



# Arkansas Department of Health


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Governor Asa Hutchinson

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

## ARKANSAS INFORMATION NOTICE 17-02

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: September 1, 2017

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

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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.

This final rule effective on October 1, 2017, contains those proposed regulations brought to the Board of Health on January 26, 2017. The final rule can be accessed on the Department's website, [www.healthy.arkansas.gov](http://www.healthy.arkansas.gov). A copy of the final regulations is available upon request. The proposed rule and various summaries are also available on the website. A bulleted summary of the revisions is attached.

Note that **Forms Y and Z**, now known as RC FORM 110, "Occupational Dose Record for a Monitoring Period," and RC FORM 111, "Cumulative Occupational Dose History," respectively, have been revised and are no longer found in the regulations. RC FORMS 110 and 111 will be available on the Department's website.

Please be aware that RH-402.c.15. states that **generally licensed devices** cannot be held if they have not been in use for longer than 24 months following the last principal activity use. Devices kept in standby for future use are excluded from the 24-month time limit **if** the Department approves a plan for future use submitted by the licensee. Quarterly physical inventory records while the devices are in standby must be maintained for inspection by the Department.

Also note that each **quality assurance program** approval holder must submit changes to its QA program in accordance with RH-3602.e. For changes that do not reduce commitments, a biennial submission is required even if no changes are made. Industrial radiography licensees are exempt from the requirement to have Department-approved QAPs, although they still must meet the other requirements of RH-3301 to obtain the general license. Use of the RH-3301 general license requires registration with the U.S. Nuclear Regulatory Commission prior to first use of the package.

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

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

**JANUARY 2017 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:

- **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-106.	Completeness and accuracy of information
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-401.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 byproduct 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.	Testing for Leakage and/or Contamination of Sealed Sources
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-10200.m. and n.	General Administrative Requirements for Facilities Using Therapeutic Radiation Machines; record retention periods and record maintenance
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