



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 15-03

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

From: Bernard Bevill, Section Chief 
Radiation Control Section

Date: July 27, 2015

Subject: **Final revisions to the Arkansas State Board of Health Rules and Regulations for Control of Sources of Ionizing Radiation – October 2014 package**

This Information Notice (IN) is to advise all licensees, registrants, and other interested parties of the adoption of revisions to 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 authority of Ark. Code Ann. §§ 20-21-203 through 20-21-217. In conformance with the Administrative Procedures Act, all steps for final approval/certification have been completed.

The August 3, 2015 final revision contains those proposed regulations brought to the Board of Health on October 23, 2014. This final revision can be accessed on the Department's website, www.healthy.arkansas.gov, by way of the "Current Rules & Regs" link then scrolling down to "Control of Sources of Ionizing Radiation." The proposed draft and various summaries are available by way of the "Proposed Rules & Regs" link. A bulleted summary of the revisions is included in this IN for your review.

A copy of the final regulations is available upon request.

This IN requires no specific action or written response. If you have any questions regarding this notice, please call Radiation Control at (501) 661-2301.

OCTOBER 2014 REGULATION PACKAGE

In order to maintain Agreement State compatibility, the following U.S. Nuclear Regulatory Commission regulation amendments have been addressed in the final revision:

- **Decommissioning Planning** – to improve decommissioning planning and thereby reduce the likelihood that any current operating facility will become a legacy site; to require licensees to conduct their operations to minimize the introduction of residual radioactivity into the site, which includes the site's subsurface soil and groundwater; to require licensees to report additional details in their decommissioning cost estimate, eliminate the escrow account and line of credit as approved financial assurance mechanisms, and modify other financial assurance requirements (*Sections 2 and 3*)
- **Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste** – to require licensees to provide advance notification to participating Federally-recognized Tribal governments regarding shipments of irradiated reactor fuel and certain nuclear wastes for any shipment that passes within or across their reservations (*Section 4*)
- **Technical Corrections** – to make technical corrections in certain parts of the regulations, including typographical and spelling errors, and other edits and conforming changes (*Sections 2, 3, and 4*)
- **Requirements for Distribution of Byproduct Material** – to make requirements for distributors of byproduct material clearer, less prescriptive, and more risk-informed and up to date; to redefine categories of devices to be used under exemptions, adding explicit provisions regarding the sealed source and device registration process, and adding flexibility to the licensing of users of sealed sources and devices (*Section 2*)

Also, the following sections not in conjunction with a particular NRC regulation amendment have been revised in order to reflect compatibility with the NRC as well:

- Posting of panoramic and underwater irradiators (*RH-7023.g.*)
- Exemption of common and contract carriers from the regulations (*RH-302.*) - *RH-402.j.* to be deleted which currently indicates general licensing
- Exempt Quantity and Exempt Concentration tables (*Schedules B and C to Section 2*)