

Republic of the Philippines
PHILIPPINE NUCLEAR RESEARCH INSTITUTE
Department of Science and Technology
Address: Commonwealth Avenue Tel. No.: 97-60-11 to 15
Diliman, Quezon City Fax No.: 95-16-46

**NRLSD BULLETIN NO. 92-01 RENEWAL/AMENDMENT OF RADIOACTIVE
MATERIAL LICENSES**

A. ADDRESSEES

All holders of radioactive material licenses.

B. PURPOSE

This bulletin is issued to explain the regulatory requirements regarding prompt renewal of licenses and the provisions for license amendments.

C. DESCRIPTION OF CIRCUMSTANCES

It has been observed that the timely application for renewal of licenses as well as for amendment of existing licenses are not being addressed by many licensees as very important components for assuring compliance with PNRI regulations.

Enumerated below are some situations that exist among some radioactive materials users:

1. Radioactive materials are continuously being used despite the possession of an expired radioactive materials license.
2. Some users do not file their applications for renewal of licenses during the period prescribed by regulations, i.e., not less than thirty (30) days prior to the expiration of the existing license, despite written reminders from the Institute.
3. Some licensees applying for renewal of license fail to submit adequate information to satisfy licensing requirements. Hence, the application remains unapproved even beyond the thirty (30) days grace period.
4. Some licensees remain nonchalant whether an application for license renewal is approved or not, and continue using radioactive materials without the renewed authority.

5. Amendments or changes in valid licenses are apparently introduced and implemented by some licensees without notifying the Institute about such changes. For example, change of RHSO, change of authorized users, use of additional radioactive material.

D. DISCUSSIONS

The regulatory requirements for renewals and amendments of licenses are prescribed in Section 34; Section 35; and Section 36 of CPR Part 2.

1. Expiration and Renewal of Licenses

Section 34 of CPR Part 2 provides that:

- a) Each license shall expire at the end of the day in the month and year stated therein.
- b) A licensee shall file an application for renewal of his license not less than thirty (30) days prior to the expiration of the existing license. Such existing license shall remain valid until the application for renewal has been finally determined by the Institute, but in no case shall the period be more than 30 days after the expiration of the existing license.

It is incumbent on the licensee to maintain the validity of its license by filing an application for renewal not less than thirty (30) days prior to the expiration of the existing license. If all required information are submitted with the application, an evaluation will be completed within 30 days from date of expiration of the license. An expired license is granted a 30 day grace period to allow processing of the application. It shall be at the discretion of the Institute to determine the extent of authority in the license that will be extended to the licensee depending on the evaluation of the application and the expressed capability of the licensee to comply with his proposed license commitments.

If the licensee does not or cannot address the requirements within the 30-day grace period, the Institute shall modify the license accordingly or initiate a procedure to terminate the license. **It is further emphasized that a person holding a terminated license is liable of a criminal offense if he continues using radioactive material without the authority of the Institute.**

2. Amendment of Licenses

Section 35 of CPR Part 2 provides that the licensee must apply for and must receive a license amendment before he can:

- a) use the radioactive material covered in his license for purposes other than those specified in the license;

- b) use or store said radioactive material in locations other than those specified in the license;
- c) use radioactive materials other than those specified in the license;
- d) use the same radionuclide in quantities exceeding those specified in the license for the purposes and at the locations specified in the license;
- e) change personnel listed therein, e.g., the authorized individual user(s), the person designated as Radiation Safety Officer etc.; and
- f) make major change in the equipment and facilities in which the licensed radioactive material is stored, used or handled.

The Institute must be immediately notified in writing of any changes on the license which the licensee intends to incorporate. Such prompt notification will ensure the timely modification of the license and minimize any unnecessary disruption of licensed activities. Non-conformance with this requirement will subject the licensee to administrative and enforcement sanctions from the Institute that may include the issuance of cease and desist orders or the more serious license modification order.

E. REQUIRED LICENSEE ACTION

Licensees must review the aforementioned regulations on license renewals and amendments, and ensure that procedures for compliance are adequately addressed and implemented. No written response is required by this bulletin. If there are questions about this bulletin, please contact the person listed below.

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Technical Contact:

OSROXZON L. AMPARO

Head, Standards Development Section
Nuclear Regulations, Licensing & Safeguards Division
Tel No. 97 - 60 - 11 to 15 local 227
96 - 73 - 43 Direct Line