

SUMMARY OF PROPOSED AMENDMENTS
TO
REGULATIONS FOR CONTROL OF RADIATION
IN MISSISSIPPI

Introduction

The U.S. Nuclear Regulatory Commission (NRC) has revised the federal regulations in 10 CFR Parts, 20, 30, 32, and 35. These revisions are considered a matter of compatibility for all Agreement States. In order to meet the federal requirements, the proposed revisions to the Regulations for Control of Radiation have been developed. A summary of the revisions to the Mississippi regulations are provided as follows:

SECTION 100-GENERAL PROVISIONS

100.02- Definitions

"Accelerator-produced radioactive material" The definition has been revised to be consistent with the NRC regulations.

"Byproduct material" The definition is revised as mandated in Section 651(e) of the EPAct.

"Discrete source" the definition is added to be consistent with the NRC regulations.

"Waste" – The definition is added to clarify that, as mandated by the EPAct and as defined in Sections 11e.(3) and 11e.(4) of the AEA, is not low-level radioactive waste as defined in the LLRWPA.

100.18-Fees

A new section is added to identify the Board of Health's authority to establish fees to recover the cost associated with the licensing and inspection of radioactive material.

SECTION 300-LICENSING OF RADIOACTIVE MATERIAL

300.01- Purpose and Scope- Paragraph (1) is revised to include the manufacturing and production of radioactive material.

300.03(3)(c) - Gas and Aerosol Detectors Containing Radioactive Material - Paragraph (c) is revised to apply to gas and aerosol detectors manufactured or distributed before the

effective date of the NRC final rule in accordance with a specific license issued by a State with comparable provisions to the Mississippi regulations.

300.06(4)- Certain Measuring, Gauging or Controlling Devices – Paragraph (b) is revised to add authority under the general license for byproduct material contained in devices which have been manufactured or initially transferred and labeled in accordance with the specifications contained in an equivalent specific license issued by the Nuclear Regulatory Commission or a State with comparable provisions to 300.12(4).

300.06(11)-Self-Luminous Products Containing Radium-226 –This section is added to the regulations to add a general license for certain items and self-luminous products containing radium-226 that were manufactured before the effective date of the NRC final rule. The general license addresses radium-226 contained in products such as antiques; timepieces; luminous items installed in air, marine, or land vehicles; all other luminous products; and small radium sources containing no more than 0.037 MBq (1 μ Ci) of radium-226. The general license exempts persons from the provisions of Sections 400 and 1000, and 100.07 and 300.20. The general license includes requirements for notification, reporting, disposal, and certain prohibitions. However, the general license allows timepieces containing radium-226 to be disassembled and repaired.

300.08- Filing Application for Specific Licenses- Paragraph (7) is revised to accept information from sealed source or device registrations with regard to NARM issued by the States under provisions comparable to 10 CFR 32.210 as a basis for licensing the use of sources and devices. The paragraph is also revised to allow a basis for licensing sources or devices containing NARM, that were manufactured before the effective date of the final rule, are not registered with the Commission under 10 CFR 32.210 or with an Agreement State, and for which all the information identified in 10 CFR 32.210 is unavailable.

300.12(10)-Manufacture, Preparation, or Transfer for Commercial Distribution of Radioactive Drugs Containing Radioactive Material for Medical Use Pursuant to Section 700 of These Regulations.- Paragraph (b) is revised to recognize nuclear pharmacists, who prepared only accelerator-produced radioactive drugs, before the effective date of the final rule and authorized nuclear pharmacists identified on permits issued by NRC master material licensees or by a master material permittee of broad scope, to work as authorized nuclear pharmacists at a commercial nuclear pharmacy.

300.15- Specific Terms and Conditions of License- Paragraph (8) is revised to require licensees to measure strontium-82 and strontium-85 contamination before use of the first eluate when eluting strontium-82/rubidium-82 generators.

Paragraph (9) is added to clarify that nothing in the authorization under Section 300.08(9) relieves the licensee from complying with FDA, other Federal, or State requirements for radioactive drugs, and to include requirements associated with the labeling and production of PET radioactive drugs by licensees authorized under the provisions of

Section 300.08(9) to produce PET radioactive drugs for the noncommercial transfer to medical use licensees in their consortium.

Appendix C- Quantities of Radioactive Materials Requiring Consideration of the Need for an Emergency Plan for Responding to a Release- The table is revised to specifically include radium-226 and its associated values.

SECTION 400-STANDARDS OF PROTECTION AGAINST RADIATION

400.35- General Requirements- Paragraph (1) is revised to include a reference to the new Section 400.42 which addresses disposal of waste.

400.40- Transfer for Disposal and Manifests- Paragraph (5) is added to require the use of uniform manifests for disposal of byproduct material as defined in Sections 11e.(3) and 11e.(4) of the AEA if intended for ultimate disposal at a land disposal facility licensed under 10 CFR Part 61.

400.42-Disposal of Certain Byproduct Material- This section is added to address disposal requirements for byproduct material as defined in Sections 11e.(3) and 11e.(4) of the AEA.

Appendix-B- Annual Limits On Intake (Alis) And Derived Air Concentrations (Dacs) Of Radionuclides For Occupational Exposure; Effluent Concentrations; Concentrations For Release To Sanitary Sewerage-The List of Elements table is revised to include the elements nitrogen and oxygen that are now considered byproduct material. Tables 1, 2, and 3 are revised to specifically include nitrogen-13 and oxygen-15 and their associated values.

SECTION 700- USE OF RADIONUCLIDES IN THE HEALING ARTS

Sections 700.19, 700.20, 700.22, 700.39, 700.43, 700.48, 700.49, 700.50, 700.51, 700.60, 700.61, and 700.81 The training and experience requirements have been revised to clarify that individuals who were “grandfathered” under the new requirements adopted earlier by NRC and the States, may serve as preceptors and work experience supervisors for individuals seeking recognition on licenses for the same medical uses of radioactive material. When the regulations were revised, the NRC intended that those authorized individuals would also be able to serve as preceptors and work experience supervisors. However, the regulations as they are currently written do not specifically state that grandfathered individuals can be work experience supervisors and preceptors.