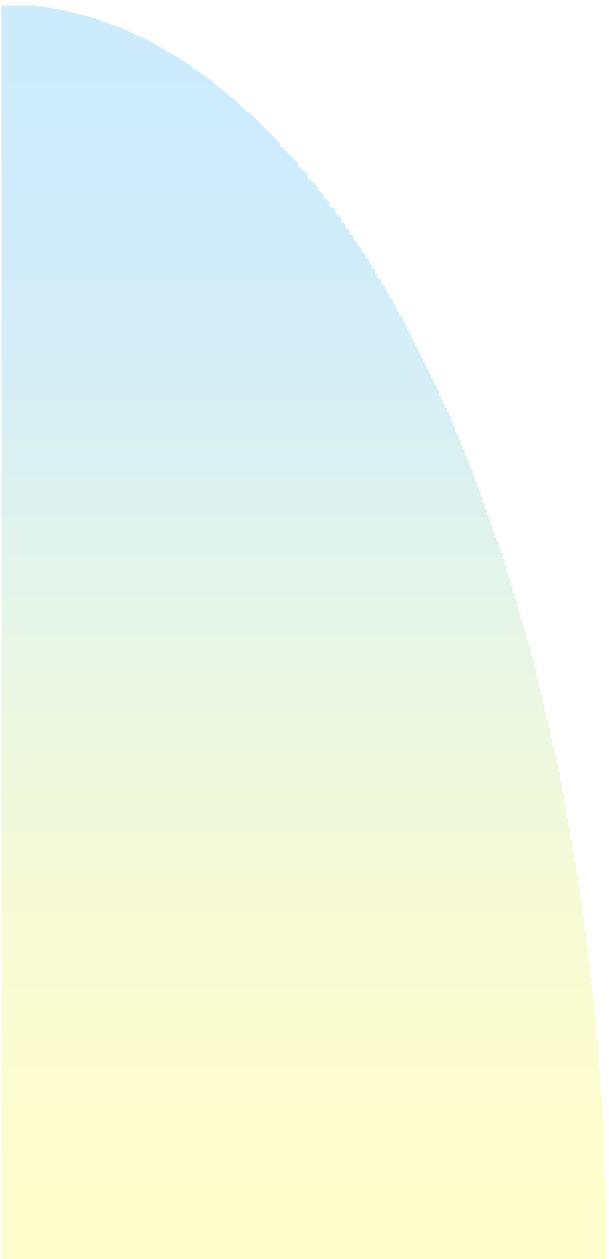
# Criteria for Designation (and how it might change)

## Current

- Written request
- Regulations for NARM per SSRCR
- Meet “Criteria for Adequate RCP” (CRCPD pub 94-8)
- In good standing with NRC or site visit
- SS&D equivalent to NRC
- Optional Product Review State criteria
- Certification by agency head

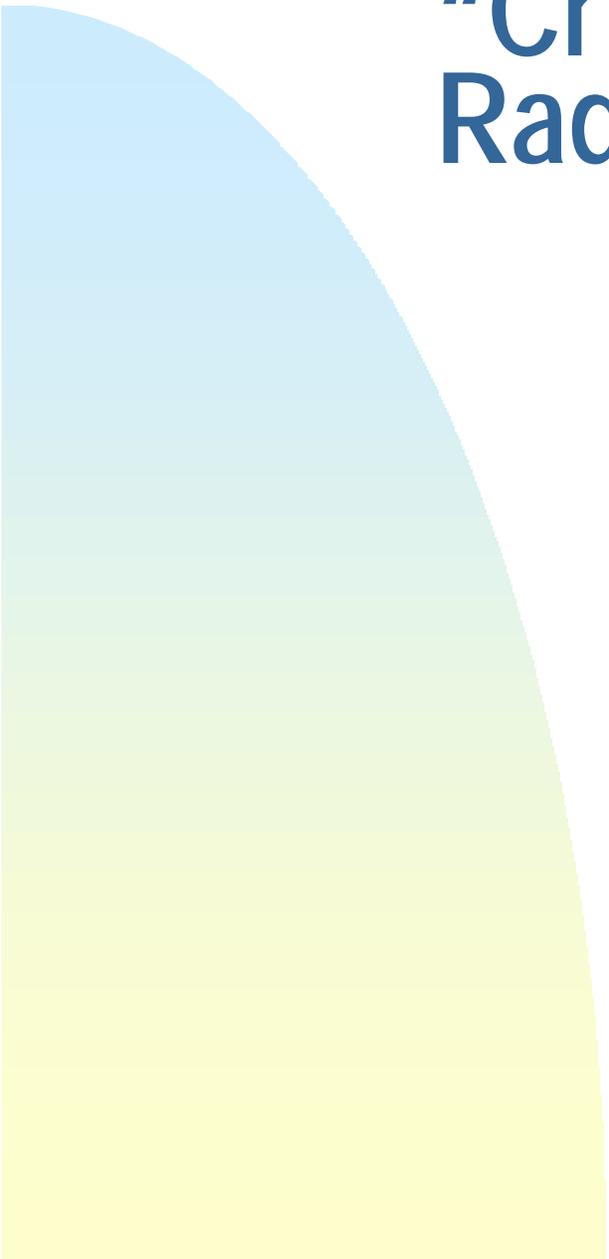
## Future?

- Same
- Update, allow “certification”
- Use revised pub 99-2
- Same
- Same
- Modify
- Same



# NARM Regulations

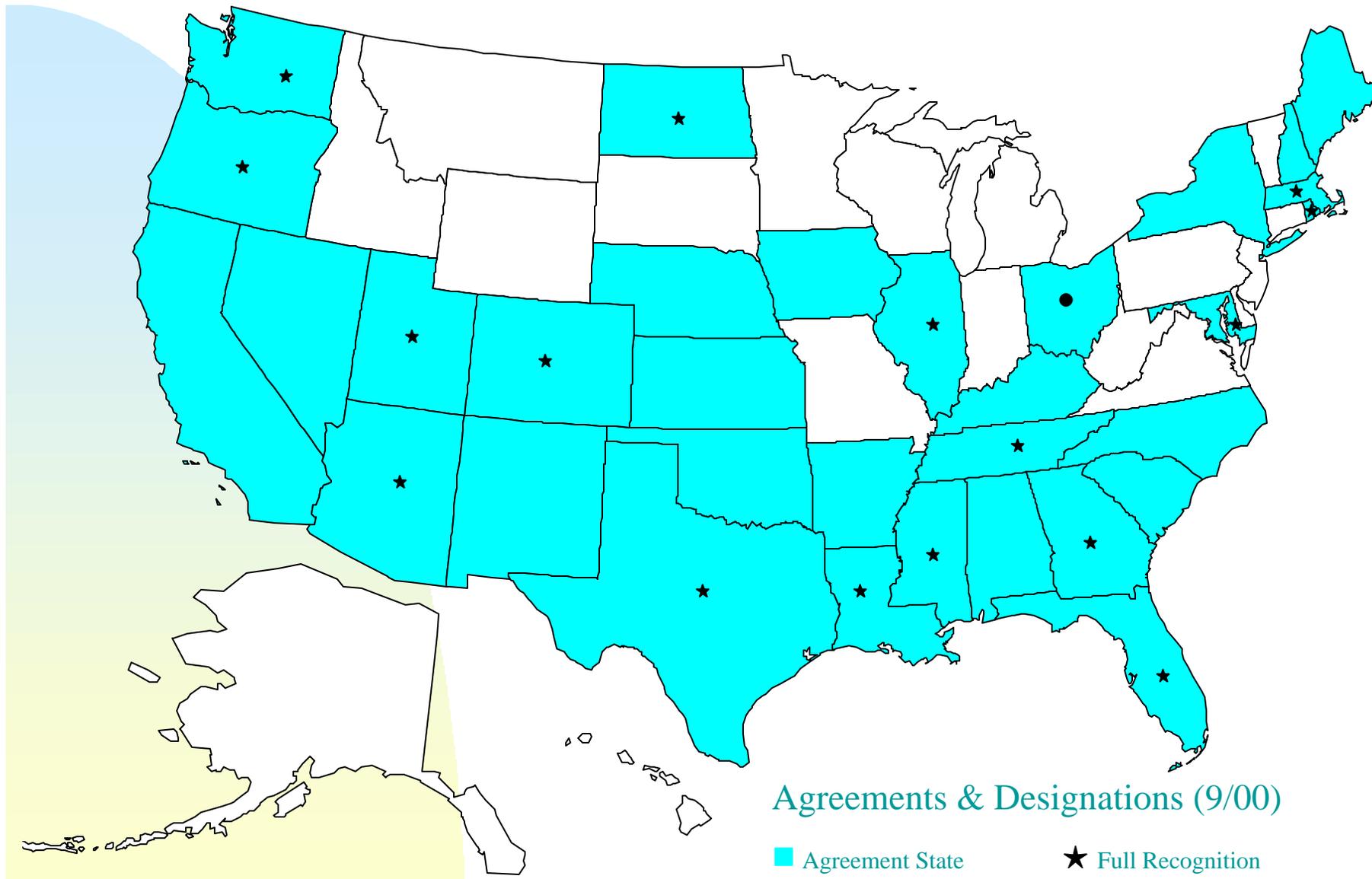
- Updating regulations can be costly
- NRC now allows Agreement States to use other legally binding mechanisms
- G-20 is considering allowing Agreement States to certify:
  - ◆ Program treats NARM same as AEA
  - ◆ Program will employ other legally binding mechanisms
  - ◆ Program uses SSRCR as basis for NARM standards



# “Criteria for an Adequate Radiation Control Program”

- CRCPD Publication 99-2 was published in April 1999
- This replaces Publication 82-2, Criteria for Adequate Radiation Control Programs (Radioactive Materials), which served as the basis for Publication 94-8, CRCPD Recognition of Licensing States...
- The new document is reorganized and more performance oriented

# Radiation Control Programs



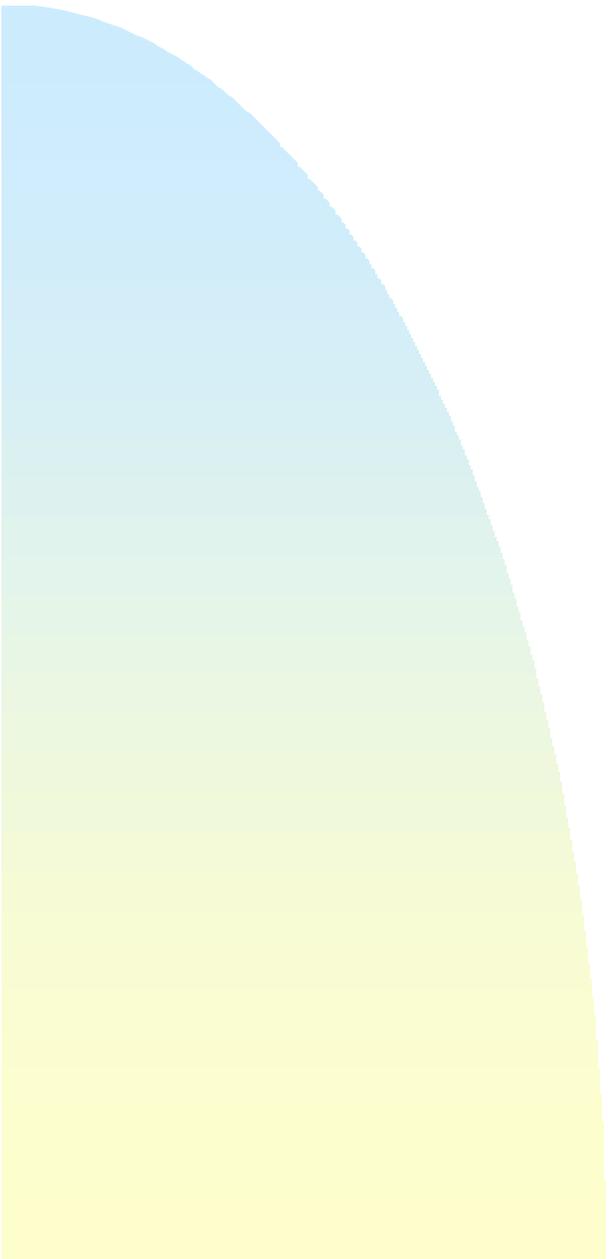
## Agreements & Designations (9/00)

- Agreement State
- Non-Agreement State
- ★ Full Recognition
- Product Review Only



# Future G-20 Activities

- Develop standard practices for Licensing States to adopt
- Emphasize tougher enforcement by existing Licensing States
- Consider ways to “market” the Licensing State Program
  - ◆ To Agreement States
  - ◆ To Non-Agreement States



# Future G-20 Activities

- Explore Congressional Charter to provide sufficient basis for a “legal” program
- Perform periodic reviews of Licensing States & Product Review States
  - ◆ Participate with NRC IMPEP review?