



Arkansas Department of Health

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Governor Asa Hutchinson

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

December 13, 2016

Pamela J. 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-E18
Washington, D.C. 20555-0001

Dear Ms. Henderson:

Enclosed is a copy of the proposed revisions to the Arkansas State Board of Health's Rules and Regulations for Control of Sources of Ionizing Radiation, effective March 1, 2016. At the earliest, these "January 2017" proposed revisions will be made available for public comment on approximately February 1, 2017, with a request for comments by approximately March 7, 2017. The proposed regulations are identified by line-in/line-out text and by a right-sided border. These regulations correspond to the following equivalent amendments to the NRC's regulations:

RATS ID	Title	State Section
2015-1	Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments	Section 2
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements	Section 4
2015-4	Miscellaneous Corrections	Sections 2 and 12
2015-5	Miscellaneous Corrections	Sections 2, 3, 4, and 12

We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200. Attached are cross-references for the RATS IDs listed above.

Also, please review these additional sections:

RH-107.	Deliberate Misconduct	10 CFR 30.10
RH-200.	Definition of "decommission" and "sealed source"	10 CFR 30.4
RH-301.a.4.	Radioactive Material Other Than Source Material; exempt concentrations	10 CFR 30.14(d)

RH-401.a.	General Licenses – Source Material; small quantities of source material	10 CFR 40.22(a)
RH-405.c.	General Licenses – Source Material; certain industrial products or devices	10 CFR 40.25(c)
RH-402.c.9.A., c.13.A., and c.15.	General Licenses – Radioactive Material Other Than Source Material; certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere	10 CFR 31.5(c)(9)(i) 10 CFR 31.5(c)(13)(i) 10 CFR 31.5(c)(15)
RH-402.f.	Luminous safety devices in aircraft	10 CFR 31.7
RH-402.g.	Calibration and reference sources	10 CFR 70.19
RH-402.h.	Ownership of radioactive material	10 CFR 31.9
RH-402.i.	Ice detection devices	10 CFR 31.10
RH-402.j.	Products containing radium-226	10 CFR 31.12(b)
RH-402.m.	Ownership of special nuclear material	10 CFR 70.20
RH-404.a.	General Requirements for the Issuance of Specific Licenses	10 CFR 30.33(a)(3)
RH-405.e.4.A. and e.4.B.	Licensing of the manufacture or initial transfer of devices to persons generally licensed under RH-402.a.	10 CFR 32.51a(a) and (b)
RH-405.g.	Licensing of the introduction of radioactive material into products in exempt concentrations	10 CFR 32.13
RH-409.c.	Specific Terms and Conditions of Licenses	10 CFR 30.34(c) 10 CFR 70.41(a)
RH-410.e.1. and j.1.	Expiration and Termination of Licenses and Decommissioning of Sites and Separate Buildings or Outdoor Areas	10 CFR 30.36(e)(1) 10 CFR 30.36(j)(1)
RH-501.a. and d.	Conditions of Transfer	10 CFR 30.41(b) 10 CFR 70.42(d)
RH-600.d. and e.	Records	10 CFR 30.51(d) 10 CFR 30.51(e)
RH-601.	Reporting Requirements	10 CFR 30.50
RH-1303.b.4. and b.5.	Posting requirements	10 CFR 20.1902(d) 10 CFR 20.1902(e)
RH-1310.a.	Exemptions to Labeling Requirements	10 CFR 20.1905(a)
RH-1500.a.	Records; general provisions	10 CFR 20.2101
RH-1500.d.	Determination of prior occupational dose; Footnote 6 to Section 3	10 CFR 20.2104 Footnote 4
RH-1500.f.1.	Records of individual monitoring results; recordkeeping requirement	10 CFR 20.2106(a)
RH-1500.f.5.	Records of individual monitoring results (records of dose to embryo/fetus)	10 CFR 20.2106(e)

RH-1500.n.1.A.	Record retention periods	10 CFR 30.51(b) (no Part 20 equivalent)
RH-1501.	Reports of Theft or Loss of Sources of Radiation	10 CFR 20.2201
RH-1502.	Notification of Incidents	10 CFR 20.2202
RH-1504.	Reports of Exposures, Radiation Levels, and Concentrations of Radioactive Material Exceeding the Limits	10 CFR 20.2203
RH-1505.b.	Reports to individuals of exceeding dose limits	10 CFR 20.2205
RH-1513.f. and g.	Reports of Transactions Involving Nationally Tracked Sources	10 CFR 20.2207
RH-1801.f.3.A. and k.	Equipment Control; leak testing and replacement of sealed sources; testing and recordkeeping requirements and notifications	10 CFR 34.27(c)(1) 10 CFR 34.101
RH-1802.b.2.A. and b.3.A.	Personnel Radiation Safety Requirements for Radiographers and Radiographer's Assistants; training	10 CFR 34.43(b)(1) 10 CFR 34.43(c)(1)
RH-1935.a.	Leak testing of sealed sources; testing and recordkeeping requirements	10 CFR 39.35(a)
RH-2804.f.	Notifications and Reports to Individuals	10 CFR 19.13
RH-3100.	Definition of "Certificate of Compliance (CoC)"	10 CFR 71.4
RH-3305.a. and b.	General License: Fissile Material	10 CFR 71.21(a) and (b)
RH-3306.a. and b.	General License: Plutonium-Beryllium Special Form Material	10 CFR 71.22(a) and (b)
RH-3602.	Quality Assurance Program	10 CFR 71.105
RH-3603.	Handling, Storage, and Shipping Control	10 CFR 71.127
RH-3604.	Inspection, Test, and Operating Status	10 CFR 71.129
RH-3605.	Nonconforming Materials, Parts, or Components	10 CFR 71.131
RH-3606.	Corrective Action	10 CFR 71.133
RH-3608.	Audits	10 CFR 71.137
RH-7021.a.	Performance Criteria for Sealed Sources; requirements	10 CFR 36.21(a)
RH-7033.a. and b.	Irradiator Pools	10 CFR 36.33(a) and (b)
RH-7039. preamble	Design Requirements	10 CFR 36.39 preamble
RH-7041. preamble	Construction Monitoring and Acceptance Testing	10 CFR 36.41 preamble
RH-7059.c.	Detection of Leaking Sources	10 CFR 36.59(c)
RH-7083.b.	Reports	10 CFR 36.83(b)

RH-11005.	Definition of “security zone”	10 CFR 37.5
RH-11043.d.7.	General Security Program Requirements; protection of information	10 CFR 37.43(d)(7)
RH-11041.a.3.	Security Program; applicability	10 CFR 37.41(a)(3)
RH-11075.a.	Preplanning and Coordination of Shipment of Category 1 or Category 2 Quantities of Radioactive Material	10 CFR 37.75(a)

If you have any questions, please contact me at (501) 661-2301 [Bernard.Bevill@arkansas.gov] or Angela Minden of my staff at (501) 661-2528 [Angela.Minden@arkansas.gov].

Sincerely,



Bernard (Bernie) Bevill, Section Chief
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Arkansas Department of Health

Enclosures: As stated

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