



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 15-01

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: April 27, 2015

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

The Arkansas Department of Health will hold a public hearing on Thursday, June 4, 2015, 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 Board Room #906 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.

Proposed revisions to the ASBH Rules and Regulations for Control of Sources of Ionizing Radiation can be accessed on the Department's website, www.healthy.arkansas.gov, by way of the "Proposed Rules & Regs" link. Alternately, a copy of the proposed revisions is available upon request by calling Radiation Control at (501) 661-2301.

A brief summary of the revisions is attached.

Written comments may be submitted to the Department by mail to Slot 30, during the Public Hearing, or via electronic mail to the following address: adh.ram@arkansas.gov. Comments may also be submitted verbally by calling the Radiation Control Section at (501) 661-2301. Please contact Radiation Control prior to submitting a comment that may contain sensitive information.

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**

APRIL 2015 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:

- **Physical Protection of Byproduct Material** – The objective of this rule is to provide reasonable assurance of preventing theft or diversion of Category 1 and Category 2 quantities of radioactive material. Category 1 and Category 2 thresholds are based on the quantities established by the International Atomic Energy Agency (IAEA) in its Code of Conduct on the Safety and Security of Radioactive Sources, which the NRC endorses. The regulations also include security requirements for the transportation of irradiated reactor fuel that weighs 100 grams or less in net weight of irradiated fuel. The rule affects any licensee that possesses an aggregated Category 1 or Category 2 quantity of radioactive material, any licensee that transports these materials using ground transportation, and any licensee that transports small quantities of irradiated reactor fuel.
(Sections 2, 3, 4, 9, and a new Section 12)
- **Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions** – The purpose of this amendment is to require that the initial distribution of source material to exempt persons or to general licensees be explicitly authorized by a specific license, which includes new reporting requirements. The rule is intended to provide timely information on the types and quantities of source material distributed for use either under exemption or by general licensees. In addition, the rule modifies the existing possession and use requirements of the general license for small quantities of source material to better align the requirements with current health and safety standards. Finally, the rule revises, clarifies, or deletes certain source material exemptions from licensing to make the exemptions more risk informed. This rule affects manufacturers and distributors of certain products and materials containing source material and certain persons using source material under general license and exemptions from licensing.
(Section 2)
- **Safeguards Information – Modified Handling Categorization, Change for Materials Facilities** – The objective of this rule is to remove the Safeguards Information – Modified Handling (SGI-M) designation of the security-related information for large irradiators, manufacturers and distributors, and for transport of Category 1 quantities of radioactive material. The SGI-M designation will also be removed from security-related information for the transportation of irradiated reactor fuel that weighs 100 grams or less in net weight of irradiated fuel. These types of security-related information will no longer be designated as SGI-M and will be protected under the physical protection of byproduct material regulations.
(new Section 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 as well:

RH-102.	License Requirement (<i>Purpose and Scope</i>)
RH-200.	Definition of "principal activities"
RH-200. and 1100.	Definition of "special nuclear material"
RH-406.	Special Requirements for Specific Licenses of Broad Scope
RH-501.	Condition of Transfer (<i>transfer of radioactive material</i>)
RH-600.	Records (<i>receipt, transfer, and disposal of radioactive material</i>)
RH-1303.b.3.	Posting of Very High Radiation Areas
RH-1500.h.1.	Records of waste disposal
RH-1800.a. and b. (RH-405.f. moved to RH-1800.b.2. and revised)	General Provisions (<i>Purpose and scope; Application for a specific license; Specific licenses for industrial radiography</i>)
RH-7013.a.	Specific Licenses for Irradiators (<i>specific license approval</i>)
RH-8420.	Release of Individuals Containing Radioactive Drugs or Implants (<i>authorizing release of individuals administered unsealed radioactive material or implants containing radioactive material</i>)
RH-8552.b.	Safety Precautions (<i>regarding individuals hospitalized for radiopharmaceutical therapy</i>)
RH-8603.	Safety Instruction (<i>regarding individuals hospitalized for implant therapy</i>)
RH-8710.	Records of the Release of Individuals Containing Radioactive Drugs or Implants Containing Radioactive Material
RH-8803.	Reports of Patient Departure Prior to Authorized Release (<i>without authorization under RH-8420.</i>)
RH-8804.	Notification of Deceased Patients or Human Research Subjects Containing Radioactive Material
RH-104., 1003., 3003., 4003., 5004., 7003., 8006., 10003.	Communications (<i>Department/Radiation Control address</i>)
RH-105., 1104., 3006., 4004., 5005., 7005., 8007., 10004.	Interpretations (<i>by Department Director or designee</i>)
RH-304., 1991., 2000., 3200., 5600.e., 7017.a., 8026., 10005.	Specific Exemptions (<i>granting of exemptions by the Department</i>)
RH-751., 2001.	Additional Requirements (<i>imposed as necessary to minimize danger to public health and safety or property</i>)
RH-601.a., 5602.	Inspections
RH-700.a., 2110.a., 3700., 5700.a., 7091.a., 8900.a., 10500.a.	Violations
RH-3700.b., 8900.b., 10500.b.	Impounding