

**ADOPTED REGULATION OF THE  
STATE BOARD OF HEALTH**

**LCB File No. R149-07**

Effective January 30, 2008

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 439.150 and 457.184; §§2-11, 16, 18, 26, 28-32, 35, 44, 54, 56, 57, 62, 65, 67, 69 and 76, NRS 459.030 and 459.201; §§12-15, 17, 19-23, 25, 27, 33, 34, 36-43, 45-49, 51, 55, 58-61, 63, 64, 66 and 70-75, NRS 459.201; §§24 and 50, NRS 459.150 and 459.201; §§52, 53 and 68, NRS 459.030.

A REGULATION relating to radioactive materials; revising certain provisions concerning the labeling of certain sealed sources of radioactive material; requiring certain licensees of the Health Division of the Department of Health and Human Services to submit reports concerning the manufacture, transfer, receipt, disassembly and disposal of certain sealed sources of radioactive material to the National Source Tracking System administered by the Nuclear Regulatory Commission; adopting by reference certain provisions of 10 C.F.R Part 71; increasing certain fees; and providing other matters properly relating thereto.

**Section 1.** NAC 457.295 is hereby amended to read as follows:

457.295 The Health Division shall charge and collect the following nonrefundable fees:

1. For the issuance or renewal of a certificate for a machine, ~~[\$500.]~~ ***\$551.***
2. For the issuance or renewal of a mammographer's certificate, ~~[\$80.]~~ ***\$88.***
3. For the issuance or renewal of a certificate to provide training to mammographers

pursuant to NAC 457.357, \$100.

**Sec. 2.** Chapter 459 of NAC is hereby amended by adding thereto the provisions set forth as sections 3 to 9, inclusive, of this regulation.

**Sec. 3.** *“Appendix E” means Appendix E to 10 C.F.R. §§ 20.1001 to 20.2402, inclusive, as those provisions existed on November 8, 2006.*

**Sec. 4.** *“National Source Tracking System” means the mandatory tracking system for radiation sources in the United States established and administered by the Nuclear Regulatory Commission pursuant to 42 U.S.C. § 2210h.*

**Sec. 5.** *“National Source Tracking Transaction Report” means a report submitted to the National Source Tracking System.*

**Sec. 6.** *“Nationally tracked source” has the meaning ascribed to it in 10 C.F.R. § 20.1003.*

**Sec. 7.** *Each licensee who manufactures a nationally tracked source on or after January 30, 2008, shall assign a unique serial number to each nationally tracked source. Each unique serial number must be composed only of alpha-numeric characters.*

**Sec. 8. 1.** *Each licensee who manufactures a nationally tracked source shall complete and submit to the National Source Tracking System a National Source Tracking Transaction Report which must include, without limitation:*

*(a) The name, address and license number of the licensee;*

*(b) The name of the person preparing the report;*

*(c) The manufacturer, model number and serial number of the nationally tracked source;*

*(d) The radioactive material contained in the nationally tracked source;*

*(e) The initial source strength in becquerels (curies) of the nationally tracked source at the time of manufacture; and*

*(f) The date of manufacture of the nationally tracked source.*

**2.** *Each licensee who transfers a nationally tracked source to another person shall complete and submit to the National Source Tracking System a National Source Tracking Transaction Report which must include, without limitation:*

- (a) The name, address and license number of the licensee;*
- (b) The name of the person preparing the report;*
- (c) The name, license number and shipping address of the recipient of the nationally tracked source;*
- (d) The manufacturer, model number and serial number of the nationally tracked source or, if such information is not available, any other information to uniquely identify the nationally tracked source;*
- (e) The radioactive material contained in the nationally tracked source;*
- (f) The initial or current source strength in becquerels (curies);*
- (g) The date for which the source strength is reported;*
- (h) The date on which the nationally tracked source was shipped;*
- (i) The estimated arrival date of the nationally tracked source; and*
- (j) For a nationally tracked source which is transferred as waste under a Uniform Low-Level Radioactive Waste Manifest, the waste manifest number and the container identification number of the nationally tracked source.*

*3. Each licensee who receives a nationally tracked source shall complete and submit to the National Source Tracking System a National Source Tracking Transaction Report which must include, without limitation:*

- (a) The name, address and license number of the licensee;*
- (b) The name of the person preparing the report;*
- (c) The name, address and license number of the person who provided the nationally tracked source;*

*(d) The manufacturer, model number and serial number of the nationally tracked source or, if such information is not available, any other information to uniquely identify the nationally tracked source;*

*(e) The radioactive material contained in the nationally tracked source;*

*(f) The initial or current source strength in becquerels (curies);*

*(g) The date for which the source strength is reported;*

*(h) The date of receipt of the nationally tracked source; and*

*(i) For a nationally tracked source received under a Uniform Low-Level Radioactive Waste Manifest, the waste manifest number and the container identification number of the nationally tracked source.*

*4. Each licensee who disassembles a nationally tracked source shall complete and submit to the National Source Tracking System a National Source Tracking Transaction Report which must include, without limitation:*

*(a) The name, address and license number of the licensee;*

*(b) The name of the person preparing the report;*

*(c) The manufacturer, model number and serial number of the nationally tracked source or, if such information is not available, any other information to uniquely identify the nationally tracked source;*

*(d) The radioactive material contained in the nationally tracked source;*

*(e) The initial or current source strength in becquerels (curies);*

*(f) The date for which the source strength is reported; and*

*(g) The date of disassembly of the nationally tracked source.*

*5. Each licensee who disposes of a nationally tracked source shall complete and submit to the National Source Tracking System a National Source Tracking Transaction Report which must include, without limitation:*

- (a) The name, address and license number of the licensee;*
- (b) The name of the person preparing the report;*
- (c) The waste manifest number;*
- (d) The container identification number of the nationally tracked source;*
- (e) The date of disposal of the nationally tracked source; and*
- (f) The method of disposal of the nationally tracked source.*

*6. Any National Source Tracking Transaction Report required pursuant to subsections 1 to 5, inclusive, must be submitted by the close of the next business day after the transaction. A single National Source Tracking Transaction Report may be submitted for multiple sources and transactions. The National Source Tracking Transaction Report must be submitted to the National Source Tracking System:*

- (a) By the use of the online National Source Tracking System;*
- (b) By the use of a computer-readable electronic format;*
- (c) By facsimile;*
- (d) By mail to the address listed on the National Source Tracking Transaction Report Form (NRC Form 748); or*
- (e) By telephone with follow-up by facsimile or mail.*

*7. A licensee shall correct any error in a previously filed National Source Tracking Transaction Report or file a new National Source Tracking Transaction Report for any missed*

*transaction not later than 5 business days after the discovery of the error or missed transaction.*

*8. Each licensee shall, on or before January 31 of each year:*

*(a) Reconcile the inventory of nationally tracked sources possessed by the licensee against the data contained in the National Source Tracking System;*

*(b) Resolve any discrepancies between the National Source Tracking System and the actual inventory of the licensee by filing any necessary National Source Tracking Transaction Report in accordance with the provisions of subsections 1 to 5, inclusive; and*

*(c) Submit to the National Source Tracking System confirmation that the data in the National Source Tracking System is correct.*

*9. Each licensee who possesses any Category 1 nationally tracked source on January 30, 2008, shall report its initial inventory of Category 1 nationally tracked sources to the National Source Tracking System not later than February 29, 2008. Each licensee who possesses any Category 2 nationally tracked source on January 30, 2008, shall report its initial inventory of Category 2 nationally tracked sources to the National Source Tracking System not later than February 29, 2008. The reports may be submitted by any method described in paragraphs (a) to (e), inclusive, of subsection 6 and must include, without limitation:*

*(a) The name, address and license number of the licensee;*

*(b) The name of the person preparing the report;*

*(c) The manufacturer, model number and serial number of each nationally tracked source or, if that information is not available, any other information to uniquely identify the nationally tracked source;*

*(d) The radioactive material contained in the nationally tracked source;*

- (e) The initial or current source strength in becquerels (curies); and*
- (f) The date for which the source strength is reported.*

**Sec. 9.** *The provisions of 10 C.F.R. Part 71, as those provisions existed on January 26, 2004, are hereby adopted by reference, subject to the following:*

- 1. “Byproduct material” as described in 10 C.F.R. § 71.4 shall be deemed to include naturally occurring and accelerator-produced radioactive material.*
- 2. The provisions of 10 C.F.R. §§ 71.6, 71.65 and 71.100 are not adopted by reference.*
- 3. The references in 10 C.F.R. §§ 71.9(e)(1) and 71.9(e)(2) to “NRC Form 3” shall be deemed to be references to Form NRC-1, “Notice to Employees.”*
- 4. The reference in 10 C.F.R. § 71.9(e)(1) to “§ 19.11(c)” shall be deemed to be a reference to “subsection 3 of NAC 459.782.”*
- 5. The provisions of 10 C.F.R. § 71.9(f) are not adopted by reference.*
- 6. Any reference to “licensee,” “applicant,” “applicant for a license,” “NRC licensee,” “NRC applicant,” “Commission licensee,” “Commission applicant” or “licensee of the Commission” shall be deemed to be a reference to “licensee of the Division” or “applicant for a license issued by the Division,” except that the references in 10 C.F.R. § 71.37 to “the applicant” refer to an applicant to the Nuclear Regulatory Commission. Any reference to “license,” “NRC license,” “Commission license” or “license issued by the Commission” shall be deemed to be a reference to “license issued by the Division.”*
- 7. Any reference to “the Commission,” “the Nuclear Regulatory Commission” or “the NRC” shall be deemed to be a reference to “the Division,” except that any reference to “the Commission,” “the Nuclear Regulatory Commission” or “the NRC” described in paragraphs (a) to (v), inclusive, shall not be deemed to be a reference to the Division:*