

§ 39.5

Logging tool means a device used sub-surface to perform well logging.

Personal supervision means guidance and instruction by a logging supervisor, who is physically present at a temporary jobsite, who is in personal contact with logging assistants, and who can give immediate assistance.

Radioactive marker means licensed material used for depth determination or direction orientation. For purposes of this part, this term includes radioactive collar markers and radioactive iron nails.

Safety review means a periodic review provided by the licensee for its employees on radiation safety aspects of well logging. The review may include, as appropriate, the results of internal inspections, new procedures or equipment, accidents or errors that have been observed, and opportunities for employees to ask safety questions.

Sealed source means any licensed material that is encased in a capsule designed to prevent leakage or escape of the licensed material.

Source holder means a housing or assembly into which a sealed source is placed to facilitate the handling and use of the source in well logging.

Subsurface tracer study means the release of unsealed license material or a substance labeled with licensed material in a single well for the purpose of tracing the movement or position of the material or substance in the well or adjacent formation.

Surface casing for protecting fresh water aquifers means a pipe or tube used as a lining in a well to isolate fresh water aquifers from the well.

Temporary jobsite means a place where licensed materials are present for the purpose of performing well logging or subsurface tracer studies.

Tritium neutron generator target source means a tritium source used within a neutron generator tube to produce neutrons for use in well logging applications.

Uranium sinker bar means a weight containing depleted uranium used to pull a logging tool toward the bottom of a well.

Well means a drilled hole in which well logging may be performed. As used in this part, "well" includes drilled holes for the purpose of oil, gas, min-

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eral, groundwater, or geological exploration.

Well logging means all operations involving the lowering and raising of measuring devices or tools which contain licensed material or are used to detect licensed materials in wells for the purpose of obtaining information about the well or adjacent formations which may be used in oil, gas, mineral, groundwater, or geological exploration.

[52 FR 8234, Mar. 17, 1987, as amended at 65 FR 20344, Apr. 17, 2000]

§ 39.5 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by any officer or employee of the Commission, other than a written interpretation by the General Counsel, will be recognized to be binding upon the Commission.

§ 39.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S. 3501 et seq.) The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has approved the information collection requirements contained in this part under control number 3150-0130.

(b) The approved information collection requirements contained in this part appear in §§ 39.11, 39.13, 39.15, 39.17, 39.31, 39.33, 39.35, 39.37, 39.39, 39.43, 39.51, 39.61, 39.63, 39.65, 39.67, 39.73, 39.75, 39.77, and 39.91.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In § 39.11, NRC Form 313 is approved under control 3150-0120.

(2) [Reserved]

[62 FR 52187, Oct. 6, 1997, as amended at 67 FR 67099, Nov. 4, 2002]

Subpart B—Specific Licensing Requirements

§ 39.11 Application for a specific license.

A person, as defined in § 30.4 of this chapter, shall file an application for a specific license authorizing the use of licensed material in well logging on Form NRC 313, "Application for Material License." Each application for a license, other than a license exempted from part 170 of this chapter, must be accompanied by the fee prescribed in § 170.31 of this chapter. The application must be sent to the appropriate NRC Regional Office listed in appendix D of part 20 of this chapter.

§ 39.13 Specific licenses for well logging.

The Commission will approve an application for a specific license for the use of licensed material in well logging if the applicant meets the following requirements:

(a) The applicant shall satisfy the general requirements specified in § 30.33 of this chapter for byproduct material, in § 40.32 of this chapter for source material, and in § 70.33 of this chapter for special nuclear material, as appropriate, and any special requirements contained in this part.

(b) The applicant shall develop a program for training logging supervisors and logging assistants and submit to the Commission a description of this program which specifies the—

- (1) Initial training;
- (2) On-the-job training;
- (3) Annual safety reviews provided by the licensee;
- (4) Means the applicant will use to demonstrate the logging supervisor's knowledge and understanding of and ability to comply with the Commission's regulations and licensing requirements and the applicant's operating and emergency procedures; and
- (5) Means the applicant will use to demonstrate the logging assistant's knowledge and understanding of and ability to comply with the applicant's operating and emergency procedures.

(c) The applicant shall submit to the Commission written operating and emergency procedures as described in § 39.63 or an outline or summary of the procedures that includes the important radiation safety aspects of the procedures.

(d) The applicant shall establish and submit to the Commission its program for annual inspections of the job performance of each logging supervisor to ensure that the Commission's regulations, license requirements, and the applicant's operating and emergency procedures are followed. Inspection 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.