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INFORMATION NOTICE

TO: Department of Health Services
Radioactive Material Licensees

FROM: Department of Health Services
Radioactive Materials Program

DATE: July 19, 2007 revised August 9th, 2011

SUBJECT: Information Notice providing clarification/ reminders of several 49 CFR
'Transportation' requirements.

PURPOSE:

The Wisconsin Department of Health Services (DHS) is issuing this information notice to provide clarification/reminders of several 49 CFR 'Transportation' requirements. Chapter DHS 157.92(3) requires that licensee's comply with Department of Transportation (DOT) 49 CFR. It is expected that recipients will review this information for applicability to their licensed activities. Suggestions contained in this Information Notice are not new DHS requirements; therefore, no specific action or written response is required.

DESCRIPTION OF CIRCUMSTANCES

Recently, inspectors from the Department of Health Services accompanied an inspector from the federal Department of Transportation during routine DOT radioactive material inspections. DOT inspects against 49 CFR at different time intervals using their own personnel. These inspections are Department of Transportation inspections and violations/fines are assessed by the DOT. DHS can also inspect against 49 CFR using Chapter DHS 157.92(3). The following observations are provided to Wisconsin Radioactive Materials Licensees.

49 CFR 172.201(e) Retention and Recordkeeping

"...A motor carrier using a shipping paper without change for multiple shipments of one or more hazardous materials having the same shipping name and identification number may retain a single copy of the shipping paper, instead of a copy for each shipment made, if the carrier also retains a record of each shipment made, to include shipping name, identification number, quantity transported, and date of shipment."

Discussion

This rule requirement is commonly used by licensees who work at temporary job sites. The record of each shipment can also be referred to as the utilization log. The Department already requires many licensees to use a utilization log. Licensees who work at temporary job sites should review their utilization log for the following information: proper shipping name (this can be included at the top or bottom of the log); serial number or other unique identifier for radioactive material (ex. portable gauge, industrial radiography camera) transferred/shipped; isotope and activity being transported and the date of the shipment. Also included on the utilization log should be the location where the radioactive material is being transported and who is making the shipment/ transport.

A dry erase board used as a utilization log does not meet the intent of the rule.

49 CFR 172.704 Training Requirements

49 CFR 172.704(a)(4) Security Awareness Training

".....Each hazmat employee must receive training that provides an awareness of security risk associated with hazardous materials transportation and methods designed to enhance transportation security. This training must include a component covering how to recognize and respond to possible threats.New hazmat employees must receive the security awareness training.... within 90 days after employment."

49 CFR 172.704(c)(2) Initial and recurrent training

"A hazmat employee shall receive the training.....at least once every three years."

49 CFR 172.704(d)(5)

"A record of current training, inclusive of the preceding three years,.....shall be created and retained by each hazmat employer for as long as that employee is employed by that employer as a hazmat employee and for 90 days thereafter. The record shall include:

- o The hazmat employee's name;*
- o The most recent training completion date of the hazmat employee;*
- o A description, copy or the location of the training materials.....;*
- o The name and address of the person providing the training and;*
- o Certification that the hazmat employee has been trained and tested...."*

Discussion

Security Awareness Training is now required for all employees that prepare shipments for shipment/transportation, ship or transport or receive radioactive material. The Department of Transportation has created a Hazmat Transportation Security Awareness Training Module that can be used to meet the requirement of 49 CFR 172.704(a)(4).

The module can be downloaded at DOT's website located at

http://www.phmsa.dot.gov/staticfiles/phmsa/hazmat/digipak/training_module.html. The module includes a test that can be given to hazmat employees to document they have received the training.

A licensee shall maintain records that each hazmat employee has been tested at least once every three years on the following DOT required training topics:

- General Awareness/ Familiarization Training (49 CFR 172.704(a)(1));
- Function-Specific Training (49 CFR 172.704(a)(2));
- Safety Training (49 CFR 172.704(a)(3)); and
- Security Awareness Training (49 CFR 172.704(a)(4)).

DOT training is required initially within 90 days of employment and at least once every three years. A test (oral or written) is also required.

49 CFR 173.465 Type A Package Test

"The packaging, with contents, must be capable of withstanding the water spray, free drop, stacking and penetration tests...."

Discussion

Ensure that each Type A package used has test records on file that document the following tests: water spray test; free drop test; stacking test; and penetration test. If the inner packaging contents change or are configured differently, the package is required to re-tested since it is a different package.

For example, if a radiopharmacy was going to ship a small vial of radioactive material in the same configuration that was used to ship unit doses (assuming the package was an already tested and approved Type A package) and additional packing material was added, then this package would need to be re-tested because the contents of the package were changed. Type A package test records may be stored electronically.

Note for Portable Gauge Users: Most portable gauge manufactures have their specific Type A package test records on their websites available for download.

QUESTIONS OR ADDITIONAL INFORMATION

This Information Notice requires no specific action or written response. If you have any question about the information in this notice, please contact

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