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RECORD #25

TITLE: License Condition, "... Used by or Under the Supervision
of ..."

FICHE: 68579-236

U. S. NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT

INSPECTION AND ENFORCEMENT MANUAL

10 CFR 30
License Condition
re: supervision
Issue date: 10/1/79
SSINS: FFMSI 9320
9123
6100

INTERPRETIVE GUIDE

SUBJECT: LICENSE CONDITION, "...Used by or Under the Supervision of...."

A. PURPOSE AND BACKGROUND

To provide guidance for inspecting licensees to determine the extent and degree needed for compliance regarding supervision over the use of licensed materials.

B. APPLICABILITY

This guidance applies to all materials licensees except radiography; The requirements for licensee supervision of radiographic operations is defined in Part 34.

C. EXPLANATION

1. In developing the following interpretation with members of NRC staff and ELD, it was concluded that it is impractical to try to define numerical times and distances with respect to supervision availability, because of the wide variations in circumstances. Similarly, it is impractical to define the frequency of verbal orders or the performance of audits by supervision; these would depend in part on the degree of changes in operations, equipment, personnel, etc. Therefore, for these reasons and because the interpretation is necessarily broad, considerable judgment by the inspector(s) in implementing the guidance will continue to be required.
 - a. An authorized user named on an NRC license is considered to be supervising the use of radioactive materials when he directs personnel in the conduct of operations involving the licensed material. This does not imply that the authorized user must be present at all times during the use of such materials. However, the authorized user/supervisor is responsible for assuring that personnel under his supervision have been properly trained and instructed.
 - b. The authorized user/supervisor is therefore responsible for the supervision of operations involving the use of radioactive

materials whether he is present or absent. When absent, the authorized user should be available for consultation (by telephone) in a reasonable amount of time commensurate with the need for consultation, based on the adequacy of the training of those personnel under the user's supervision.

- C. For medical programs, the supervising physician should be located sufficiently close to the hospital in the event he is needed to personally supervise a procedure or interpret the results of a procedure. "Sufficiently close" cannot be defined for the reasons stated above; but the supervisor should be in the same city as the activity or close to the city (if it is a small city or town) so that he can get to the facility in a reasonable period of time. (Many physicians use a "bell boy" beeper so that they can be alerted to call a hospital if needed.) A supervisor that goes on vacation or cannot be reached is not considered to be supervising. Further, for physicians licensed to supervise, it is necessary that they be available to interpret the results of a medical procedure, such as scans, whether or not they actually perform the scans, give injections, etc.

D. COORDINATION

This guidance has the concurrence of ELD (Joanna Becker), NMSS (Patricia Vacca).

E. REFERENCES

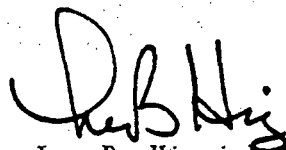
None

F. SUPERSESSION

None

G. CONTACT

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