

records must be retained for 3 years after each annual internal inspection.

(e) The applicant shall submit a description of its overall organizational structure as it applies to the radiation safety responsibilities in well logging, including specified delegations of authority and responsibility.

(f) If an applicant wants to perform leak testing of sealed sources, the applicant shall identify the manufacturers and the model numbers of the leak test kits to be used. If the applicant wants to analyze its own wipe samples, the applicant shall establish procedures to be followed and submit a description of these procedures to the Commission. The description must include the—

- (1) Instruments to be used;
- (2) Methods of performing the analysis; and
- (3) Pertinent experience of the person who will analyze the wipe samples.

§ 39.15 Agreement with well owner or operator.

(a) A licensee may perform well logging with a sealed source only after the licensee has a written agreement with the employing well owner or operator. This written agreement must identify who will meet the following requirements:

- (1) If a sealed source becomes lodged in the well, a reasonable effort will be made to recover it.
- (2) A person may not attempt to recover a sealed source in a manner which, in the licensee's opinion, could result in its rupture.
- (3) The radiation monitoring required in § 39.69(a) will be performed.
- (4) If the environment, any equipment, or personnel are contaminated with licensed material, they must be decontaminated before release from the site or release for unrestricted use; and
- (5) If the sealed source is classified as irretrievable after reasonable efforts at recovery have been expended, the following requirements must be implemented within 30 days:
 - (i) Each irretrievable well logging source must be immobilized and sealed in place with a cement plug.
 - (ii) A means to prevent inadvertent intrusion on the source, unless the

source is not accessible to any subsequent drilling operations; and

(iii) A permanent identification plaque, constructed of long lasting material such as stainless steel, brass, bronze, or monel, must be mounted at the surface of the well, unless the mounting of the plaque is not practical. The size of the plaque must be at least 17 cm [7 inches] square and 3 mm [$\frac{1}{8}$ -inch] thick. The plaque must contain—

- (A) The word "CAUTION";
 - (B) The radiation symbol (the color requirement in § 20.1901(a) need not be met);
 - (C) The date the source was abandoned;
 - (D) The name of the well owner or well operator, as appropriate;
 - (E) The well name and well identification number(s) or other designation;
 - (F) An identification of the sealed source(s) by radionuclide and quantity;
 - (G) The depth of the source and depth to the top of the plug; and
 - (H) An appropriate warning, such as, "DO NOT RE-ENTER THIS WELL."
- (b) The licensee shall retain a copy of the written agreement for 3 years after the completion of the well logging operation.

(c) A licensee may apply, pursuant to § 39.91, for Commission approval, on a case-by-case basis, of proposed procedures to abandon an irretrievable well logging source in a manner not otherwise authorized in paragraph (a)(5) of this section.

(d) A written agreement between the licensee and the well owner or operator is not required if the licensee and the well owner or operator are part of the same corporate structure or otherwise similarly affiliated. However, the licensee shall still otherwise meet the requirements in paragraphs (a)(1) through (a)(5).

[52 FR 8234, Mar. 17, 1987, as amended at 56 FR 23472, May 21, 1991; 58 FR 67660, Dec. 22, 1993; 65 FR 20344, Apr. 17, 2000]

§ 39.17 Request for written statements.

Each license is issued with the condition that the licensee will, at any time before expiration of the license, upon the Commission's request, submit written statements, signed under oath or

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affirmation, to enable the Commission to determine whether or not the license should be modified, suspended, or revoked.

Subpart C—Equipment

§ 39.31 Labels, security, and transportation precautions.

(a) *Labels.* (1) The licensee may not use a source, source holder, or logging tool that contains licensed material unless the smallest component that is transported as a separate piece of equipment with the licensed material inside bears a durable, legible, and clearly visible marking or label. The marking or label must contain the radiation symbol specified in § 20.1901(a), without the conventional color requirements, and the wording "DANGER (or CAUTION) RADIOACTIVE MATERIAL."

(2) The licensee may not use a container to store licensed material unless the container has securely attached to it a durable, legible, and clearly visible label. The label must contain the radiation symbol specified in § 20.1901(a) of this chapter and the wording "CAUTION (or DANGER), RADIOACTIVE MATERIAL, NOTIFY CIVIL AUTHORITIES (or NAME OF COMPANY)."

(3) The licensee may not transport licensed material unless the material is packaged, labeled, marked, and accompanied with appropriate shipping papers in accordance with regulations set out in 10 CFR part 71.

(b) *Security precautions during storage and transportation.* (1) The licensee shall store each source containing licensed material in a storage container or transportation package. The container or package must be locked and physically secured to prevent tampering or removal of licensed material from storage by unauthorized personnel. The licensee shall store licensed material in a manner which will minimize danger from explosion or fire.

(2) The licensee shall lock and physically secure the transport package containing licensed material in the transporting vehicle to prevent accidental loss, tampering, or unauthorized

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removal of the licensed material from the vehicle.

[52 FR 8234, Mar. 17, 1987, as amended at 56 FR 23472, May 21, 1991; 58 FR 67660, Dec. 22, 1993]

§ 39.33 Radiation detection instruments.

(a) The licensee shall keep a calibrated and operable radiation survey instrument capable of detecting beta and gamma radiation at each field station and temporary jobsite to make the radiation surveys required by this part and by part 20 of this chapter. To satisfy this requirement, the radiation survey instrument must be capable of measuring 0.001 mSv (0.1 mrem) per hour through at least 0.5 mSv (50 mrem) per hour.

(b) The licensee shall have available additional calibrated and operable radiation detection instruments sensitive enough to detect the low radiation and contamination levels that could be encountered if a sealed source ruptured. The licensee may own the instruments or may have a procedure to obtain them quickly from a second party.

(c) The licensee shall have each radiation survey instrument required under paragraph (a) of this section calibrated—

(1) At intervals not to exceed 6 months and after instrument servicing;

(2) For linear scale instruments, at two points located approximately $\frac{1}{3}$ and $\frac{2}{3}$ of full-scale on each scale; for logarithmic scale instruments, at mid-range of each decade, and at two points of at least one decade; and for digital instruments, at appropriate points; and

(3) So that an accuracy within plus or minus 20 percent of the calibration standard can be demonstrated on each scale.

(d) The licensee shall retain calibration records for a period of 3 years after the date of calibration for inspection by the Commission.

[52 FR 8234, Mar. 17, 1987, as amended at 63 FR 39483, July 23, 1998]

§ 39.35 Leak testing of sealed sources.

(a) *Testing and recordkeeping requirements.* Each licensee who uses a sealed source shall have the source tested for leakage periodically. The licensee shall keep a record of leak test results in