



Arkansas Department of Health

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Governor Asa Hutchinson
José R. Romero, MD, Secretary of Health

PROPOSED REVISIONS TO THE RULES FOR CONTROL OF SOURCES OF IONIZING RADIATION

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PURPOSE

The Arkansas Department of Health (Department) is seeking Governor Hutchinson's review of proposed amendments to the Rules for Control of Sources of Ionizing Radiation.

BACKGROUND

Pursuant to A.C.A. §§ 20-21-203—217 the Department has authority to promulgate rules for the Control of Sources of Ionizing Radiation. These rules are reviewed and updated in conjunction with the United States Nuclear Regulatory Commission to ensure it agrees with Federal Regulations.

KEY POINTS

The proposed rule:

- Makes miscellaneous corrections to references and descriptions
- Removes obsolete language
- Makes revisions due to Act 268 of 2021

DISCUSSION

The Radiation Control Section of the Department is initiating the process for the revision of the Arkansas State Board of Health Rules for Control of Sources of Ionizing Radiation. The Section regulates the possession and use of x-ray machines, accelerators, and radioactive material in the State of Arkansas. Revisions to radioactive material regulations are driven by our agreement with the U.S. Nuclear Regulatory Commission (NRC). The State of Arkansas, as an Agreement State, is expected to have rules that are compatible with NRC regulations. The following revisions are being proposed.

Miscellaneous Corrections – 10 CFR Parts 37, 40, 70, and 71: The objective of this rule is to make miscellaneous corrections concerning office references and a phone number, remove and correct division titles, and remove a follow up reporting instruction. (*Sections 2, 4, and 12*)

Miscellaneous Corrections – 10 CFR Parts 1, 2, 34, 37, 50, 71, 73, and 140: The objective of this rule is to update descriptions of agency organizations and functions; correct cross reference, typographical, and grammatical errors; and add a certification recipient and clarifying language. (*Sections 3, 4, and 12*)

Miscellaneous Corrections – 10 CFR Parts 2, 21, 37, 50, 52, 73, and 110: The objective of this rule is to remove obsolete language and correct references, a typographical error, mailing, email, and web page addresses, grammatical errors, a division title, and a division address and title. (*Section 12*)

Revisions due to Act 268 of 2021 -- Changes include those provisions presented in Section 1 (Registration of Sources of Radiation), definitions of “person” and “physician,” and provisions presented in Section 5 (Rules of Practice).

Revisions for General Clean Up -- Changes include deletion and revision of a small number of radioactive material healing arts definitions, correction of references found in RH-7083.b., and addition of form numbers to RH-23.

RECOMMENDATION

We recommend that the proposed amendments to the Rule for the Control of Sources of Ionizing Radiation be approved as proposed by the Department.