



**Radioactive Materials Unit  
Minnesota Department of Health  
625 Robert Street North  
PO Box 64975  
St. Paul, Minnesota 55164-0975**

---

Date: March 10, 2008  
To: Portable Gauge Licensees  
From: Radioactive Materials Unit  
Subject: Portable Gauge Security

---

### **Informational Notice 2008-02**

#### **INTENT:**

The U.S. Nuclear Regulatory Commission (NRC) issued a regulatory issue summary to portable gauge licensees that Minnesota Radioactive Materials Unit is passing on to you. The intent is to increase awareness of the need to secure portable gauges, as specified in Minnesota Rules, Chapter 4731.3075. No specific action or written response is required.

#### **BACKGROUND:**

In accordance with Minnesota Rules, Chapter 4731.2290, licensees are responsible for the security of stored material. In addition, licenses are required to control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage. A review of the Nuclear Materials Events Database (NMed) for the period of 2001 through 2004 revealed that approximately 50 gauges were stolen per year and approximately 50 percent were recovered. Approximately two-thirds of the portable gauges stolen were taken from vehicles. In most cases, the gauge was in its transportation case secured with a locked metal chain. Typically the chain was cut or the transportation case was broken, and then the device was stolen. Several "Information Notices" have been issued prior to this notice reminding licensees of their regulatory responsibility to secure the devices; however, the number of reported thefts was not appreciably reduced.

In order to minimize the number of unauthorized removals of portable gauges by means such as thefts, and to thereby reduce any potential impact to public health and safety, MDH conducted a rulemaking to amend 4731.3075, "Terms and Conditions of Licenses," governing the use of radioactive material in specifically licensed portable gauges. The amendment imposed additional security requirement to reduce the potential for unauthorized removal of portable gauges by means such as theft. This change became effective on November 20, 2007. The additional requirement was to use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever the device is not under control and constant surveillance of the licensee.

**SUMMARY OF ISSUE:**

Although the quantity of radioactive material in portable gauges is relatively low, unauthorized removals of these gauges pose potential health and safety and security concerns. In light of the continuing theft of these devices, and expectation to reduce these occurrences, this Information Notice is being issued to remind licensees of the requirements and responsibilities concerning the security of portable gauges as specified in Chapter 4731.3075.