



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF RADIATION CONTROL
Rusty Lundberg
Director

April 03, 2015

Pamela Henderson, Deputy Director
Division of Material Safety, State, Tribal, and Rulemaking Programs
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
T8-E24
Washington, D.C. 20555-0001

Dear Ms. Henderson:

Enclosed is a copy of the final revisions to the Utah Radiation Control Rules as adopted by the Utah Radiation Control Board: *Reports of Leaking or Contaminated Sealed Sources* (effective 3/17/2015), *Clarifications or Exceptions* (effective 3/17/2015), The final regulations are identified by line-in/line-out text (or similar identification) and as noted below, do not correspond to any equivalent amendments to NRC's regulations.

<u>Rats ID</u>	<u>Title</u>	<u>State Section</u>
No Rats ID	Reports of Leaking or Contaminated Sealed Sources	R313-15-1208
No Rats ID	Clarifications or Exceptions	R313-38-3

We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure SA-200.

If you have any questions, please feel free to contact me at 801-536-4257 or Spencer Wickham of my staff at 801-536-0082.

Sincerely,

Rusty Lundberg, Director
Utah Division of Radiation Control

Enclosures:
As stated

Utah Administrative Code

R313. Environmental Quality, Radiation Control.

R313-38. Licenses and Radiation Safety Requirements for Well Logging.

R313-38-3. Clarifications or Exceptions.

For purposes of Rule R313-38, 10 CFR 39 (2013), is incorporated by reference with the following clarifications or exceptions:

(1) The exclusion of the following 10 CFR sections: 39.1, 39.5, 39.8, 39.11, 39.101, and 39.103;

(2) The exclusion of the following 10 CFR references within 10 CFR 39: Sec. 40.32, and Sec. 70.23;

(3) The exclusion of "licensed material" in 10 CFR 39.2 definitions;

(4) The substitution of the following wording:

(a) License for reference to NRC license;

(b) Utah Radiation Control Rules for the references to:

(i) The Commission's regulations;

(ii) The NRC regulations;

(iii) NRC regulations; and

(iv) Pertinent Federal regulations;

(c) Director for reference to Commission, except as stated in Subsection R313-38-3(4)(d);

(d) Representatives of the Director for the references to the Commission in:

(i) 10 CFR 39.33(d);

(ii) 10 CFR 39.35(a);

(iii) 10 CFR 39.37;

(iv) 10 CFR 39.39(b); and

(v) 10 CFR 39.67(f);

(e) Director [~~or the Director~~] for references to:

(i) NRC in:

(A) 10 CFR 39.63(l);

(B) 10 CFR 39.77(c)(1)(i) and (ii); and

(C) 10 CFR 39.77(d)(9); and

(ii) Appropriate NRC Regional Office in:

(A) 10 CFR 39.77(a);

(B) 10 CFR 39.77(c)(1); and

(C) 10 CFR 39.77(d);

(iii) Appropriate NRC Regional Office listed in appendix D of part 20 of this chapter in:

(A) 10 CFR 39.35(d)(2)

(f) Director, the U.S. Nuclear Regulatory Commission or an Agreement State for the references to:

(i) Commission or an Agreement State in:

(A) 10 CFR 39.35(b); and

(B) 10 CFR 39.43(d) and (e); and

(ii) Commission pursuant to Sec. 39.13(c) or by an Agreement State in:

(A) 10 CFR 39.43(c); and

(B) 10 CFR 39.51;

(g) In 10 CFR 39.35(d)(1), persons specifically licensed by the Director, the U.S. Nuclear Regulatory Commission, or an Agreement

State for the reference to an NRC or Agreement State licensee that is authorized; [and

~~(h) In 10 CFR 39.35(d) (2), reports of test results for leaking or contaminated sealed sources shall be made pursuant to Section R313-15-1208, for the reference to the following statement:~~

~~(i) The licensee shall submit a report to the appropriate NRC Regional Office listed in appendix D of part 20 of this chapter, within 5 days of receiving the test results. The report must describe the equipment involved in the leak, the test results, any contamination which resulted from the leaking source, and the corrective actions taken up to the time the report is made; and]~~

~~[(i)]~~ (h) In 10 CFR 39.75(e), a U.S. Nuclear Regulatory Commission or an Agreement State for the reference to the Agreement State;

(5) The substitution of the following Title R313 references for specific 10 CFR references:

(a) Section R313-12-3 for the reference to Sec. 20.1003 of this chapter;

(b) Section R313-12-54 for the reference to 10 CFR 39.17;

(c) Subsection R313-12-55(1) for the reference to 10 CFR 39.91;

(d) Rule R313-15 for references to:

(i) Part 20; and

(ii) Part 20 of this chapter;

(e) Subsection R313-15-901(1) for the reference to Sec. 20.1901(a);

(f) Section R313-15-906 for the reference to Sec. 20.1906 of this chapter;

(g) Sections R313-15-1201 through R313-15-1203 for the references to:

(i) Secs. 20.2201-20.2202; and

(ii) Sec. 20.2203;

(h) Rule R313-18 for the reference to part 19;

(i) Section R313-19-30 for the reference to Sec. 150.20 of this chapter;

(j) Section R313-19-50 for the references to:

(i) Sec. 30.50; and

(ii) Part 21 of this chapter;

(k) Section R313-19-71 for the reference to Sec. 30.71;

(l) Section R313-19-100 for the references to:

(i) 10 CFR Part 71; and

(ii) Sec. 71.5 of this chapter; and

(m) Section R313-22-33 for the reference to 10 CFR 30.33;

(n) Rules R313-15, R313-18, and R313-38 for corresponding references to:

(i) Parts 19, 20, and 39 of this chapter;

(ii) A copy of parts 19, 20, and 39 of NRC regulations.

KEY: radioactive materials, well logging, surveys, subsurface tracer studies

Date of Enactment or Last Substantive Amendment: [April 7, 2014]

Notice of Continuation: October 7, 2013

Authorizing, and Implemented or Interpreted Law: 19-3-104; 19-3-108

Utah Administrative Code

R313. Environmental Quality, Radiation Control.

R313-15. Standards for Protection Against Radiation.

~~[R313-15-1208. Reports of Leaking or Contaminated Sealed Sources.~~

~~_____ If the test for leakage or contamination required pursuant to Section R313-15-1401 indicates a sealed source is leaking or contaminated, a report of the test shall be filed within five days with the Director describing the equipment involved, the test results and the corrective action taken.]~~

KEY: radioactive material, contamination, waste disposal, safety

Date of Enactment or Last Substantive Amendment: ~~[March 19, 2011]~~

Notice of Continuation: December 3, 2012

Authorizing, and Implemented or Interpreted Law: 19-3-104; 19-3-108