



Arkansas Department of Health
Radiation Control Section
Radioactive Materials Program



Section 12 Compliance Checklist # 1

The Arkansas Department of Health, Radiation Control Section, Radioactive Materials Program, has completed the new rules and regulations for the “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material,” which are found in Section 12 of the Arkansas State Board of Health Rules and Regulations for Control of Sources of Ionizing Radiation. These rules will replace the “Increased Controls for Licensees that Possess Sources Containing Radioactive Material Quantities of Concern” and “Specific Requirements Pertaining to Fingerprinting and Criminal History Records Check” requirements, previously issued by the Department to certain Arkansas licensees.

To assist licensees in preparing to meet some of the new regulatory requirements, we are providing “Section 12 Compliance Checklists.” These checklists provide some information regarding the changes between the previously issued requirements and the new rules and regulations. Licensees should review Section 12.

1 – IMPLEMENTING YOUR UNESCORTED ACCESS AUTHORIZATION PROGRAM

1. Designate a “Reviewing Official.” [RH-11023]

The previous requirements required a written designation of a Trustworthy and Reliable Official (T&R Official), who was responsible for making the final determination of an employee’s trustworthiness and reliability for unescorted access. The new rules require that this individual, now called the “Reviewing Official,” must undergo the same background investigation (RH-11025.a.) as employees having unescorted access to materials.

2. Prepare Written Procedures for the Access Authorization Program. [RH-11023 to RH-11033]

Document the processes to be followed to ensure that you are meeting **ALL** of the requirements, which includes, but not limited to:

- Informed and signed consent from individuals prior to background investigations,
- Allowing individuals the opportunity to correct any inaccurate or incomplete information,
- Review process for denial or termination of unescorted access,
- Background checks conducted at ten (10) year intervals,
- Review of information from the previous seven (7) years,
- Maintenance and protection of records generated as a part of the background investigations,
- Required training for individuals prior to granting unescorted access, and
- Periodic review of your Access Authorization program.

3. Schedule Initial Background Investigations and Reinvestigations. [RH-11025]

The previous requirements did not specify a time frame for reinvestigations for current employees. According to the new rules (RH-11027), fingerprinting, FBI identification, and criminal history records check requirements are required to be completed every ten (10) years. This does **NOT** mean that all reinvestigations of employees will be due in ten (10) years from the implementation date of March 1, 2016. Reinvestigations must be completed within ten (10) years from the date of the most recent background investigation. For example, if an employee’s initial background investigation authorizing unescorted access was granted in December of 2005, that individual should have a reinvestigation performed in December of 2015.



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Section 12 Compliance Checklist # 2

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2 - IMPLEMENTING YOUR SECURITY AND MAINTENANCE/TESTING PROGRAM

1. Develop and Maintain Written Procedures that Document the Security Plan. [RH-11043]

How you intend to establish, implement, and maintain all aspects of your Security program **MUST** be documented through formal written procedures. The initial version and any revision of procedures must be approved **IN WRITING**, by the individual with the overall responsibility for your Security program. Training on the security procedures and program is required for those individuals who have the responsibility for the program.

2. Implement a Maintenance and Testing Program. [RH-11051]

Obviously, if a part of your security system fails to operate as designed, it has little use towards your security efforts. Your Maintenance and Testing program should include intrusion alarms, communication systems, video cameras, locking devices, and any other associated physical components of your security system. The Maintenance and Testing program only applies to components that are used to secure the affected materials or to detect unauthorized access to those materials. The equipment relied on to meet the security requirements must be inspected and tested to determine operability and performance capabilities to meet the manufacturer’s specifications and suggested frequency. If the manufacturer does not have specifications and suggested frequencies, then testing must be performed annually, not to exceed twelve (12) months between checks. Documentation of the effort to obtain the manufacturer’s specifications must be maintained.

3. Maintain Responsibility for the Security Program. [RH-11055]

You must periodically, at least annually, review the operation and effectiveness of your Security program. If you identify any portions of your program that do not meet the security requirements, you must take prompt corrective action to address those deficiencies. Reassessment of those deficiencies and corrective actions taken help determine the effectiveness of your corrective actions. You must document your annual reviews, corrective actions, and outcomes.

· Note: Records must be maintained for three (3) years.

If you have any questions, please contact the Radioactive Materials Staff at (501) 661-2173.

A. D. Hall



Arkansas Department of Health
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Section 12 Compliance Checklist # 3

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3 – IMPLEMENTING YOUR TRANSPORTATION AND LOGISTICS PROGRAM

1. Verify that the Affected Radioactive Materials are Being Shipped According to Regulation. [RH-11071]

Licensees nationwide are responsible to ensure that materials they are transferring are received only by those individuals who are licensed to receive them. This verification is typically done by receiving a copy of the recipient’s license and verifying the provisions of that license with the issuing State or Federal regulatory authority.

2. Verify that the Physical Security Transportation Requirements for Affected Radioactive Materials are in Compliance According to Regulation. [RH-11073]

Generally, the shipping licensee is responsible for ensuring the physical security of affected radioactive materials while in transit. This responsibility **MAY** be passed to the recipient if the recipient has agreed in writing to accept that responsibility.

3. Preplan and Coordinate Shipments of Affected Quantities of Radioactive Materials. [RH-11075]

All shipments must be coordinated between the shipper and the recipient. Specific requirements exist for category 1 shipments and category 2 shipments. There are some additional requirements for the shipment of category 1 materials, which are outlined in the regulations. All preplanning of activities, notifications of departures, notifications of arrivals, coordination of activities, problems, and reporting must be documented.

4. Provide Advance Notification for the Shipment of Category 1 Quantities of Radioactive Material to the State(s) and/or Federal entity(s). [RH-11077]

You are required to provide advance notification to the Department and the Governor (or designee) of each State which the shipment will pass through while in transit, including the State of final destination. The notification must include those items indicated in the regulation. Revisions and/or cancellations of the original advance notification must also be submitted to the State.

· Note: Records must be maintained for three (3) years.

If you have any questions, please contact the Radioactive Materials Staff at (501) 661-2173.

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Arkansas Department of Health
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Section 12 Compliance Checklist # 4



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4 – IMPLEMENTING YOUR SECURITY TRAINING PROGRAM

1. Ensure that Deemed “Trustworthy and Reliable” Individuals have Security Training. [RH-11043]

Training on your Security program must be completed **BEFORE** you grant unescorted access.

2. Conduct Training to Ensure that Those Individuals Implementing the Security Program Possess and Maintain the Knowledge, Skills, and Abilities (KSA’s) to Carry Out Their Assigned Duties and Responsibilities Effectively. [RH-11043]

If you have an employee whom you are relying on to implement some aspect of your Security program, you must conduct training for those employees on their responsibilities, which includes, but not limited to:

- The Security program, which includes the purposes, functions, procedures, and security measures employed,
- The responsibility to report promptly to the licensee if there is any condition that may cause or causes a violation of the Department’s requirements,
- The responsibility to report promptly to the licensee and Local Law Enforcement Agency (LLEA) of any actual or attempted theft, sabotage, or diversion of material, and
- The appropriate response to security alarms.

3. Provide Refresher Training. [RH-11043]

This type of training must be provided at a frequency not to exceed twelve (12) months and when significant changes have been made to the Security program. The training records must be maintained for three (3) years.