

## Nuclear Regulatory Commission

## § 39.91

(b) Evidence of latest calibration of the radiation survey instruments in use at the site required by § 39.33.

(c) Latest survey records required by §§ 39.67 (b), (c), and (e).

(d) The shipping papers for the transportation of radioactive materials required by § 71.5 of this chapter; and

(e) When operating under reciprocity pursuant to § 150.20 of this chapter, a copy of the Agreement State license authorizing use of licensed materials.

### § 39.77 Notification of incidents and lost sources; abandonment procedures for irretrievable sources.

(a) The licensee shall immediately notify the appropriate NRC Regional Office by telephone and subsequently, within 30 days, by confirmatory letter if the licensee knows or has reason to believe that a sealed source has been ruptured. The letter must designate the well or other location, describe the magnitude and extent of the escape of licensed materials, assess the consequences of the rupture, and explain efforts planned or being taken to mitigate these consequences.

(b) The licensee shall notify the Commission of the theft or loss of radioactive materials, radiation overexposures, excessive levels and concentrations of radiation, and certain other accidents as required by §§ 20.2201–20.2202, § 20.2203 and § 30.50 of this chapter.

(c) If a sealed source becomes lodged in a well, and when it becomes apparent that efforts to recover the sealed source will not be successful, the licensee shall—

(1) Notify the appropriate NRC Regional Office by telephone of the circumstances that resulted in the inability to retrieve the source and—

(i) Obtain NRC approval to implement abandonment procedures; or

(ii) That the licensee implemented abandonment before receiving NRC approval because the licensee believed there was an immediate threat to public health and safety; and

(2) Advise the well owner or operator, as appropriate, of the abandonment procedures under § 39.15 (a) or (c); and

(3) Either ensure that abandonment procedures are implemented within 30 days after the sealed source has been

classified as irretrievable or request an extension of time if unable to complete the abandonment procedures.

(d) The licensee shall, within 30 days after a sealed source has been classified as irretrievable, make a report in writing to the appropriate NRC Regional Office. The licensee shall send a copy of the report to each appropriate State or Federal agency that issued permits or otherwise approved of the drilling operation. The report must contain the following information:

(1) Date of occurrence;

(2) A description of the irretrievable well logging source involved including the radionuclide and its quantity, chemical, and physical form;

(3) Surface location and identification of the well;

(4) Results of efforts to immobilize and seal the source in place;

(5) A brief description of the attempted recovery effort;

(6) Depth of the source;

(7) Depth of the top of the cement plug;

(8) Depth of the well;

(9) The immediate threat to public health and safety justification for implementing abandonment if prior NRC approval was not obtained in accordance with paragraph (c)(1)(ii) of this section;

(10) Any other information, such as a warning statement, contained on the permanent identification plaque; and

(11) State and Federal agencies receiving copy of this report.

[52 FR 8234, Mar. 17, 1987, as amended at 56 FR 64980, Dec. 13, 1991; 58 FR 67660, Dec. 22, 1993; 65 FR 20345, Apr. 17, 2000]

## Subpart F—Exemptions

### § 39.91 Applications for exemptions.

The Commission may, upon application of any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest.