

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

Rule 391-3-17-.02, “Licensing of Radioactive Material,” is being amended.

Purpose: The purpose of this amendment is to revise the requirements for the Licensing of Radioactive Material to be consistent with the requirements of the Nuclear Regulatory Commission as found in Title 10, Chapter 1, of the Code of Federal Regulations.

Main Features: Multiple subparagraphs are being revised to correct numbering, citations, typographical errors, and/or language discrepancies. Subparagraph 391-3-17-.02(8)(g)6 is being added to specify the content that must be included in a decommissioning funding plan. Subparagraph 391-3-17-.02(13)(b)1 is being added to require financial qualifications and assurance when applying for transfer of license.

Rule 391-3-17-.03, “Standards for Protection Against Radiation,” is being amended.

Purpose: The purpose of this amendment is to revise the Standards for Protection Against Radiation to be consistent with the requirements of the Nuclear Regulatory Commission.

Main Features: Multiple subparagraphs are being revised to correct numbering, citations, typographical errors, and/or language discrepancies. Subparagraph 391-3-17-.03(7)(c)1.(iii) is being added to specify an alternate criteria for license termination. Subparagraph 391-3-17-.03(7)(e)2 is being added to specify an additional method of minimizing site contamination. Subparagraph 391-3-17-.03(8)(a) is being revised to include surveys of radiation levels for subsurface; that the residual radioactivity is the material of concern; and to specify that the radiation levels and residual radioactivity are the hazards of concern. Subparagraph 391-3-17-.03(8)(a)2 is being added to require record-keeping for subsurface surveys important for decommissioning.

Rule 391-3-17-.06, “Transportation of Radioactive Material,” is being amended.

Purpose: The purpose of this amendment is to revise the Transportation of Radioactive Material to be consistent with the requirements of the Nuclear Regulatory Commission.

Main Features: Subparagraph 391-3-17-.06(4)(a) is being revised to include exemptions for carriers as outlined in 10 CFR 30.13.

Rule 391-3-17-.09, “Licensing and Radiation Safety Requirements for Irradiators,” is being amended.

Purpose: The purpose of this amendment is to correct a citation.

Main Features: Subparagraph 391-3-17-.09(6)(a)13 is being revised to correct a citation to a rule that was renumbered.

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:

Rule 391-3-17-.02 – Licensing of Radioactive Material;

The basis of this rule is to specify the licensing requirements for persons that receive, possess, use, transfer, own or acquire radioactive materials.

Rule 391-3-17-.03 – Standards for Protection Against Radiation; and

The basis of this rule is to specify the standards for protection against ionizing radiation resulting from activities conducted pursuant to licenses issued by the Department.

Rule 391-3-17-.06 – Transportation of Radioactive Material

The basis of this rule is to establish requirements for packaging, preparation for shipment, and transportation of radioactive material for persons subject to these requirements.

The purpose for the revision to the following rule is to correct a citation:

Rule 391-3-17-.09 – Licensing and Radiation Safety Requirements for Irradiators

The basis of this rule is to specify the requirements for the issuance of a license authorizing the use of sealed sources containing radioactive materials in irradiators used to irradiate objects or materials using gamma radiation and to establish safety requirements for operating irradiators.

These revisions are administrative in nature and 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.