

PART He-P 4036 LICENSING AND RADIATION SAFETY REQUIREMENTS FOR IRRADIATORS

He P 4036.01. Purpose. The purpose of this rule is to set forth the requirements for 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 the radiation safety requirements for operating irradiators. The requirements of this section are in addition to, and not in substitution for, the requirements of Parts He-P 4003, 4019, 4020, 4021, 4022, 4023, and 4030 of this chapter.

Source. #8211, eff 11-23-04

He-P 4036.02 Scope. This part shall apply to persons using sealed sources containing radioactive material in irradiators as specified in Title 10, Code of Federal Regulations (CFR), Part 36, "Licenses and Radiation Safety Requirements for Irradiators".

Source. #8211, eff 11-23-04

He P 4036.03. Definitions. To reconcile differences between this part and the incorporated sections of 10 CFR Part 36 relating to using sealed sources containing radioactive sources in irradiators, the following words and phrases shall be substituted for the language in 10 CFR Part 36 as follows:

(a) All references to "NRC" or "Commission" shall mean the New Hampshire department of health and human services.

(b) All references to "NRC or Agreement State" shall mean the New Hampshire department of health and human services, NRC, Agreement State, or Licensing State.

(c) The definition of "licensed material" shall be as defined in He-P 4003.01(bw) of this chapter.

(d) The definition of "sealed source" shall be as defined in He-P 4003.01(ds) of this chapter.

Source. #8211, eff 11-23-04

He-P 4036.04 Incorporation of 10 CFR Part 36.

(a) Except for the sections noted in (b) below, all persons using sealed sources containing radioactive material in irradiators shall comply with Title 10, Code of Federal Regulations (CFR), Part 36, "Licenses and Radiation Safety Requirements for irradiators".

(b) The following sections of the Title 10 CRF Part 36 shall not apply to those persons using sealed sources containing radioactive material in irradiators:

- (1) Title 10 CFR Part 36.5 relating to interpretations;
- (2) Title 10 CFR Part 36.8 relating to information collection;
- (3) Title 10 CFR Part 36.91 relating to violations; and
- (4) Title 10 CFR Part 36.93 relating to criminal penalties.

Source. #8211, eff 11-23-04