Rule 391-3-17-.02(5), “General Licenses - Source Material,” is being amended.

Purpose: The purpose of this amendment is to revise the requirements for General Licenses – Source Material to be consistent with the requirements of the NRC.

Main Features: Subparagraphs .02(5)(f), .02(5)(g), .02(5)(k)1.(ii), .02(5)(k)2., .02(5)(k)2.(iii), .02(5)(k)3., and .02(5)(l) are being revised and subparagraphs .02(5)(m) through .02(5)(m)2. are being added to include language to be consistent with 10 CFR 40.22 and 40.55 specifically pertaining to General Licenses - Source Material.

Rule 391-3-17-.02(11), “Special Requirements for a Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices which Contain Radioactive Material,” is being amended.

Purpose: The purpose of this amendment is to revise the Special Requirements for a Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices which Contain Radioactive Material to be consistent with the requirements of the NRC.

Main Features: Subparagraphs .02(11)(i)4. and .02(11)(i)5.(v) are being revised and subparagraph .02(11)(i)7. is being added with subsequent subparagraph being renumbered to include language to be consistent with 10 CFR 32.72 specifically pertaining to manufacture, preparation, or transfer for commercial distribution of radioactive drugs containing byproduct material for medical use under part 35 for Specifically Licensed Items.

Rule 391-3-17-.02(13), “Specific Terms and Conditions of Licenses,” is being amended.

Purpose: The purpose of this amendment is to revise the Specific Terms and Conditions of Licenses to be consistent with the requirements of the NRC.

Main Features: Subparagraph .02(13)(h) is being revised to include language to be consistent with 10 CFR 30.34 specifically pertaining to the terms and conditions of licenses.

Rule 391-3-17-.05, “Use of Radionuclides in the Healing Arts,” is being amended.
Purpose:
The purpose of this amendment is to revise the requirements for the Use of Radionuclides in the Healing Arts to be consistent with the requirements of the NRC.

Main Features:
Multiple subparagraphs are being revised to correct numbering, citations, typographical errors, and/or language discrepancies. Paragraph .05(2) is being revised to update the definition of “Preceptor” and to include the definitions of “Associate Radiation Safety Officer” and “Ophthalmic physicist” to be consistent with 10 CFR 35.2. Paragraph .05(15) is being revised to add language clarifying additional duties of the Radiation Safety Officer to be consistent with 10 CFR 35.24 (b) & (c). Paragraph .05(19) is being revised to add requirements for Written Directives for permanent implant brachytherapy to be consistent with 10 CFR 35.40. Paragraph .05(20) is being revised to add language clarifying medical events to be consistent with 10 CFR 35.41. Paragraph .05(22) is being revised to add the requirement for Associate Radiation Safety Officers to be consistent with 10 CFR 35.50. Paragraph .05(23) is being revised to correct training requirement for Authorized Medical Physicists to be consistent with 10 CFR 35.51. Paragraph .05(24) is being revised to correct training requirement for Authorized Nuclear Pharmacists to be consistent with 10 CFR 35.55. Paragraph .05(26) is being revised to update language for previously approved Radiation Safety Officers to be consistent with 10 CFR 35.57. Paragraph .05(43) is being revised to update language pertaining to certification as to who can conduct these studies to be consistent with 10 CFR 35.190. Paragraph .05(45) is being revised to clarify recordkeeping requirements to be consistent with 10 CFR 35.204. Paragraph .05(47) is being revised to clarify recordkeeping requirements to be consistent with 10 CFR 35.290. Paragraph .05(48) is being revised to add language to be consistent with 10 CFR 35.300. Paragraph .05(52) is being revised to add language specifically pertaining to Radiation Safety Officers and authorized users to be to be consistent with 10 CFR 35.390. Paragraph .05(53) is being revised to add language specifically pertaining to Radiation Safety Officers and authorized users to be to be consistent with 10 CFR 35.392. Paragraphs .05(54) and .05(54.1) are being revised to add language specifically pertaining to Radiation Safety Officers and authorized users to be to be consistent with 10 CFR 35.394. Paragraph .05(55) is being revised to clarify usage language to be consistent with 10 CFR 35.400. Paragraph .05(63) is being revised to add language specifically pertaining to authorized users to be consistent with 10 CFR 35.490. Paragraph .05(64) is being revised to add language specifically pertaining to authorized users to be consistent with 10 CFR 35.433 & 35.491. Paragraph .05(65) is being revised to add language specifically pertaining to authorized users to be consistent with 10 CFR 35.500. Paragraph .05(66) is being revised to add language specifically pertaining to training for authorized users to be consistent with 10 CFR 35.590. Paragraph .05(67) is being revised to add language specifically pertaining to authorized users to be consistent with 10
Rule 391-3-17-.07, “Notices, Instructions, and Reports To Workers; Inspections,” is being amended.

Purpose: The purpose of this amendment is to change the rule title to accurately reflect the NRC equivalent regulation.

Main Features: The title of Rule 391-3-17-.07 is being revised to accurately reflect 10 CFR 19 “Notices, Instructions and Reports to Workers; Inspection and Investigations.”

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

Purpose: The purpose of this amendment is to clarify language pertaining to Payment of Fees and how Annual Fees are calculated and invoiced.

Main Features: Subparagraph .10(2)(d) and Table 1 “Radioactive Materials License Fee Schedule” is being revised to clarify the bill calculation and invoicing process for Application and Annual Fees, specifically for newly licensed applicants.
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-.02(5) – General Licenses - Source Material**
The basis of this rule is to specify the licensing requirements for persons that receive, possess, use, transfer, own, or acquire generally licensed radioactive materials.

**Rule 391-3-17-.02(11) – Special Requirements for a Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices which Contain Radioactive Material**
The basis of this rule is to specify the specific licensing requirements for persons that manufacture, assemble, repair, or distribute products that contain radioactive materials.

**Rule 391-3-17-.02(13) – Specific Terms and Conditions of Licenses**
The basis of this rule is to specify the specific procedures for the granting of licenses for persons that receive, possess, use, transfer, own, or acquire radioactive materials.

**Rule 391-3-17-.05 – Use of Radionuclides in the Healing Arts**
The basis of this rule is to specify the requirements for the production, preparation, compounding, and use of radionuclides in the healing arts and for the radiation safety of workers, the general public, patients, and human research subjects.

**Rule 391-3-17-.07 – Notices, Instructions, and Reports To Workers; Inspections**
The basis of this rule is to establish requirements for notices, instructions, and reports by licensees to individuals engaged in activities under a license and to present the options available to such individuals in connection with Division inspections of licensees to ascertain compliance with the provisions of the Georgia Radiation Control Act and EPD’s Radioactive Materials Rules.

**Rule 391-3-17-.10 – Administration**
The basis of this rule is to specify the administrative procedures associated with the rules for Radioactive Materials.

The proposed rule revisions 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.