



Arkansas Department of Health

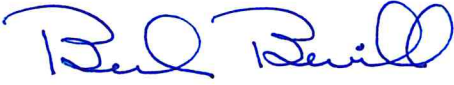
4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000

Governor Asa Hutchinson

Nathaniel Smith, MD, MPH, Director and State Health Officer

ARKANSAS INFORMATION NOTICE 17-01

To: Radioactive Material Licensees, Accelerator Licensees, X-ray Registrants, General License Registrants, Vendors, and other Interested Parties

From: Bernard Bevill, Section Chief 
Radiation Control Section

Date: February 1, 2017

Subject: **Proposed revisions to the Arkansas State Board of Health Rules and Regulations for Control of Sources of Ionizing Radiation – January 2017 package**

The Arkansas Department of Health will hold a public hearing on Wednesday, March 8, 2017, in conformance with the Administrative Procedures Act (Act 434 of 1967 as amended). This public hearing will be in the Freeway Medical Tower building's Room #902 at 5800 West 10th Street, Little Rock, Arkansas. The hearing will begin at 10:00 a.m. in order to receive comments from the public and interested parties.

It is proposed to revise the Arkansas State Board of Health Rules and Regulations for Control of Sources of Ionizing Radiation pursuant to the Administrative Procedures Act as amended, Ark. Code Ann. 25-15-201 et seq., by the authority of Ark. Code Ann. 20-21-203 through 20-21-217.

The proposed revisions are available for inspection online through the Arkansas Department of Health website at www.healthy.arkansas.gov, "Proposed Rules & Regs" link, as well as the Secretary of State website at www.sos.arkansas.gov, "Rules & Regs" link. Copies may be obtained by calling the Radiation Control Section at (501) 661-2301. The proposed revisions will also be available for public inspection and copying at the Arkansas Department of Health, Radiation Control Section, Freeway Medical Tower building, 5800 West 10th Street, Suite 100.

A brief summary of the revisions is attached.

The public may also submit comments prior to the hearing to adh.ram@arkansas.gov or to the Radiation Control Section Chief, Radiation Control Section, Arkansas Department of Health, 4815 West Markham Street, Slot #30, Little Rock, Arkansas, 72205-3867. Comments may be submitted verbally by calling the Radiation Control Section at (501) 661-2301, prior to the hearing.

If you have any questions, please call Radiation Control at (501) 661-2301.

**PROPOSED REVISIONS TO THE ASBH
RULES AND REGULATIONS FOR CONTROL OF SOURCES
OF IONIZING RADIATION**

JANUARY 2017 REGULATION PACKAGE

The Radiation Control Section is initiating the process for the revision of the Arkansas State Board of Health Rules and Regulations for Control of Sources of Ionizing Radiation. The Section regulates the possession and use of x-ray machines, accelerators, and radioactive material in the State of Arkansas. Revisions to radioactive material regulations are driven by our agreement with the U.S. Nuclear Regulatory Commission (NRC). The State of Arkansas, as an Agreement State, is expected to have regulations that are compatible with NRC regulations. In order to maintain this compatibility, the following NRC regulation amendments are being addressed, as listed below.

- **Domestic Licensing of Special Nuclear Material –Written Reports and Clarifying Amendments:**

The objective of this rule is to amend current regulations related to reportable safety events involving special nuclear material. This rule increases the time NRC licensees are allowed to submit a written follow-up report from 30 days to within 60 days after the initial report of an event, updates the reporting framework for certain situations, and removes redundant reporting requirements. *(Section 2)*

- **Transportation Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements:**

The purpose of this rule regards conforming changes to the NRC’s regulations based on the IAEA’s 2009 standards for the international transportation of radioactive material and maintaining consistency with the U.S. DOT regulations. In addition, this amendment re-establishes restrictions on materials that qualify for the fissile material exemption, clarifies requirements, updates administrative procedures, and makes editorial changes. *(Section 4)*

- **Miscellaneous Corrections, 10 CFR Parts 37 and 40:**

The objective of this rule is make miscellaneous corrections involving correcting references, typographical errors, and misspellings. *(Sections 2 and 12)*

- **Miscellaneous Corrections, 10 CFR Parts 19, 20, 30, 32, 37, 40, 61, 70, 71, and 150:**

The objective of this rule is to make miscellaneous corrections including renaming the Office of Information Services; capitalizing the word Tribe, Tribes, and Tribal; correcting a Web site address; and removing a Federal Register notice requirement. *(Sections 2, 3, 4, and 12)*

Also, the following sections not in conjunction with a particular NRC regulation amendment have been added, revised, or deleted in keeping with NRC compatibility. Some general clean-up is being performed as well.

RH-107.	Deliberate Misconduct
RH-200.	Definition of “decommission” and “sealed source”
RH-301.a.4.	Radioactive Material Other Than Source Material; exempt concentrations
RH-401.a.	General Licenses – Source Material; small quantities of source material

RH-405.c.	General Licenses – Source Material; certain industrial products or devices
RH-402.c.9.A. and 13.A.; 15; and e.	General Licenses – Radioactive Material Other Than Source Material; certain detecting, measuring, gauging, or controlling devices...; Footnote 6 to Section 2
RH-402.f.	Luminous safety devices in aircraft
RH-402.g.	Calibration and reference sources
RH-402.h.	Ownership of radioactive material
RH-402.i.	Ice detection devices
RH-402.j.	Products containing radium-226
RH-402.m.	Ownership of special nuclear material
RH-404.a.	General Requirements for the Issuance of Specific Licenses
RH-405.e.4.A. and B.	Licensing of the manufacture or initial transfer of devices to persons generally licensed under RH-402.a.
RH-405.g.	Licensing of the introduction of radioactive material into products in exempt concentrations
RH-409.c.	Specific Terms and Conditions of Licenses
RH-410.e.1. and j.1.	Expiration and Termination of Licenses and Decommissioning of Sites and Separate Buildings or Outdoor Areas
RH-501.a. and d.	Conditions of Transfer
RH-600.d. and e.	Records
RH-601.	Reporting Requirements
RH-1212.	Leak Tests
RH-1303.b.4. and 5.	Posting requirements
RH-1310.a.	Exemptions to Labeling Requirements
RH-1500.a.	Records; general provisions
RH-1500.d.	Determination of prior occupational dose; Footnote 6 to Section 3
RH-1500.f.1.	Records of individual monitoring results; recordkeeping requirement
RH-1500.f.5.	Records of individual monitoring results (records of dose to embryo/fetus)
RH-1500.j.	Records of tests for leakage and/or contamination of sealed sources
RH-1500.n.1.A.	Record retention periods
RH-1501.	Reports of Theft or Loss of Sources of Radiation
RH-1502.	Notification of Incidents
RH-1504.	Reports of Exposures, Radiation Levels, and Concentrations of Radioactive Material Exceeding the Limits
RH-1505.b.	Reports to individuals of exceeding dose limits
RH-1508.	Reports of Leaking Sealed Sources
RH-1513.f. and g.	Reports of Transactions Involving Nationally Tracked Sources
RH-1800.c.	Definition of “radiographer instructor”
RH-1801.f.3.A. and k.	Equipment Control; leak testing and replacement of sealed sources; testing and recordkeeping requirements and notifications

RH-1802.b.2.A. and 3.A.	Personnel Radiation Safety Requirements for Radiographers and Radiographer's Assistants; training
RH-1802.g.	Personnel Radiation Safety Requirements for Radiographers and Radiographer's Assistants; reciprocity of a radiographer certification
RH-1803.f.	Precautionary Procedures in Radiographic Operations; specific requirements for radiographic personnel performing industrial radiography
RH-1935.a.	Leak testing of sealed sources; testing and recordkeeping requirements
RH-2804.f.	Notifications and Reports to Individuals
RH-3100.	Definition of "Certificate of Compliance (CoC)"
RH-3305.a. and b.	General License: Fissile Material
RH-3306.a. and b.	General License: Plutonium-Beryllium Special Form Material
RH-3602.	Quality Assurance Program
RH-3603.	Handling, Storage, and Shipping Control
RH-3604.	Inspection, Test, and Operating Status
RH-3605.	Nonconforming Materials, Parts, or Components
RH-3606.	Corrective Action
RH-3608.	Audits
RH-7021.a.	Performance Criteria for Sealed Sources; requirements
RH-7033.a. and b.	Irradiator Pools
RH-7039. preamble	Design Requirements
RH-7041. preamble	Construction Monitoring and Acceptance Testing
RH-7059.c.	Detection of Leaking Sources
RH-7083.b.	Reports
RH-11005.	Definition of "security zone"
RH-11043.d.7.	General Security Program Requirements; protection of information
RH-11041.a.3.	Security Program; applicability
RH-11075.a.	Preplanning and Coordination of Shipment of Category 1 or Category 2 Quantities of Radioactive Material