

**SYNOPSIS OF  
PROPOSED AMENDMENTS TO THE RULES OF THE  
DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION  
RADIOACTIVE MATERIALS, CHAPTER 391-3-17**

**Rule 391-3-17-.03(12), “Precautionary Procedures,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Precautionary Procedures to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .03(12)(f)4. is being revised to include notifying the NRC Headquarters Operations Center. Subparagraph .03(12)(f)4.(ii) is being revised to correct a citation.

**Rule 391-3-17-.03(15), “Reports,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Reports to be consistent with the requirements of the NRC.

**Main Features:** Subparagraphs .03(15)(a)1., .03(15)(a)2., .03(15)(a)4., .03(15)(b)1.(i), .03(15)(b)2., .03(15)(b)2.(v), .03(15)(b)3.(i), and .03(15)(b)4. are being revised to include the NRC Headquarters Operation Center. Subparagraph .03(15)(b)1.(ii)(I)II. is being revised to change “an” to “a”. Subparagraph .03(15)(b)3. is being revised to change the word section to paragraph. Subparagraphs .03(15)(b)3.(i), .03(15)(b)3.(ii), and .03(15)(b)3.(ii)(I) are being revised to correct citations. Subparagraph .03(15)(b)3.(ii) is also being revised to add the address for the NRC Headquarters Operation Center. Subparagraph .03(15)(j)8. is being revised to correct a citation and to change the word section to paragraph. Subparagraph .03(15)(j)9. is being removed due to changes in the NRC’s National Source Tracking System procedures.

**Rule 391-3-17-.05(22), “Training for Radiation Safety Officer,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Training for Radiation Safety Officer to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .05(22)(b)2. is being revised to change the word section to paragraph. Subparagraph .05(22)(c)3. is being revised to correct a spelling error.

**Rule 391-3-17-.05(24), “Training for an Authorized Nuclear Pharmacist,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Training for an Authorized Nuclear Pharmacist to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .05(24)(a)1. is being revised to replace “American” with “Accreditation”.

**Rule 391-3-17-.05(26), “Provisions for Experienced Radiation Safety Officer, Teletherapy or Medical Physicist, Authorized Medical Physicist, Authorized User, Nuclear Pharmacist, and Authorized Nuclear Pharmacist,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Provisions for Experienced Radiation Safety Officer, Teletherapy or Medical Physicist, Authorized Medical Physicist, Authorized User, Nuclear Pharmacist, and Authorized Nuclear Pharmacist to be consistent with the requirements of the NRC.

**Main Features:** Subparagraphs .05(26)(b)1., .05(26)(b)2., and .05(26)(b)3. are being revised to correct punctuation. Subparagraph .05(26)(b)2. is also being revised to replace “by” with “in accordance with”. Subparagraph .05(26)(c) is being revised to change the word section to paragraph.

**Rule 391-3-17-.05(64), “Training for Ophthalmic Use of Strontium-90,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Training for Ophthalmic Use of Strontium-90 to be consistent with the requirements of the NRC.

**Main Features:** Subparagraphs .05(64)(c)2.(iv)(III), .05(64)(d)1., and .05(64)(e) are being revised to remove parentheses from a citation.

**Rule 391-3-17-.05(75), “Full Calibration Measurements on Gamma Stereotactic Radiosurgery Units,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Full Calibration Measurements on Gamma Stereotactic Radiosurgery Units to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .05(75)(b)8. is being revised to correct a spelling error.

**Rule 391-3-17-.05(78), “Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .05(78)(c)1.(ii) is being revised to correct a spelling error. Subparagraph .05(78)(c)2.(ii) is being revised to change the word section to paragraph.

**Rule 391-3-17-.05(111), “Records of Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Records of Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .05(111)(b)8. is being revised to correct a spelling error.

**Rule 391-3-17-.08(15), “Conditions of Specific Licenses Issued Under (12),”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Conditions of Specific Licenses Issued Under (12) to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .08(15)(a)5.(i)(II) is being revised to correct a citation.

**Rule 391-3-17-.09(5), “Operation of Irradiators,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Operation of Irradiators to be consistent with the requirements of the NRC.

**Main Features:** Subparagraph .09(5)(c)1. is being revised to add information about when personnel dosimeters must be evaluated. Subparagraph .09(5)(c)2. is being revised to correct a spelling error.

**Rule 391-3-17-.10, “Administration,”** is being amended.

**Purpose:** The purpose of this amendment is to adjust the fee structure which was established in the Radioactive Materials Rules in October 2014 and has not been adjusted since. Increased equipment cost, large-scale external customer IT Improvements, and new salary requirements have necessitated revising the current Fee Schedule.

**Main Features:** Table 1 “Radioactive Materials License Fee Schedule” in subparagraph .10(2)(d) is being replaced by a new table to display the restructured fee schedule and addition of the Reciprocity Administrative Fee.

**Rule 391-3-17-.13, “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Materials,”** is being amended.

**Purpose:** The purpose of this amendment is to revise the requirements for Physical Protection of Category 1 and Category 2 Quantities of Radioactive Materials to be consistent with the requirements of the NRC.

**Main Features:** Paragraph .13(4) is being revised to update an address. Paragraph .13(7) is being added to reflect changes in the federal requirements.

**STATEMENT OF RATIONALE**  
**Rules for Radioactive Materials**

The purpose for the revisions to the following rules is to be consistent with the requirements of the U.S. Nuclear Regulatory Commission and to make administrative updates:

**Rule 391-3-17-.03(12) – Precautionary Procedures**

The basis of this rule is to specify precautionary procedures for persons utilizing radioactive materials for industrial radiography conducted pursuant to licenses issued by EPD.

**Rule 391-3-17-.03(15) – Reports**

The basis of this rule is to specify the reporting requirements for persons utilizing radioactive materials for industrial radiography conducted pursuant to licenses issued by EPD.

**Rule 391-3-17-.05(22) – Training for Radiation Safety Officer**

The basis of this rule is to specify the training requirements for a radiation safety officer for use of radionuclides in the healing arts.

**Rule 391-3-17-.05(24) – Training for an Authorized Nuclear Pharmacist**

The basis of this rule is to specify the training requirements for an authorized nuclear pharmacist for use of radionuclides in the healing arts.

**Rule 391-3-17-.05(26) – Provisions for Experienced Radiation Safety Officer, Teletherapy or Medical Physicist, Authorized Medical Physicist, Authorized User, Nuclear Pharmacist, and Authorized Nuclear Pharmacist**

The basis of this rule is to specify the provisions for experienced radiation safety officer, teletherapy or medical physicist, authorized medical physicist, authorized user, nuclear pharmacist, and authorized nuclear pharmacist for use of radionuclides in the healing arts.

**Rule 391-3-17-.05(64) – Training for Ophthalmic Use of Strontium-90**

The basis of this rule is to specify the training requirements for an authorized user of a strontium-90 source for use of radionuclides in the healing arts.

**Rule 391-3-17-.05(75) – Full Calibration Measurements on Gamma Stereotactic Radiosurgery Units**

The basis of this rule is to specify the procedures for full calibration measurements on gamma stereotactic radiosurgery units for use of radionuclides in the healing arts.

**Rule 391-3-17-.05(78) – Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units**

The basis of this rule is to specify the procedures for period spot-checks for gamma stereotactic radiosurgery units for use of radionuclides in the healing arts.

**Rule 391-3-17-.05(111) – Records of Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units**

The basis of this rule is to specify the requirements for records relating to spot-checks for gamma stereotactic radiosurgery units for use of radionuclides in the healing arts.

**Rule 391-3-17-.08(15) – Conditions of Specific Licenses Issued Under (12)**

The basis of this rule is to establish the conditions of specific licenses issued under 391-3-17-.08(12) for regulation and licensing of naturally-occurring radioactive materials.

**Rule 391-3-17-.09(5) – Operation of Irradiators**

The basis of this rule is to specify the requirements for operation of irradiators.

**Rule 391-3-17-.13 – Physical Protection of Category 1 and Category 2 Quantities of Radioactive Materials**

The basis of this rule is to establish requirements for the physical protection program for any licensee that possesses an aggregated category 1 or category 2 quantity of radioactive material listed in Appendix A to this part. These requirements provide reasonable assurance of the security of category 1 or category 2 quantities of radioactive material by protecting these materials from theft or diversion. Specific requirements for access to material, use of material, transfer of material, and transport of material are included. No provision of this part authorizes possession of licensed material.

The purpose of the proposed rule revisions listed **above** are required to comply with federal requirements or are administrative in nature. They are in no way any more restrictive than the federal requirements and do not incur any additional costs to the Environmental Protection Division or the regulated community beyond those that are required to meet the federal rule.

The purpose of the proposed rule revision **below** is to restructure the fee schedule and add the Reciprocity Administrative Fee. The new fees will be included in the CY2025 Annual Fee bill that will be sent in late 2024.

**Rule 391-3-17-.10 – Administration**

The basis of this rule is to specify the administrative procedures associated with the rules for Radioactive Materials.

In restructuring the fee schedule, a base 20% increase across the board was used and then each fee category was looked at for its impact on the Radioactive Materials Program and the licensees. Fees were adjusted up or down from the 20% base increase based on specific criteria. The fee increase was designed to impact small businesses, lower tier and small entity licensees less than their larger counterparts. Additionally, the fee for out of state licensees conducting business in Georgia was increased which should direct some additional contract work back to Georgia businesses.