

PHILIPPINE NUCLEAR RESEARCH INSTITUTE
REGULATORY BULLETIN
NUCLEAR REGULATIONS, LICENSING
AND SAFEGUARDS DIVISION

BULLETIN No. 02-1

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**PRIOR AUTHORIZATION FROM PNRI MUST BE RECEIVED
BEFORE THE LICENSEE CAN IMPLEMENT ANY CHANGE
IN THE LICENSE CONDITIONS**

A. ADDRESSEES

For Action - All PNRI licensees

B. PURPOSE

This Bulletin is issued to remind licensees of the specific regulatory requirement regarding amendment of licenses which states that, "*A licensee must apply for and must receive a license amendment before...*" it can implement any intended change in the license or license conditions as allowed by the regulations. It is expected that all licensees will review this Bulletin and consider appropriate actions in order to ensure proper compliance with the regulations.

C. DESCRIPTION OF CIRCUMSTANCES

Over the past years, PNRI has become aware of cases wherein changes in the conditions of the license are being carried out by the licensee without the prior authorization of PNRI. For example, during a regular regulatory inspection at a licensed facility, the PNRI inspector discovered that the individual designated as the RHSO in the license had resigned and had been replaced by another individual. The licensee designated a new RHSO without notifying PNRI or requesting for an amendment of the license. The new RHSO did not have sufficient knowledge of the operations of the facility since the last inspection, and the radiation safety program of the licensee. The inspector also learned that the new RHSO had no basic training required for an RHSO. When confronted with the problem, the licensee promised to send the new RHSO to PNRI to attend the next RHSO training course. On another case, the licensee authorized to use sealed sources that are installed in industrial gauges undertook the replacement of spent sources before having his license amended. The replacement of new sealed sources were completed and put into operation but the licensee had not notified PNRI about the source replacement until a PNRI inspector was informed during a regular inspection. These incidents are serious regulatory offenses and must be adequately addressed by all licensees.

D. DISCUSSIONS

Section 35, "Application for Amendment of License", of CPR Part 2, *"Licensing of Radioactive Materials",* provides that a **licensee shall apply for and must receive a license amendment before he can initiate or implement any change in the license conditions** according to the particulars indicated in the regulations. The licensee shall specify in his application in what respects the licensee desires his license to be amended and the grounds for such amendment. The licensee must wait for the PNRI action on the application before he can proceed with any activity related to the amendment. Without the required PNRI approval of an amendment to the license, any activity performed by the licensee that is different from the conditions of the original license is unauthorized and violates the regulations and the terms of the license. In the case where the sudden departure of the RHSO, whether it was unannounced or without notice to management, would create a safety issue, there should be an available Assistant RHSO who can take assume the responsibilities. However, the licensee must still promptly notify PNRI of the situation and request for an amendment of the license.

Disregarding this requirement is material basis for the imposition of administrative sanctions in accordance with the penal provisions of the Code. If the licensee had been cited repetitively for the same offense, he will be required to explain why his license should not be suspended or revoked.

E. REQUIRED LICENSEE ACTION

All licensees must see to it that the provisions of the regulations and the conditions of their licenses are satisfactorily addressed to prevent unnecessary disruption of licensed activities with prejudice to the licensees' commitment to radiation protection and safety. Please acknowledge receipt of this bulletin by mail or fax to the contact person.

F. CONTACT PERSON

If you have any questions about this Bulletin please contact:

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