

ILLINOIS REGISTER

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Standards for Protection Against Radiation
- 2) Code Citation: 32 Ill. Adm. Code 340
- 3)

<u>Section Number:</u>	<u>Proposed Action:</u>
340.510	Amendment
340.1130	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 10 and 11 of the Radiation Protection Act of 1990 [420 ILCS 40/10 and 11]
- 5) A Complete Description of the Subjects and Issues Involved: The Agency is amending Section 340.510 to incorporate, for compatibility, the United States Nuclear Regulatory Commission's (USNRC) changes to 10 CFR Part 20 pursuant to RATS ID #2011-1 (76 FR 35512, published June 17, 2011). The State must have this amendment in place by December 17, 2015. The USNRC has reviewed this proposed amendment and finds it compatible. The proposed amendment includes additional surveys for radioactive contamination of subsurface areas that are potentially contaminated as a result of facility operations. The results of the surveys will be kept until license termination in order to facilitate site decommissioning.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when composing this rulemaking, in accordance with 1 Ill Adm. Code 100.335: No, this rule has been amended solely on the basis of compatibility with the USNRC's changes to 10 CFR Part 20 pursuant to RATS ID #2011-1 (76 FR 35512, published June 17, 2011) .
- 7) Will this proposed amendment replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand or modify their activities in such a way as to necessitate additional expenditures from local revenues.

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- 12) Time, Place and Manner in which interested persons may comment on this -Rulemaking:
Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Agency will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Traci Burton
Paralegal Assistant
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield IL 62704

217/524-0770
TDD: 217/782-6133

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities or not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2015

The full text of the Proposed Amendment begins on the next page:

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TITLE 32: ENERGY

CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY

SUBCHAPTER b: RADIATION PROTECTION

PART 340

STANDARDS FOR PROTECTION AGAINST RADIATION

SUBPART A: GENERAL PROVISIONS

Section	
340.10	Purpose
340.20	Scope
340.25	Incorporations by Reference
340.30	Definitions
340.40	Implementation

SUBPART B: RADIATION PROTECTION PROGRAMS

Section	
340.110	Radiation Protection Programs

SUBPART C: OCCUPATIONAL DOSE LIMITS

Section	
340.210	Occupational Dose Limits for Adults
340.220	Compliance with Requirements for Summation of External and Internal Doses
340.230	Determination of External Dose from Airborne Radioactive Material
340.240	Determination of Internal Exposure
340.250	Determination of Prior Occupational Dose
340.260	Planned Special Exposures
340.270	Occupational Dose Limits for Minors
340.280	Dose Equivalent to an Embryo/Fetus

SUBPART D: RADIATION DOSE LIMITS FOR INDIVIDUAL MEMBERS
OF THE PUBLIC

Section	
340.310	Dose Limits for Individual Members of the Public

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340.320 Compliance with Dose Limits for Individual Members of the Public

SUBPART E: TESTING FOR LEAKAGE OR CONTAMINATION OF
SEALED SOURCES

Section

340.410 Testing for Leakage or Contamination of Sealed Sources

SUBPART F: SURVEYS AND MONITORING

Section

340.510 General

340.520 Conditions Requiring Individual Monitoring of External and Internal
Occupational Dose

340.530 Location of Individual Monitoring Devices

340.540 Calibration of Survey Instruments

SUBPART G: CONTROL OF EXPOSURE FROM EXTERNAL SOURCES IN
RESTRICTED AREAS

Section

340.610 Control of Access to High Radiation Areas

340.620 Control of Access to Very High Radiation Areas

340.630 Control of Access to Very High Radiation Areas - Irradiators

SUBPART H: RESPIRATORY PROTECTION AND CONTROLS TO RESTRICT
INTERNAL EXPOSURE IN RESTRICTED AREAS

Section

340.710 Use of Process or Other Engineering Controls

340.720 Use of Other Controls

340.730 Use of Individual Respiratory Protection Equipment

SUBPART I: STORAGE AND CONTROL OF LICENSED OR REGISTERED
SOURCES OF RADIATION

Section

340.810 Security and Control of Licensed or Registered Sources of Radiation

340.820 Storage of Volatiles and Gases

340.830 Control of Aerosols and Gases

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SUBPART J: PRECAUTIONARY PROCEDURES

Section	
340.910	Caution Signs
340.920	Posting Requirements
340.930	Exceptions to Posting Requirements
340.940	Labeling Containers and Radiation Machines
340.950	Exemptions to Labeling Requirements
340.960	Procedures for Receiving and Opening Packages

SUBPART K: WASTE DISPOSAL

Section	
340.1010	General Requirements
340.1020	Method for Obtaining Approval of Proposed Disposal Procedures
340.1030	Disposal by Release into Sanitary Sewerage
340.1040	Treatment by Incineration
340.1050	Disposal of Specific Wastes
340.1052	Classification of Radioactive Waste for Land Disposal
340.1055	Radioactive Waste Characteristics
340.1057	Labeling
340.1060	Transfer for Disposal and Manifests
340.1070	Compliance with Environmental and Health Protection Regulations

SUBPART L: RECORDS

Section	
340.1110	General Provisions
340.1120	Records of Radiation Protection Programs
340.1130	Records of Surveys and Calibrations
340.1135	Records of Tests for Leakage or Contamination of Sealed Sources
340.1140	Records of Prior Occupational Dose
340.1150	Records of Planned Special Exposures
340.1160	Records of Individual Monitoring Results
340.1170	Records of Dose to Members of the Public
340.1180	Records of Waste Disposal
340.1190	Records of Testing Entry Control Devices for Very High Radiation Areas
340.1195	Form of Records (Repealed)

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SUBPART M: REPORTS AND NOTIFICATIONS

Section

- 340.1205 Notification of Credible Threats
- 340.1210 Reports of Stolen, Lost or Missing Sources of Radiation
- 340.1220 Notification of Incidents
- 340.1230 Reports of Exposures, Radiation Levels and Concentrations of Radioactive Material Exceeding the Constraints or Limits
- 340.1240 Reports of Planned Special Exposures
- 340.1250 Notifications and Reports to Individuals
- 340.1260 Reports of Leaking or Contaminated Sealed Sources
- 340.1270 Reports of Missing Waste Shipments

SUBPART N: ADDITIONAL REQUIREMENTS

Section

- 340.1310 Vacating Premises
- 340.1320 Removal of Radioactive Contamination
- 340.Appendix A Decontamination Guidelines
- 340.Illustration A Radiation Symbol

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

SOURCE: Filed April 24, 1970 by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; amended at 5 Ill. Reg. 9586, effective September 10, 1981; codified at 7 Ill. Reg. 16027; Recodified at 10 Ill. Reg. 11273; amended at 10 Ill. Reg. 17538, effective September 25, 1986; amended at 16 Ill. Reg. 11538, effective July 7, 1992; old Part repealed, new Part adopted at 17 Ill. Reg. 18507, effective January 1, 1994; amended at 19 Ill. Reg. 8264, effective June 12, 1995; emergency amendment at 27, Ill. Reg. 17273, effective November 18, 2002, for a maximum of 150 days; amended at 27 Ill. Reg. 5445, effective March 17, 2003; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 29 Ill. Reg. 20841, effective December 16, 2005; amended at 31 Ill. Reg. 11593, effective July 26, 2007; amended at 35 Ill. Reg. 934, effective December 30, 2010; amended at 39 Ill. Reg. _____, effective _____.

Section 340.510 General

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- a) Each licensee or registrant shall make, or cause to be made, surveys, [including the subsurface, where appropriate](#):
 - 1) That demonstrate compliance with this Part; and
 - 2) That evaluate:
 - A) The extent of radiation levels;
 - B) Concentrations or quantities of radioactive material; and
 - C) The potential radiological hazards that could be present.
- b) The licensee or registrant shall ensure that instruments and equipment used for quantitative radiation measurements (e.g., dose rate and effluent monitoring) are calibrated at intervals not to exceed 12 months for the radiation measured or at alternative intervals specified in regulations of the Agency, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State. To satisfy this requirement, the licensee shall:
 - 1) Post a legible note on the instrument showing the date of calibration; and
 - 2) Ensure that instrument calibrations are performed by persons specifically licensed by the Agency, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State to perform such calibrations.
- c) On each day of use, prior to using an instrument to perform required monitoring, the licensee or registrant shall verify that the instrument is operational. Operational checks for radiation measurement or radiation detection instruments shall include verification of response to a source of radiation.
- d) Except for those dosimeters used to measure the dose to any extremity, personnel dosimeters that require processing to determine the radiation dose and that are used by licensees or registrants to comply with Section 340.210 of this Part, with other applicable provisions of 32 Ill. Adm. Code: Chapter II, Subchapters b and d or with conditions specified in a license shall be processed and evaluated by a qualified dosimetry processor. A dosimetry processor is qualified if:

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- 1) It holds current personnel dosimetry accreditation from the National Voluntary Laboratory Accreditation Program (NVLAP) of the National Institute of Standards and Technology; and
 - 2) It is approved by NVLAP for the type of radiation or radiations that most closely approximate the type of radiation or radiations for which the individual wearing the dosimeter is monitored.
- e) A licensee or registrant shall obtain Agency approval prior to using pocket ionization chambers or electronic dosimeters to determine radiation dose, to comply with Section 340.210 of this Part, or with other applicable provisions of 32 Ill. Adm. Code: Chapter II, Subchapters b and d or with conditions specified in a license. The Agency will grant approval provided the licensee or registrant submits information describing the type and range of the dosimeters and describes a program to ensure the accuracy, reliability, precision and security of the dosimetry data.
- f) The licensee or registrant shall ensure that adequate precautions are taken to prevent deceptive exposure of an individual monitoring device.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 340.1130 Records of Surveys and Calibrations

- a) Each licensee or registrant shall maintain records showing the results of surveys and calibrations required by Sections 340.510 and 340.960(b) of this Part. The licensee or registrant shall retain these records for 5 years after the record is made.
- 1) Records of surveys shall include:
 - A) The location and date of the survey and the model and serial number of the instrument used to perform the survey;
 - B) The identity of the individual performing the survey; and
 - C) The results of the survey and any corrective actions that were taken as a result.

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- 2) For each survey instrument calibrated in accordance with Section 340.510(b) of this Part, the licensee shall maintain the following records:
 - A) A copy of the licensee's own calibration procedures or a copy of a license issued by the Agency, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State authorizing the person that performed the calibrations to perform calibrations as a customer service; and
 - B) A record identifying the manufacturer, model and serial number of the instrument that was calibrated, the calibration results, the identity of the individual who performed the calibration and the date of the calibration.
 - 3) Each licensee authorized to perform instrument calibrations shall maintain a copy of each calibration document created in accordance with subsection (a)(2)(B) of this Section and a copy of the procedures followed to perform that calibration.
 - 4) The licensee shall retain a record of each check required in Section 340.540(a) of this Part for 5 years. The record shall include the manufacturer, model and serial number of the instrument being checked, a description of the source used, the radiation level indicated by the instrument being checked, the identity of the individual who performed the check, and the date of the check.
- b) The licensee or registrant shall retain each of the following records until the Agency terminates each license or registration for which the record is required:
- 1) Records of the results of surveys to determine the dose from external sources of radiation that are used, in the absence of or in combination with individual monitoring data, in the assessment of individual dose equivalents;
 - 2) Records of the results of measurements and calculations that are used to determine individual intakes of radioactive material and that are used in the assessment of internal dose;

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- 3) Records showing the results of air sampling, surveys and bioassays required pursuant to Sections 340.730(a)(3)(A) and (B) of this Part; and
- 4) Records of the results of measurements and calculations used to evaluate the release of radioactive effluents to the environment.
- 5) The results of surveys describing the location and amount of subsurface residual radioactivity identified at the site and/or facility. If corrective actions were taken, the results of those actions shall be recorded and retained pursuant to the requirements of this subsection.

(Source: Amended at 39 Ill. Reg. _____, effective _____)