

STATE OF COLORADO

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Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

July 2, 2012

Christian Einberg, Acting Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
T8-E24
Washington, D.C. 20555-0001

Dear Mr. Einberg:

Enclosed is a copy of the draft proposed revisions to the *Colorado Rules and Regulations Pertaining to Radiation Control*, 6 CCR 1007-1, Part 5, Radiation Safety Requirements for Industrial Radiographic Operations. This document will be opened for a 30 day public comment period which is expected to begin on or about July 16, 2012 and conclude in mid-August. The proposed regulation changes (provided in its entirety) are identified by strike-out text (deletions) and bold/colored text (additions). We respectfully request that NRC complete the review of Part 5 on or before August 20, 2012, so that we may keep with our regulatory change schedule.

The regulatory changes are primarily in response to three outstanding items identified in a letter to our program dated December 29, 2009 (ML093360435). (Refer to Attachment 1 for the summary of changes addressing the December 2009 letter). Other changes were made to this part based upon programmatic needs. Further changes were a result of formatting changes to maintain consistency within the document and other Colorado regulatory parts and to correct minor typographical errors.

Item 4 of the December 29, 2009 correspondence requests that the word "locked" be added to Part 5, Section 5.14.3. While we recognize that placement at the beginning of the provision is consistent with 10 CFR 34.35(c), we believe that placement of the word "locked" in the body of the sentence as shown in the enclosed draft would improve the clarity of the requirement for our licensees. With the word "locked" at the beginning of the provision, one could interpret/read the provision of 10 CFR 34.35(c) to mean that unlocked radiographic exposure devices would need not be physically secured. Placement of the word "locked" in the body of the provision is similar to that in the subsequent provision of 34.35(d).

We believe that the proposed revision satisfies the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure SA-200.

Christian Einberg, Acting Deputy Director
U.S. Nuclear Regulatory Commission
July 2, 2012

If you have any questions, please feel free to contact me at 303/692-3423 or James Jarvis of my staff at 303/692-3454 or james.jarvis@state.co.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen F. Tarlton". The signature is written in a cursive style with a large initial "S".

Stephen F. Tarlton, Manager
Radiation Program
Hazardous Materials and Waste Management Division

Attachment 1
Christian Einberg, Acting Deputy Director
U.S. Nuclear Regulatory Commission
July 2, 2012

CFR Section	CFR Title	State Section
	RESPONSE TO ITEMS IN LETTER DATED 12/29/09	
§34.20(b)	Performance requirements for industrial radiography equipment	Part 5, Section 5.6.2.3
§34.35	Labeling, storage and transportation	Part 5, Section 5.14.3
§34.43(c)(3)	Training	Part 5, Appendix 5D, Section 5D.2.1

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1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

2 **Hazardous Materials and Waste Management Division**

3 **STATE BOARD OF HEALTH**

4 **RADIATION CONTROL - RADIATION SAFETY REQUIREMENTS FOR INDUSTRIAL RADIOGRAPHIC**
5 **OPERATIONS**

6 **6 CCR 1007-1 Part 05**

7 *[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

8 **PART 5: RADIATION SAFETY REQUIREMENTS FOR INDUSTRIAL RADIOGRAPHIC OPERATIONS**

9 **5.1 Purpose and Scope.**

10 5.1.1 Authority.

11 Rules and regulations set forth herein are adopted pursuant to the provisions of sections 25 1
12 108, 25 1.5 101(1)(k), 25 1.5 101(1)(l), and 25 11 104, CRS.

13 5.1.2 Basis and Purpose.

14 A statement of basis and purpose accompanies this part and changes to this part. A copy may be
15 obtained from the Department.

16 5.1.3 Scope.

17 This part establishes requirements for the issuance of licenses or registrations for the industrial
18 use of sources of radiation and radiation safety requirements for persons using these sources of
19 radiation in industrial radiography.

20 5.1.4 Applicability.

21 5.1.4.1 Part 5 applies to all licensees or registrants who use sources of radiation for industrial
22 radiography. Radiation machines and sealed radioactive sources are both covered by
23 Part 5, except for sections which are applicable only to sealed radioactive sources.

24 5.1.4.2 The provisions and requirements of this part are in addition to, and not in substitution for,
25 other requirements of these regulations. In particular, the general requirements and
26 provisions of Parts 1, 2, 3, 4, 10, and 17 apply to applicants, licensees and registrants
27 subject to this part. Parts 3 and 17 apply to licensing and transportation of radioactive
28 material. Part 2 applies to the registration of radiation machines. Part 5 does not apply to
29 medical uses of sources of radiation that are governed by Parts 6 and 20.

30 5.1.5 Published Material Incorporated by Reference.

31 Published material incorporated in Part 5 by reference is available in accord with 1.4.

32 **5.2 Definitions.**

33 As used in this part, these terms have the definitions set forth as follows:

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Comment [JJ1]: Throughout definition section 5.2, unneeded spaces are deleted for multi-word definitions.

34 “Annual ~~–refresher~~ safety training” means a review conducted or provided by the licensee or registrant
35 for its employees on radiation safety aspects of industrial radiography. The review shall include, as a
36 minimum, any results of internal inspections, new procedures or equipment, new or revised regulations,
37 and accidents or errors that have been observed. The review shall also provide opportunities for
38 employees to ask safety questions.

39 “Associated~~–~~ equipment” means equipment that is used in conjunction with a radiographic exposure
40 device to make radiographic exposures that drives, guides, or comes in contact with the source (e.g.,
41 guide tube, control tube, control (drive) cable, removable source stop, “J” tube and collimator when used
42 as an exposure head).

43 “Cabinet~~–~~ radiography” means industrial radiography conducted in an enclosure or cabinet so shielded
44 that every location on the exterior meets the dose limits for individual members of the public as specified
45 in 4.14.

46 “Cabinet~~–~~ x-ray system” means an x-ray system with the x-ray tube installed in an enclosure, hereinafter
47 termed a cabinet that is independent of existing architectural structures except the floor. The cabinet x-ray
48 system is intended to contain at least that portion of a material being irradiated, provide radiation
49 attenuation, and exclude personnel from its interior during generation of radiation. This definition includes
50 x-ray systems designed primarily for the inspection of carry on baggage at airline, railroad, and bus
51 terminals, and in similar facilities. An x-ray tube used within a shielded part of a building, or x-ray
52 equipment that may temporarily or occasionally incorporate portable shielding, is not considered a cabinet
53 x-ray system.

54 “Camera” (see “radiographic exposure device”).

55 “Certifiable~~–~~ cabinet x-ray system” means an existing uncertified x-ray system that has been modified to
56 meet the certification requirements specified in 21 CFR 1020.40 (April 1, 2009).

57 “Certified~~–~~ cabinet x-ray system” means an x-ray system that has been certified in accordance with 21
58 CFR 1010.2 (April 1, 2009), as being manufactured and assembled pursuant to the provisions of 21 CFR
59 1020.40 (April 1, 2009).

60 “Certifying~~–~~ entity” means an independent certifying organization meeting the requirements in Appendix
61 5A or a state regulatory program meeting the requirements in Appendix 5A, Sections 5A.2 and 5A.3.

62 “Collimator” means a radiation shield that is placed on the end of the guide tube or directly onto a
63 radiographic exposure device to restrict the size of the radiation beam when the sealed source is cranked
64 into position to make a radiographic exposure.

65 “Control~~–~~ cable” means the cable that is connected to the source assembly and used to drive the source
66 to and from the exposure location.

67 “Control~~–~~ drive mechanism” means a device that enables the source assembly to be moved into and out
68 of the exposure device.

69 “Control~~–~~ tube” means a protective sheath for guiding the control cable. The control tube connects the
70 control drive mechanism to the radiographic exposure device.

71 “Drive~~–~~ cable” (see “control cable”).

72 “Exposure~~–~~ head” means a device that locates the gamma radiography sealed source in the selected
73 working position. An exposure head is also known as a source stop.

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74 "Field— station" means a facility from which sources of radiation may be stored or used and from which
75 equipment is dispatched.

76 "Guide— tube" means a flexible or rigid tube, or "J" tube, for guiding the source assembly and the
77 attached control cable from the exposure device to the exposure head. The guide tube may also include
78 the connections necessary for attachment to the exposure device and to the exposure head.

79 "Hands-on— experience" means experience in all of those areas considered to be directly involved in the
80 radiography process, ~~and includes taking radiographs, calibration of survey instruments, operational and
81 performance testing of survey instruments and devices, film development, posting of radiation areas,
82 transportation of radiography equipment, posting of records and radiation area surveillance, etc., as
83 applicable. Excessive time spent in only one or two of these areas, such as film development or radiation
84 area surveillance, should not be counted toward the 2000 hours of hands-on experience required for a
85 radiation safety officer in Appendix 5B, Section 5B.2.4 or the hands on experience for a radiographer as
86 required by Appendix 5C, Section 5C.2.4.~~

Comment [JJ2]: The language is modified for consistency with 10 CFR Part 34.3.

Certain language such as "excessive time" as written in the original definition could be problematic from an enforcement perspective.

87 "Independent— certifying organization" means an independent organization that meets all of the criteria
88 of Appendix 5A.

89 "Industrial— radiography" means an examination of the structure of materials by the nondestructive
90 method of utilizing ionizing radiation to make radiographic images.

91 "Lay-barge— radiography" means industrial radiography performed on any water vessel used for laying
92 pipe.

Comment [JJ3]: Correction of typographical error (mis-spelling).

93 "Offshore— platform radiography" means industrial radiography conducted from a platform over a body of
94 water.

95 "Permanent— radiographic installation" means an enclosed shielded room, cell, or vault, not located at a
96 temporary jobsite, in which radiography is performed.

97 "Pigtail" (see "source assembly").

98 "Pill" (see "sealed source").

99 "Practical— examination" means a demonstration through application of the safety rules and principles in
100 industrial radiography including use of all procedures and equipment to be used by radiographic
101 personnel.

102 "Projection— sheath" (see "guide tube").

103 "Projector" (see "radiographic exposure device").

104 "Radiation— safety officer for industrial radiography" means an individual with the responsibility for the
105 overall radiation safety program on behalf of the licensee or registrant and who meets the requirements of
106 5.16.

107 "Radiographer" means any individual who **meets the requirements of Appendix 5C and** performs
108 **industrial radiography** or who, in attendance at the site where the sources of radiation are being used
109 **for industrial radiography**, personally supervises industrial radiographic operations and ~~who is~~
110 responsible to the licensee or registrant for assuring compliance with the requirements of the
111 Department's regulations and the conditions of the license or registration.

Comment [JJ4]: For clarification purposes, a reference is added to the appendices, and the words "industrial radiography". Deleted the word "who" for clarity.

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112 "Radiographer— certification" means written approval received from a certifying entity stating that an
113 individual has satisfactorily met the radiation safety, testing, and experience criteria in 5.17.

Comment [JJ5]: Deleted unneeded spaces.

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114 “Radiographer’s— assistant” means any individual who **meets the requirements of Appendix 5D and**
115 **who** under the **directpersonal** supervision of a radiographer, uses radiographic exposure devices,
116 sources of radiation, related handling tools, or radiation survey instruments in industrial radiography.

Comment [JJ6]: Added reference to Appendices for clarity.

Replaced “personal” with the term “direct” for consistency with 10 CFR Part 34.3.

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117 “Radiographic— exposure device” means any instrument containing a sealed source fastened or
118 contained therein, in which the sealed source or shielding thereof may be moved, or otherwise changed,
119 from a shielded to unshielded position for purposes of making a radiographic exposure.

120 “Radiographic— operations” means all activities performed with a radiographic exposure device, or with a
121 radiation-producing machine. Such activities include: using; transporting except by common or contract
122 carriers; storing at a temporary job site; performing surveys to confirm the adequacy of boundaries;
123 setting up equipment; and any activity inside restricted area boundaries. Transporting a radiation machine
124 is not considered a radiographic operation.

125 “Radiography” (see “industrial radiography”).

126 “S-tube” means a tube through which the radioactive source travels when inside a radiographic exposure
127 device.

128 “Shielded— position” means the location within the radiographic exposure device, source changer, or
129 storage container that, by manufacturer’s design, is the proper location for storage of the sealed source.

130 “Source— assembly” means an assembly that consists of the sealed source and a connector that
131 attaches the source to the control cable. The source assembly may include a ballstop to secure the
132 source in the shielded position.

133 “Source— changer” means a device designed and used for replacement of sealed sources in
134 radiographic exposure devices. A source changer may also be used for transporting and storing sealed
135 sources.

136 “Storage— area” means any location, facility, or vehicle that is used to store and secure a radiographic
137 exposure device, a radiation machine, or a storage container when it is not used for radiographic
138 operations. Storage areas are locked or have a physical barrier to prevent accidental exposure,
139 tampering, or unauthorized removal of the device, machine, or container.

140 “Storage— container” means a device in which sealed sources or radiation machines are secured and
141 stored.

142 “Temporary— jobsite” means a location where radiographic operations are performed and where sources
143 of radiation may be stored other than the location(s) of use authorized on the license or registration.

144 “Underwater— radiography” means radiographic operations performed when the radiographic exposure
145 device or radiation machine and/or related equipment are beneath the surface of the water.

146 **5.3 Exemptions.**

147 5.3.1 Uses of certified and certifiable cabinet x-ray systems are exempt from the requirements of Part 5
148 except for the following:

149 5.3.1.1 For certified and certifiable cabinet x-ray systems, including those designed to allow
150 admittance of individuals:

151 (1) No registrant shall permit any individual to operate a cabinet x-ray system until the
152 individual has received a copy of and instruction in the operating procedures for
153 the unit and has demonstrated competence in its use. Records that demonstrate

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154 compliance with this subparagraph shall be maintained for Department
155 inspection until disposal is authorized by the Department.

156 (2) Tests for proper operation of interlocks must be conducted and recorded at intervals
157 not to exceed six months. Records of these tests shall be maintained for
158 Department inspection until disposal is authorized by the Department.

159 (3) The registrant shall perform an evaluation of the radiation exposure to determine
160 compliance with 4.14.1 and 4.14.3, and 21 CFR 1020.40 (April 1, 2004) (Cabinet
161 X-Ray Systems, 39 Federal Register 12986, April 10, 1974), at intervals not to
162 exceed one year. Records of these evaluations shall be maintained for
163 Department inspection for two years after the evaluation.

164 5.3.1.2 Certified cabinet x-ray systems shall be maintained in compliance with 21 CFR 1020.40
165 (April 1, 2004) (Cabinet X-Ray Systems, 39 Federal Register 12986, April 10, 1974), and
166 no modification shall be made to the system unless prior Department approval has been
167 granted.

168 5.3.2 Industrial uses of hand-held light intensified imaging devices are exempt from the requirements of
169 this Part if the dose rate 45 cm (18 inches) from the source of radiation to any individual does not
170 exceed 0.02 millisievert (2 millirem) per hour. When this dose rate limit is exceeded, such devices
171 shall meet the applicable requirements of this part and the licensing or registration requirements
172 of Part 2 or Part 3, as applicable.

173 **5.4 Licensing and Registration Requirements for Industrial Radiography Operations.**

174 The Department will approve an application for a specific license for use of licensed material or a
175 registration for use of radiation machines if the applicant meets the following requirements, as applicable:

176 5.4.1 The applicant satisfies the general requirements specified in Part 2 for radiation machine facilities
177 or Part 3 for radioactive material, as applicable, and any special requirements contained in this
178 part;

179 5.4.2 The applicant submits documentation demonstrating an adequate program for training
180 radiographers and radiographer's assistants that meets the requirements of 5.17.

181 5.4.3 The applicant submits procedures for verifying and documenting the certification status of
182 radiographers and for ensuring that the certification of individuals acting as radiographers
183 remains valid;

184 5.4.4 The applicant submits written operating and emergency procedures as described in 5.18;

185 5.4.5 The applicant submits a description of a program for inspections of the job performance of each
186 radiographer and radiographer's assistant at intervals not to exceed 6 months as described in
187 5.17.3;

188 5.4.6 The applicant submits a description of the applicant's overall organizational structure as it applies to
189 the radiation safety responsibilities in industrial radiography, including specified delegation of
190 authority and responsibility;

191 5.4.7 The applicant submits the qualifications of the individual(s) designated as the radiation safety
192 officer as described in 5.16.1,

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193 5.4.8 If an applicant intends to perform leak testing of sealed sources or exposure devices containing
194 depleted uranium (DU) shielding, the applicant must describe the procedures for performing the
195 test. The description must include the:

196 5.4.8.1 Methods of collecting the samples;

197 5.4.8.2 Qualifications of the individual who analyzes the samples;

198 5.4.8.3 Instruments to be used; and

199 5.4.8.4 Methods of analyzing the samples.

200 5.4.9 If the applicant intends to perform calibrations of survey instruments and alarming ratemeters, the
201 applicant must describe methods to be used and the experience of the person(s) who will perform
202 the calibrations. All calibrations must be performed according to the procedures described and at
203 the intervals prescribed in 5.9 and 5.20.7.4;

204 5.4.10 The applicant identifies and describes the location(s) of all field stations and permanent
205 radiographic installations;

206 5.4.11 The applicant identifies the location(s) where all records required by this and other parts of these
207 regulations will be maintained;

208 5.4.12 If a license application includes underwater radiography, a description of:

209 5.4.12.1 Radiation safety procedures and radiographer responsibilities unique to the
210 performance of underwater radiography;

211 5.4.12.2 Radiographic equipment and radiation safety equipment unique to underwater
212 radiography; and

213 5.4.12.3 Methods for gas-tight encapsulation of equipment; and

214 5.4.13 If an application includes offshore platform and/or lay-barge radiography, a description of:

215 5.4.13.1 Transport procedures for radioactive material to be used in industrial radiographic
216 operations;

217 5.4.13.2 Storage facilities for radioactive material; and

218 5.4.13.3 Methods for restricting access to radiation areas.

219 **5.5 Reciprocity.**

220 5.5.1 All reciprocal recognition of licenses and registrations by the Department will be granted in
221 accordance with:

222 **5.5.1.1 Part 3 of these regulations for radioactive materials; and**

223 **5.5.1.2 Part 2 of these regulations for radiation machines.**

224 5.5.2 Reciprocal recognition by the Department of an individual radiographer certification will be granted
225 provided that:

Comment [JJ7]: Language added to clarify that radiation machine reciprocity requirements are contained in Part 2. (Previously, only Part 3 was referenced which only addresses radioactive materials reciprocity).
This change based on staff recommendation.

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- 226 5.5.2.1 The individual holds a valid certification in the appropriate category issued by a certifying
227 entity, as defined in 5.32;
- 228 5.5.2.2 The requirements and procedures of the certifying entity issuing the certification affords
229 the same or comparable certification standards as those afforded by 5.17.1 and Appendix
230 5A;
- 231 5.5.2.3 The applicant presents the certification to the Department prior to entry into the state; and
- 232 5.5.2.4 No escalated enforcement action is pending with the Nuclear Regulatory Commission or
233 in any other state.
- 234 5.5.3 Certified individuals who are granted reciprocity by the Department shall maintain the certification
235 upon which the reciprocal recognition was granted, or prior to the expiration of such certification,
236 shall meet the requirements of 5.17.1.

Comment [JJ8]: Correction to reference.
Definitions are contained in Section 5.2.

237 **5.6 Performance Requirements for Industrial Radiography Equipment.**

238 Equipment used in industrial radiographic operations must meet the following minimum criteria:

239 5.6.1 Each radiographic exposure device, source assembly or sealed source, and all associated
240 equipment must meet the requirements specified in American National Standard Institute, N432
241 1980, "Radiological Safety for the Design and Construction of Apparatus for Gamma
242 Radiography" , published as National Bureau of Standards (NBS) Handbook 136 (January 1981);

243 5.6.2 In addition to the requirements specified in 5.6.1 the following requirements apply to radiographic
244 exposure devices, source changers, source assemblies and sealed sources;

245 5.6.2.1 The licensee shall ensure that each radiographic exposure device has attached to it a
246 durable, legible, clearly visible label bearing the:

- 247 (1) Chemical symbol and mass number of the radionuclide in the device;
- 248 (2) Activity and the date on which this activity was last measured;
- 249 (3) Model or product code and serial number of the sealed source;
- 250 (4) Name of the manufacturer of the sealed source; and
- 251 (5) Licensee's name, address, and telephone number.

252 5.6.2.2 Radiographic exposure devices intended for use as Type B packages must meet the
253 applicable transportation requirements of Part 17 of these regulations.

254 5.6.2.3 Modification of radiographic exposure devices, source changers, and source assemblies
255 and associated equipment is prohibited, unless **the design of any replacement**
256 **component, including source holder, source assembly, controls or guide tubes**
257 **would not compromise the design safety features of the system and is** approved by
258 the Department, another Agreement State, or the NRC.

259 5.6.3 In addition to the requirements specified in 5.6.1 and 5.6.2, the following requirements apply to
260 radiographic exposure devices, source assemblies, and associated equipment that allow the
261 source to be moved out of the device for radiographic operations or to source changers:

Comment [JJ9]: Language added for consistency
with 10 CFR 34.20(b)(3). Change made as a result of
NRC comment letter dated 12/29/09 (Item 3).

As written, the language of 5.6.2.3 is more restrictive than the language of 10 CFR Part 34 in that it retains the (existing) provision that a regulatory agency still must approve of any design change. The Department believes that retaining the provision for approval by a regulatory agency is in the best interest of public health and safety. Nearly all industrial radiography devices and associated equipment have tight tolerances and very specific design criteria. Allowing a licensee to make modifications of such equipment without regulatory review and approval could result in a compromised level of safety. The Department has encountered industrial radiography licensees who have made modifications to and/or designed certain equipment without prior approval. In these instances, the licensee's were unable to demonstrate or provide test results or design engineering specifications showing that the safety features would not be compromised.

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- 262 5.6.3.1 The coupling between the source assembly and the control cable must be designed in
263 such a manner that the source assembly will not become disconnected if cranked outside
264 the guide tube. The coupling must be such that it cannot be unintentionally disconnected
265 under normal and reasonably foreseeable abnormal conditions.
- 266 5.6.3.2 The device must automatically secure the source assembly when it is cranked back into
267 the fully shielded position within the device. This securing system may only be released
268 by means of a deliberate operation on the exposure device.
- 269 5.6.3.3 The outlet fittings, lock box, and drive cable fittings on each radiographic exposure device
270 must be equipped with safety plugs or covers which must be installed during storage and
271 transportation to protect the source assembly from water, mud, sand or other foreign
272 matter.
- 273 5.6.3.4 Each sealed source or source assembly must have attached to it or engraved on it, a
274 durable, legible, visible label with the words:
- 275 "DANGER — RADIOACTIVE."
- 276 The label may not interfere with the safe operation of the exposure device or associated
277 equipment.
- 278 5.6.3.5 The guide tube must be able to withstand a crushing test that closely approximates the
279 crushing forces that are likely to be encountered during use, and be able to withstand a
280 kinking resistance test that closely approximates the kinking forces that are likely to be
281 encountered during use.
- 282 5.6.3.6 Guide tubes must be used when moving the source out of the device.
- 283 5.6.3.7 An exposure head or similar device designed to prevent the source assembly from
284 passing out of the end of the guide tube must be attached to the outermost end of the
285 guide tube during industrial radiography operations.
- 286 5.6.3.8 The guide tube exposure head connection must be able to withstand the tensile test for
287 control units specified in ANSI N432-1980, "Radiological Safety for the Design and
288 Construction of Apparatus for Gamma Radiography" , National Bureau of Standards
289 (NBS) Handbook 136 (January 1981).
- 290 5.6.3.9 Source changers must provide a system for ensuring that the source will not be
291 accidentally withdrawn from the changer when connecting or disconnecting the drive
292 cable to or from a source assembly.
- 293 5.6.4 All radiographic exposure devices and associated equipment in use after January 10, 1996 must
294 comply with the requirements of this section; and
- 295 5.6.5 As an exception to 5.6.1, equipment used in industrial radiographic operations need not comply
296 with § 8.9.2(c) of the Endurance Test in ANSI N432-1980, "Radiological Safety for the Design
297 and Construction of Apparatus for Gamma Radiography" , National Bureau of Standards (NBS)
298 Handbook 136 (January 1981), if the prototype equipment has been tested using a torque value
299 representative of the torque that an individual using the radiography equipment can reasonably
300 exert on the lever or crankshaft of the drive mechanism.
- 301 5.6.6 The Department may deny, withdraw, limit or qualify its approval of any person to perform activities
302 upon determining that such action is necessary in order to prevent undue hazard to health and
303 safety, or for other reasonable cause.

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304 **5.7 Limits on External Radiation Levels From Storage Containers and Source Changers.**

305 The maximum exposure rate limits for storage containers and source changers are 2 millisievert (200
306 mrem) per hour at any exterior surface, and 0.1 millisievert (10 mrem) per hour at 1 meter from any
307 exterior surface with the sealed source in the shielded position.

308 **5.8 Locking of Sources of Radiation, Storage Containers and Source Changers.**

309 5.8.1 Each radiographic exposure device must have a lock or outer locked container designed to prevent
310 unauthorized or accidental removal of the sealed source from its shielded position.

311 5.8.1.1 The exposure device and/or its container must be kept locked (if a keyed lock, the key
312 must be removed at all times) when not under the direct surveillance of a radiographer or
313 a radiographer's assistant except at permanent radiographic installations as stated in
314 5.22.

315 5.8.1.2 In addition, during radiographic operations the sealed source assembly must be secured
316 in the shielded position each time the source is returned to that position.

317 5.8.2 Each sealed source storage container and source changer must have a lock or outer locked
318 container designed to prevent unauthorized or accidental removal of the sealed source from its
319 shielded position. Storage containers and source changers must be kept locked (if a keyed lock,
320 the key must be removed at all times) when containing sealed sources except when under the
321 direct surveillance of a radiographer or a radiographer's assistant.

322 5.8.3 The control panel of each radiation machine shall be equipped with a lock that will prevent the
323 unauthorized use of an x-ray system or the accidental production of radiation. The radiation
324 machine shall be kept locked and the key removed at all times except when under the direct
325 visual surveillance of a radiographer or a radiographer's assistant.

326 **5.9 Radiation Survey Instruments.**

327 5.9.1 The licensee or registrant shall keep sufficient calibrated and operable radiation survey instruments
328 at each location where sources of radiation are present to make the radiation surveys required by
329 this part and by Part 4 of these regulations. Instrumentation required by this section must be
330 capable of measuring a range from 0.02 millisievert (2 mrem) per hour through 0.01 sievert (1
331 rem) per hour.

332 5.9.2 The licensee or registrant shall have each radiation survey instrument required under 5.9.1
333 calibrated:

334 5.9.2.1 At energies appropriate for use and at intervals not to exceed 6 months and after
335 instrument servicing, except for battery changes;

336 5.9.2.2 For linear scale instruments, at two points located approximately one-third and two-thirds
337 of full-scale on each scale; for logarithmic scale instruments, at mid-range of each
338 decade, and at two points of at least one decade; and for digital instruments, at 3 points
339 between 0.02 and 10 millisievert (2 and 1000 mrem) per hour; and

340 5.9.2.3 So that an accuracy within plus or minus 20 percent of the true radiation dose rate can be
341 demonstrated at each point checked.

342 5.9.3 The licensee or registrant shall maintain records of the results of the instrument calibrations in
343 accordance with 5.26.

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344 **5.10 Leak Testing and Replacement of Sealed Sources.**

345 5.10.1 The replacement of any sealed source fastened to or contained in a radiographic exposure device
346 and the leak testing of any sealed source must be performed by persons authorized to do so by
347 the Department, the Nuclear Regulatory Commission, or another Agreement State.

348 5.10.2 The opening, repair, or modification of any sealed source must be performed by persons
349 specifically authorized to do so by the Department, the Nuclear Regulatory Commission, or
350 another Agreement State.

351 5.10.3 Testing and recordkeeping requirements.

352 5.10.3.1 Each licensee who uses a sealed source shall have the source tested for leakage at
353 intervals not to exceed 6 months. The leak testing of the source must be performed using
354 a method approved by the Department, the Nuclear Regulatory Commission, or by
355 another Agreement State. The wipe sample should be taken from the nearest accessible
356 point to the sealed source where contamination might accumulate. The wipe sample
357 must be analyzed for radioactive contamination. The analysis must be capable of
358 detecting the presence of 185 becquerel (0.005 μCi) of radioactive material on the test
359 sample and must be performed by a person specifically authorized by the Department,
360 the Nuclear Regulatory Commission, or another Agreement State to perform the analysis.

361 5.10.3.2 The licensee shall maintain records of the leak tests in accordance with 5.27.

362 5.10.3.3 Unless a sealed source is accompanied by a certificate from the transferor that shows
363 that it has been leak tested within 6 months before the transfer, it may not be used by the
364 licensee until tested for leakage. Sealed sources that are in storage and not in use do not
365 require leak testing, but must be tested before use or transfer to another person if the
366 interval of storage exceeds 6 months.

367 5.10.4 Any test conducted pursuant to 5.10.2 and 5.10.3 that reveals the presence of 185 becquerel
368 (0.005 μCi) or more of removable radioactive material must be considered evidence that the
369 sealed source is leaking. The licensee shall immediately withdraw the equipment involved from
370 use and shall have it decontaminated and repaired or disposed of in accordance with Department
371 regulations. A report must be filed with the Department within 5 days of any test with results that
372 exceed the threshold in this paragraph, describing the equipment involved, the test results, and
373 the corrective action taken.

374 5.10.5 Each exposure device using depleted uranium (DU) shielding and an "S" tube configuration must
375 be tested for DU contamination at intervals not to exceed 12 months.

376 5.10.5.1 The analysis must be capable of detecting the presence of 185 becquerel (0.005 μCi) of
377 radioactive material on the test sample and must be performed by a person specifically
378 authorized by the Department, the Nuclear Regulatory Commission, or another
379 Agreement State to perform the analysis.

380 5.10.5.2 Should such testing reveal the presence of DU contamination, the exposure device
381 must be removed from use until an evaluation of the wear of the S-tube has been made.

382 5.10.5.3 Should the evaluation reveal that the S-tube is worn through, the device may not be
383 used again. DU shielded devices do not have to be tested for DU contamination while not
384 in use and in storage.

385 5.10.5.4 Before using or transferring such a device, however, the device must be tested for DU
386 contamination, if the interval of storage exceeds 12 months.

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387 5.10.5.5 A record of the DU leak-test must be made in accordance with 5.27.

388 **5.11 Quarterly Inventory.**

389 5.11.1 Each licensee or registrant shall conduct a quarterly physical inventory to account for all sources
390 of radiation, and for devices containing depleted uranium received and possessed under the
391 license.

392 5.11.2 The licensee or registrant shall maintain records of the quarterly inventory in accordance with
393 5.28.

394 **5.12 Inspection and Maintenance of Radiation Machines, Radiographic Exposure Devices,
395 Transport and Storage Containers, Associated Equipment, Source Changers, and Survey
396 Instruments.**

397 5.12.1 The licensee or registrant shall perform visual and operability checks on survey meters, radiation
398 machines, radiographic exposure devices, transport and storage containers, associated
399 equipment and source changers before each day's use, or work shift, to ensure that:

400 5.12.1.1 The equipment is in good working condition;

401 5.12.1.2 The sources are adequately shielded; and

402 5.12.1.3 Required labeling is present.

403 5.12.2 Survey instrument operability must be performed using check sources or other appropriate
404 means.

405 5.12.3 If equipment problems are found, the equipment must be removed from service until repaired.

406 5.12.4 Each licensee or registrant shall have written procedures for, and perform inspection and routine
407 maintenance of, radiation machines, radiographic exposure devices, source changers, associated
408 equipment, transport and storage containers, and survey instruments. The inspection and
409 maintenance must be performed at intervals not to exceed 3 months, or before the first use
410 thereafter, to ensure the proper functioning of components important to safety. If equipment
411 problems are found, the equipment must be removed from service until repaired.

412 5.12.5 The licensee's inspection and maintenance program must include procedures to assure that each
413 Type B package is shipped and maintained in accordance with the certificate of compliance or
414 other approval.

415 5.12.6 Records of equipment problems and of any maintenance performed under 5.12 must be made in
416 accordance with 5.30.

417 **5.13 Permanent Radiographic Installations.**

418 5.13.1 Each entrance that is used for personnel access to the high radiation area in a permanent
419 radiographic installation must have either.

420 5.13.1.1 An entrance control of the type described in 4.19 of these regulations that causes the
421 radiation level upon entry into the area to be reduced; or

422 5.13.1.2 Both conspicuous visible and audible warning signals to warn of the presence of
423 radiation. The visible signal must be actuated by radiation whenever the source is
424 exposed or the machine is energized. The audible signal must be actuated when an

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425 attempt is made to enter the installation while the source is exposed or the machine is
426 energized.

427 5.13.2 The alarm system must be tested for proper operation with a radiation source each day before the
428 installation is used for radiographic operations. The test must include a check of both the visible
429 and audible signals. Entrance control devices that reduce the radiation level upon entry as
430 designated in 5.13.1 must be tested monthly.

431 5.13.3 If an entrance control device or an alarm is operating improperly, it must be immediately labeled
432 as defective and repaired within 7 calendar days. The facility may continue to be used during this
433 7-day period, provided the licensee or registrant implements the continuous surveillance
434 requirements of 5.22 and uses an alarming ratemeter. Test records for entrance controls and
435 audible and visual alarms must be maintained in accordance with 5.31.

436 **5.14 Labeling, Storage, and Transportation.**

437 5.14.1 The licensee may not use a source changer or a container to store radioactive material unless the
438 source changer or the storage container has securely attached to it a durable, legible, and clearly
439 visible label bearing the standard trefoil radiation caution symbol conventional colors, i.e.,
440 magenta, purple or black on a yellow background, having a minimum diameter of 25 mm, and the
441 wording:

442 CAUTION*
443 RADIOACTIVE MATERIAL
444 NOTIFY CIVIL AUTHORITIES [or "NAME OF COMPANY"]
445 *or "DANGER"

446 5.14.2 The licensee may not transport radioactive material unless the material is packaged, and the
447 package is labeled, marked, and accompanied with appropriate shipping papers in accordance
448 with regulations set out in Part 17.

449 5.14.3 Radiographic exposure devices, source changers, storage containers, and radiation machines,
450 must be **locked and** physically secured to prevent tampering or removal by unauthorized
451 personnel. The licensee shall store radioactive material in a manner that will minimize danger
452 from explosion or fire.

453 5.14.4 The licensee shall lock and physically secure the transport package containing radioactive
454 material in the transporting vehicle to prevent accidental loss, tampering, or unauthorized
455 removal.

456 5.14.5 The licensee's or registrant's name and city or town where the main business office is located
457 shall be prominently displayed with a durable, clearly visible label(s) on both sides of all vehicles
458 used to transport radioactive material or radiation machines for temporary job site use.

459 **5.15 Conducting Industrial Radiographic Operations.**

460 5.15.1 Whenever radiography is performed at a location other than a permanent radiographic installation,
461 the radiographer must be accompanied by at least one other qualified radiographer or an
462 individual who has at a minimum met the requirements of Appendix 5DC. The additional qualified
463 individual shall observe the operations and be capable of providing immediate assistance to
464 prevent unauthorized entry. Radiography may not be performed if only one qualified individual is
465 present.

Comment [JJ10]: The word "locked" is added for consistency with 10 CFR 34.35(c), based on prior NRC review and comment on Part 5.

10 CFR 34.25(c) is written such that the word "locked" appears at the beginning of the sentence. The Department however believes that adding the word later in the body of the sentence provides more clarity than that found in Part 34 while meeting the full intent and compatibility of the requirement.

The addition of the word "locked" clarifies that the devices themselves must be locked (with separate lock mechanisms), which is in addition to the requirement for the devices to be physically secured to an object or in a secured room.

NRC Letter dated 12/9/09 (Item 4)
Compatibility = B

Comment [JJ11]: Correction of reference to refer to the training for a "radiographer assistant". (See also 10 CFR 34.41)

Staff identified issue.

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466 5.15.2 All radiographic operations must be conducted in a permanent radiographic installation unless
467 otherwise specifically authorized by the Department.

468 **5.15.2.1 Radiographic operations in a permanent radiographic installation shall be**
469 **conducted by:**

470 **(1) A qualified radiographer; or**

471 **(2) A radiographer assistant under the direct supervision of a radiographer.**
472

473 5.15.3 Except when physically impossible, collimators shall be used in industrial radiographic operations
474 that use radiographic exposure devices that allow the source to be moved out of the device.

475 5.15.4 A licensee or registrant may conduct lay-barge, offshore platform, or underwater radiography only
476 if procedures have been approved by the Department, the Nuclear Regulatory Commission, or by
477 another Agreement State.

478 **5.16 Radiation Safety Officer.**

479 5.16.1 The radiation safety officer shall ensure that radiation safety activities are being performed in
480 accordance with approved procedures and regulatory requirements in the daily operation of the
481 licensee's or registrant's program.

482 5.16.2 The minimum qualifications, training, and experience for a radiation safety officer for industrial
483 radiography are specified in Appendix 5B.

484 5.16.3 The specific duties and authorities of the radiation safety officer include:

485 5.16.3.1 Establishing and overseeing all operating, emergency, and ALARA procedures as
486 required by Part 4 of these regulations and reviewing them regularly to ensure that they
487 conform to Department regulations and to the license or registration conditions;

488 5.16.3.2 Overseeing and approving the training program for radiographic personnel to ensure
489 that appropriate and effective radiation protection practices are taught;

490 5.16.3.3 Ensuring that required radiation surveys and leak tests are performed and documented
491 in accordance with the regulations, including any corrective measures when levels of
492 radiation exceed established limits;

493 5.16.3.4 Ensuring that personnel monitoring devices are calibrated, if applicable, and used
494 properly; that records are kept of the monitoring results; and that timely notifications are
495 made as required by Part 4 of these regulations; and

496 5.16.3.5 Ensuring that operations are conducted safely and for implementing corrective actions
497 including terminating operations.

498 **5.17 Training for a Radiographer or a Radiographer's Assistant.**

499 5.17.1 The licensee or registrant may not permit any individual to act as a radiographer until the
500 individual has met the requirements of Appendix 5C.

501 5.17.2 The licensee or registrant may not permit any individual to act as a radiographer's assistant until
502 the individual has met the requirements of Appendix 5D.

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Comment [JJ12]: Language added for clarity at the recommendation of Radiation Control Program staff.

The Radiation Control Program has encountered situations where licensees have allowed or requested to allow minimally trained radiographer assistants to perform radiography activities in a vault by themselves. Although use of a vault provides some additional level of safety, radiography operations still present significant radiation hazards similar to those found in the field at a temporary jobsite. By regulation (5.15.1), field radiography at temporary jobsites requires at least two persons - one qualified radiographer and an additional qualified person ("two person rule"). Radiography in a vault may be conducted by a single qualified radiographer, but not a single radiographer assistant. The proposed changes are intended to clarify this requirement consistent with the enforcement approach used by the Radiation Program.

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503 5.17.3 Except as provided in 5.17.3.3, the radiation safety officer or designee shall conduct an inspection
504 program of the job performance of each radiographer and radiographer's assistant to ensure that
505 the Department's regulations, license or registration requirements, and operating and emergency
506 procedures are followed. The inspection program must:

507 5.17.3.1 Include observation of the performance of each radiographer and radiographer's
508 assistant during an actual industrial radiographic operation, at intervals not to exceed 6
509 months; and

510 5.17.3.2 If a radiographer or a radiographer's assistant has not participated in an industrial
511 radiographic operation for more than 6 months since the last inspection, the radiographer
512 must demonstrate knowledge of the training requirements of Appendix 5C, Section
513 5C.2.3, and the radiographer's assistant must demonstrate knowledge of the training
514 requirements of Appendix 5D, Section 5D.2.2, by a practical examination before these
515 individuals can next participate in a radiographic operation.

516 5.17.3.3 The Department may consider alternative inspection programs in those situations where
517 one individual serves as the only radiographer and the radiation safety officer.

518 5.17.4 The licensee or registrant shall maintain records of the above training to include certification
519 documents, written, oral and practical examinations, refresher safety training and inspections of
520 job performance in accordance with 5.32.

521 **5.18 Operating and Emergency Procedures.**

522 5.18.1 Operating and emergency procedures must include, as a minimum, instructions in the following:

523 5.18.1.1 Appropriate handling and use of sources of radiation so that no person is likely to be
524 exposed to radiation doses in excess of the limits established in Part 4 of these
525 regulations;

526 5.18.1.2 Methods and occasions for conducting radiation surveys;

527 5.18.1.3 Methods for posting and controlling access to radiographic areas;

528 5.18.1.4 Methods and occasions for locking and securing sources of radiation;

529 5.18.1.5 Personnel monitoring and use of personnel monitoring equipment;

530 5.18.1.6 Transporting equipment to field locations, including packing of radiographic exposure
531 devices and storage containers in the vehicles, placarding of vehicles when required, and
532 control of the equipment during transportation as described in Part 17 of these
533 regulations;

534 5.18.1.7 The inspection, maintenance, and operability checks of radiographic exposure devices,
535 radiation machines, survey instruments, alarming ratemeters, transport containers, and
536 storage containers;

537 5.18.1.8 Steps that must be taken immediately by radiography personnel in the event a pocket
538 dosimeter is found to be off-scale or an alarming ratemeter alarms unexpectedly;

539 5.18.1.9 The procedure(s) for identifying and reporting defects and noncompliance, as required
540 by 5.38;

541 5.18.1.10 The procedure for notifying proper persons in the event of an accident or incident;

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- 542 5.18.1.11 Minimizing exposure of persons in the event of an accident or incident, including a
543 source disconnect, a transport accident, or loss of a source of radiation;
- 544 5.18.1.12 Source recovery procedure if licensee will perform source recoveries; and
- 545 5.18.1.13 Maintenance of records.
- 546 5.18.2 The licensee or registrant shall maintain copies of current operating and emergency procedures in
547 accordance with 5.33 and 5.37.
- 548 **5.19 Supervision of Radiographer's Assistants.**
- 549 5.19.1 The radiographer's assistant shall be under the personal supervision of a radiographer when
550 using radiographic exposure devices, associated equipment, or a sealed source, or while
551 conducting radiation surveys required by 5.21.1.2 to determine that the sealed source has
552 returned to the shielded position or the radiation machine is off after an exposure.
- 553 5.19.2 The personal supervision must include:
- 554 5.19.2.1 The radiographer's physical presence at the site where the sources of radiation are
555 being used;
- 556 5.19.2.2 The availability of the radiographer to give immediate assistance if required; and
- 557 5.19.2.3 The radiographer's direct observation of the assistant's performance of the operations
558 referred to in this section.
- 559 **5.20 Personnel Monitoring.**
- 560 5.20.1 The licensee or registrant shall not permit any individual to act as a radiographer or a
561 radiographer's assistant unless, at all times during radiographic operations, each individual
562 wears, on the trunk of the body, a direct reading dosimeter, an operating alarming ratemeter, and
563 a personnel dosimeter that is processed and evaluated by an accredited National Voluntary
564 Laboratory Accreditation Program (NVLAP) processor. At permanent radiographic installations
565 where other appropriate alarming or warning devices are in routine use, or during radiographic
566 operations using radiation machines, the wearing of an alarming ratemeter is not required.
- 567 5.20.1.1 Pocket dosimeters must have a range from zero to 2 millisievert (200 mrem) and must
568 be recharged at the start of each shift. Electronic personal dosimeters may only be used
569 in place of ion-chamber pocket dosimeters.
- 570 5.20.1.2 Each personnel dosimeter must be assigned to and worn by only one individual.
- 571 5.20.1.3 Film badges must be exchanged at periods not to exceed one month and other
572 personnel dosimeters processed and evaluated by an accredited NVLAP processor must
573 be replaced at periods not to exceed three months.
- 574 5.20.1.4 After replacement, each personnel dosimeter must be processed as soon as possible.
- 575 5.20.2 Direct reading dosimeters, such as pocket dosimeters or electronic personal dosimeters, must be
576 read and the exposures recorded at the beginning and end of each shift, and records must be
577 maintained in accordance with 5.34.
- 578 5.20.3 Pocket dosimeters, or electronic personal dosimeters, must be checked at periods not to exceed
579 12 months for correct response to radiation, and records must be maintained in accordance with

Comment [JJ13]: Correction of reference, comparable to 10 CFR 34.49(b).

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- 580 5.34. Acceptable dosimeters must read within plus or minus 20 percent of the true radiation
581 exposure.
- 582 5.20.4 If an individual's pocket dosimeter indicates a reading off-scale or if the electronic personal
583 dosimeter reading exceeds 2 millisievert (200 mrem), and the possibility of radiation exposure
584 cannot be ruled out as the cause, the individual's personnel dosimeter must be sent for
585 processing within 24 hours.
- 586 5.20.4.1 In addition, the individual may not resume work associated with **U**se of sources of
587 radiation until a determination of the individual's radiation exposure has been made. This
588 determination must be made by the radiation safety officer or the radiation safety officer's
589 designee.
- 590 5.20.4.1 The results of this determination must be included in the records maintained in
591 accordance with 5.34.
- 592 5.20.5 If the personnel dosimeter that is required by 5.20.1 is lost or damaged, the worker shall cease
593 work immediately until a replacement personnel dosimeter meeting the requirements of 5.20.1 is
594 provided and the exposure is calculated for the time period from issuance to loss or damage of
595 the personnel dosimeter. The results of the calculated exposure and the time period for which the
596 personnel dosimeter was lost or damaged must be included in the records maintained in
597 accordance with 5.34.
- 598 5.20.6 Reports received from the accredited NVLAP personnel dosimeter processor must be retained in
599 accordance with 5.34.
- 600 5.20.7 Each alarming ratemeter must:
- 601 5.20.7.1 Be checked to ensure that the alarm functions properly before using at the start of each
602 shift;
- 603 5.20.7.2 Be set to give an audible alarm signal at a preset dose rate of 5 millisievert (500 mrem)
604 per hour; with an accuracy of plus or minus 20 percent of the true radiation dose rate;
- 605 5.20.7.3 Require special means to change the preset alarm function; and
- 606 5.20.7.4 Be calibrated at periods not to exceed 12 months for correct response to radiation. The
607 licensee shall maintain records of alarming ratemeter calibrations in accordance with
608 5.34.
- 609 **5.21 Radiation Surveys.**
- 610 5.21.1 The licensee or registrant shall:
- 611 5.21.1.1 Conduct all surveys with a calibrated and operable radiation survey instrument that
612 meets the requirements of 5.9;
- 613 5.21.1.2 Conduct a survey of the radiographic exposure device and the guide tube after each
614 exposure when approaching the device or the guide tube.
- 615 (1) The survey must determine that the sealed source has returned to its shielded
616 position before exchanging films, repositioning the exposure head, or dismantling
617 equipment.

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618 (2) Radiation machines shall be surveyed after each exposure to determine that the
619 machine is off;

620 5.21.1.3 Conduct a survey of the radiographic exposure device whenever the source is
621 exchanged and whenever a radiographic exposure device is placed in a storage area as
622 defined in 5.3, to ensure that the sealed source is in its shielded position; and

623 5.21.1.4 Maintain records in accordance with 5.35.

624 **5.22 Surveillance.**

625 5.22.12 During each radiographic operation, the radiographer shall ensure continuous direct visual
626 surveillance of the operation to protect against unauthorized entry into a radiation area or a high
627 radiation area, as defined in Part 1 of these regulations, except at permanent radiographic
628 installations where all entryways are locked and the requirements of 5.13 are met.

629 **5.23 Posting.**

630 5.23.1 All areas in which industrial radiography is being performed must be conspicuously posted as
631 required by 4.28 of these regulations. The exceptions listed in 4.29 of these regulations do not
632 apply to industrial radiographic operations.

Comment [JJ14]: Numbering added for format consistency.

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633 **RECORDKEEPING REQUIREMENTS**

634 **5.24 Records for Industrial Radiography.**

635 5.24.1 Each licensee or registrant shall maintain a copy of its license or registration, documents
636 incorporated by reference, and amendments to each of these items until superseded by new
637 documents approved by the Department, or until the Department terminates the license or
638 registration.

Comment [JJ15]: Realignment of paragraph by removal of indent for format consistency.

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639 **5.25 Records of Receipt and Transfer of Sources of Radiation.**

640 5.25.1 Each licensee or registrant shall maintain records showing the receipts and transfers of sealed
641 sources, devices using DU for shielding, and radiation machines, and retain each record for 3
642 years after it is made.

643 5.25.2 These records must include the date, the name of the individual making the record, radionuclide,
644 number of becquerel (curie) or mass (for DU), and manufacturer, model, and serial number of
645 each source of radiation and/or device, as appropriate.

646 **5.26 Records of Radiation Survey Instruments.**

647 5.26.1 Each licensee or registrant shall maintain records of the calibrations of its radiation survey
648 instruments that are required under 5.9 and retain each record for 3 years after it is made.

649 **5.27 Records of Leak Testing of Sealed Sources and Devices Containing DU.**

650 5.27.1 Each licensee shall maintain records of leak test results for sealed sources and for devices
651 containing DU.

652 5.27.1.1 The results must be stated in units of becquerel (microcurie).

653 5.27.1.2 The licensee shall retain each record for 3 years after it is made or until the source in
654 storage is removed.

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655 **5.28 Records of Quarterly Inventory.**

656 5.28.1 Each licensee or registrant shall maintain records of the quarterly inventory of sources of
657 radiation, including devices containing depleted uranium as required by 5.11, and retain each
658 record for 3 years.

659 5.28.2 The record must include the date of the inventory, name of the individual conducting the inventory,
660 radionuclide, number of becquerel (curie) or mass (for DU) in each device, location of sources of
661 radiation and/or devices, and manufacturer, model, and serial number of each source of radiation
662 and/or device, as appropriate.

663 **5.29 Utilization Logs.**

664 5.29.1 Each licensee or registrant shall maintain utilization logs showing for each source of radiation the
665 following information:

666 5.29.1.1 A description, including the make, model, and serial number of the radiation machine or
667 the radiographic exposure device, transport, or storage container in which the sealed
668 source is located;

669 5.29.1.2 The identity and signature of the radiographer to whom assigned;

670 5.29.1.3 The location and dates of use, including the dates removed and returned to storage;
671 and

672 5.29.1.4 For permanent radiographic installations, the dates each radiation machine is
673 energized.

674 5.29.2 The licensee or registrant shall retain the logs required by 5.29.1 for 3 years.

675 **5.30 Records of Inspection and Maintenance of Radiation Machines, Radiographic Exposure**
676 **Devices, Transport and Storage Containers, Associated Equipment, Source Changers, and**
677 **Survey Instruments.**

678 5.30.1 Each licensee or registrant shall maintain records specified in 5.12 of equipment problems found
679 in daily checks and quarterly inspections of radiation machines, radiographic exposure devices,
680 transport and storage containers, associated equipment, source changers, and survey
681 instruments; and retain each record for 3 years after it is made.

682 5.30.2 The record must include the date of check or inspection, name of inspector, equipment involved,
683 any problems found, and what repair and/or maintenance, if any, was performed.

684 **5.31 Records of Alarm System and Entrance Control Checks at Permanent Radiographic**
685 **Installations.**

686 **5.31.i** Each licensee or registrant shall maintain records of alarm system and entrance control device
687 tests required by 5.13 and retain each record for 3 years after it is made.

Comment [JJ16]: Numbering added for consistency with other sections of Part 5.

688 **5.32 Records of Training and Certification.**

689 5.32.1 Each licensee or registrant shall maintain the following records for 3 years:

690 5.32.1.1 Records of training of each radiographer and each radiographer's assistant.

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691 (1) The record must include radiographer certification documents and verification of
692 certification status, copies of written tests, dates of oral and practical
693 examinations, the names of individuals conducting and receiving the oral and
694 practical examinations, and a list of items tested and the results of the oral and
695 practical examinations; and

696 5.32.2.1 Records of annual refresher safety training and semi-annual inspections of job
697 performance for each radiographer and each radiographer's assistant.

698 (1) The records must list the topics discussed during the refresher safety training, the
699 dates the annual refresher safety training was conducted, and names of the
700 instructors and attendees.

701 (2) For inspections of job performance, the records must also include a list showing the
702 items checked and any noncompliance observed by the radiation safety officer or
703 designee.

704 **5.33 Copies of Operating and Emergency Procedures.**

705 5.33.1 Each licensee or registrant shall maintain a copy of current operating and emergency procedures
706 until the Department terminates the license or registration. Superseded material must be retained
707 for 3 years after the change is made.

708 **5.34 Records of Personnel Monitoring.**

709 Each licensee or registrant shall maintain the following exposure records specified in 5.20:

710 5.34.1 Direct reading dosimeter readings and yearly operability checks required by 5.20.2 and 5.20.3 for
711 3 years after the record is made;

712 5.34.2 Records of alarming ratemeter calibrations for 3 years after the record is made;

713 5.34.3 Personnel dosimeter results received from the accredited NVLAP processor until the Department
714 terminates the license or registration; and

715 5.34.4 Records of estimates of exposures as a result of off-scale personal direct reading dosimeters, or
716 lost or damaged personnel dosimeters, until the Department terminates the license or
717 registration.

718 **5.35 Records of Radiation Surveys.**

719 5.35.1 Each licensee shall maintain a record of each exposure device survey conducted before the
720 device is placed in storage as specified in 5.21.1.3. Each record must be maintained for 3 years
721 after it is made.

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Comment [JJ17]: Correction of reference.

722 **5.36 Form of Records.**

723 5.36.1 Each record required by this Part must be legible throughout the specified retention period. The
724 record may be the original or a reproduced copy or a microform provided that the copy or
725 microform is authenticated by authorized personnel and that the microform is capable of
726 reproducing a clear copy throughout the required retention period.

727 5.36.2 The record may also be stored in electronic media with the capability for producing legible,
728 accurate, and complete records during the required retention period.

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729 5.36.3 Records, such as letters, drawings, and specifications, must include all pertinent information, such
730 as stamps, initials, and signatures.

731 5.36.4 The licensee or registrant shall maintain adequate safeguards against tampering with and loss of
732 records.

733 **5.37 Location of Documents and Records.**

734 5.37.1 Each licensee or registrant shall maintain copies of records required by this Part and other
735 applicable Parts of these regulations at the location specified in 5.54.11.

Comment [JJ18]: This change corrects an incorrect reference. The requirement of 5.5.11 is now found in 5.4.11. (See also 10 CFR 34.89 and 10 CFR 34.13(k))

Radiation Control Program Staff identified.

736 5.37.2 Each licensee or registrant shall also maintain current copies of the following documents and
737 records sufficient to demonstrate compliance at each applicable field station and each temporary
738 jobsite;

739 5.37.2.1 The license or registration authorizing Use of sources of radiation;

740 5.37.2.2 A copy of Parts 1, 4, 5 and 10 of these regulations;

741 5.37.2.3 Utilization logs for each source of radiation dispatched from that location as required by
742 5.29;

743 5.37.2.4 Records of equipment problems identified in daily checks of equipment as required by
744 5.30.1;

745 5.37.2.5 Records of alarm system and entrance control checks required by 5.31, if applicable;

746 5.37.2.6 Records of dosimeter readings as required by 5.34;

747 5.37.2.7 Operating and emergency procedures as required by 5.33;

748 5.37.2.8 Evidence of the latest calibration of the radiation survey instruments in use at the site,
749 as required by 5.26;

750 5.37.2.9 Evidence of the latest calibrations of alarming ratemeters and operability checks of
751 dosimeters as required by 5.34;

752 5.37.2.10 Survey records as required by 5.35 and 4.42 of these regulations as applicable, for the
753 period of operation at the site;

754 5.37.2.11 The shipping papers for the transportation of radioactive materials required by Part 17
755 of these regulations; and

756 5.37.2.12 When operating under reciprocity pursuant to Part 3 of these regulations, a copy of the
757 applicable State license or registration, or Nuclear Regulatory Commission license
758 authorizing Use of sources of radiation.

759 **NOTIFICATIONS**

760 **5.38 Notifications.**

761 5.38.1 In addition to the reporting requirements specified in 4.52 of these regulations, each licensee or
762 registrant shall provide a written report to the Department within 30 days of the occurrence of any
763 of the following incidents involving radiographic equipment:

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- 764 5.38.1.1 Unintentional disconnection of the source assembly from the control cable;
- 765 5.38.1.2 Inability to retract the source assembly to its fully shielded position and secure it in this
766 position;
- 767 5.38.1.3 Failure of any component, which is critical to safe operation of the device, to properly
768 perform its intended function; or
- 769 5.38.1.4 An indicator on a radiation machine fails to show that radiation is being produced, an
770 exposure switch fails to terminate production of radiation when turned to the off position,
771 or a safety interlock fails to terminate x-ray production.
- 772 5.38.2 The licensee or registrant shall include the following information in each report submitted under
773 5.38.1, and in each report of overexposure submitted under 4.53.2 of these regulations which
774 involves failure of safety components of radiography equipment:
- 775 5.38.2.1 Description of the equipment problem;
- 776 5.38.2.2 Cause of each incident, if known;
- 777 5.38.2.3 Name of the manufacturer and model number of equipment involved in the incident;
- 778 5.38.2.4 Place, date, and time of the incident;
- 779 5.38.2.5 Actions taken to establish normal operations;
- 780 5.38.2.6 Corrective actions taken or planned to prevent recurrence; and
- 781 5.38.2.7 Names and qualifications of personnel involved in the incident.
- 782 5.38.3 Any licensee or registrant conducting radiographic operations or storing sources of radiation at
783 any location not listed on the license or registration for a period in excess of 90 days in a calendar
784 year, shall notify the Department prior to exceeding the 90 days.
- 785 **5.39 Specific Requirements for Personnel Performing Industrial Radiography.**
- 786 5.39.1 At a job site, the following shall be supplied by the licensee or registrant:
- 787 5.39.1.1 At least one operable, calibrated survey instrument for each exposure device or
788 radiation machine in use;
- 789 5.39.1.2 A current whole body personnel dosimeter (OSL dosimeter, TLD or film badge) for each
790 person performing radiographic operations;
- 791 5.39.1.3 An operable, calibrated pocket dosimeter with a range of zero to 2 millisievert (200
792 milliroentgen) for each person performing radiographic operations;
- 793 5.39.1.4 An operable, calibrated, alarming ratemeter for each person performing radiographic
794 operations using a radiographic exposure device; and
- 795 5.39.1.5 The appropriate barrier ropes and signs.
- 796 5.39.2 Each radiographer at a job site shall have on their person a valid certification identification card
797 issued by a certifying entity.

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798 5.39.3 Industrial radiographic operations shall not be performed if any of the items in 5.39.1 and 5.39.2
799 are not available at the job site or are inoperable.

800 5.39.4 During an inspection, the Department may terminate an operation if any of the items in 5.39.1 and
801 5.39.2 are not available or operable, or if the required number of radiographic personnel are not
802 present.

803 5.39.4.1 Operations shall not be resumed until all required conditions are met.

804 **PART 5, APPENDIX 5A: CERTIFICATION**

805 **5A.1 Requirements for an Independent Certifying Organization.**

806 An independent certifying organization shall:

807 5A.1.1 Be an organization such as a society or association, whose members participate in, or have an
808 interest in, the field of industrial radiography;

809 5A.1.2 Make its membership available to the general public nationwide. Membership shall not be
810 restricted because of race, color, religion, sex, age, national origin or disability;

811 5A.1.3 Have a certification program open to nonmembers, as well as members;

812 5A.1.4 Be an incorporated, nationally recognized organization that is involved in setting national
813 standards of practice within its fields of expertise;

814 5A.1.5 Have an adequate staff, a viable system for financing its operations, and a policy and decision-
815 making review board;

816 5A.1.6 Have a set of written organizational by-laws and policies that provide adequate assurance of lack
817 of conflict of interest and a system for monitoring and enforcing those by-laws and policies;

818 5A.1.7 Have a committee, whose members can carry out their responsibilities impartially, to review and
819 approve the certification guidelines and procedures, and to advise the organization's staff in
820 implementing the certification program;

821 5A.1.8 Have a committee, whose members can carry out their responsibilities impartially, to review
822 complaints against certified individuals and to determine appropriate sanctions;

823 5A.1.9 Have written procedures describing all aspects of its certification program and maintain records of
824 the current status of each individual's certification and the administration of its certification
825 program;

826 5A.1.10 Have procedures to ensure that certified individuals are provided due process with respect to the
827 administration of its certification program, including the process of becoming certified and any
828 sanctions imposed against certified individuals;

829 5A.1.11 Have procedures for proctoring examinations, including qualifications for proctors. These
830 procedures must ensure that the individuals proctoring each examination are not employed by the
831 same company or corporation (or a wholly-owned subsidiary of such company or corporation) as
832 any of the examinees;

833 5A.1.12 Exchange information about certified individuals with the Nuclear Regulatory Commission and
834 other independent certifying organizations and/or Agreement States and allow periodic review of
835 its certification program and related records; and

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836 5A.1.13 Provide a description to the Nuclear Regulatory Commission of its procedures for choosing
837 examination sites and for providing an appropriate examination environment.

838 **5A.2 Requirements for Certification Programs.**

839 All certification programs must:

840 5A.2.1 Require applicants for certification to

841 (1) Receive training in the topics set forth in Appendix 5C, Section 5C.2, or equivalent State or
842 Nuclear Regulatory Commission regulations, and

843 (2) Satisfactorily complete a written examination covering these topics;

844 5A.2.2 Require applicants for certification to provide documentation that demonstrates that the applicant
845 has:

846 (1) Received training in the topics set forth in Appendix 5C, Section 5C.2 or equivalent State or
847 Nuclear Regulatory Commission regulations;

848 (2) Satisfactorily completed a minimum period of on-the-job training as specified in Appendix 5C,
849 Section 5C.2.4; and

850 (3) Received verification by a State licensee or registrant or a Nuclear Regulatory Commission
851 licensee that the applicant has demonstrated the capability of independently working as a
852 radiographer.

853 5A.2.3 Include procedures to ensure that all examination questions are protected from disclosure;

854 5A.2.4 Include procedures for denying an application and revoking, suspending, and reinstating a
855 certification;

856 5A.2.5 Provide a certification period of not less than 3 years nor more than 5 years;

857 5A.2.6 Include procedures for renewing certifications and, if the procedures allow renewals without
858 examination, require evidence of recent full-time employment and annual refresher training; and

859 5A.2.7 Provide a timely response to inquiries, by telephone or letter, from members of the public, about
860 an individual's certification status.

861 **5A.3 Requirements for Written Examinations**

862 All examinations must:

863 5A.3.1 Be designed to test an individual's knowledge and understanding of the topics listed in Appendix
864 5C, Section 5C.2 or equivalent State or Nuclear Regulatory Commission requirements;

865 5A.3.2 Be written in a multiple-choice format;

866 5A.3.3 Have test items drawn from a question bank containing psychometrically valid questions based on
867 the material in Appendix 5C, Section 5C.2.

868 **PART 5, APPENDIX 5B: INDUSTRIAL RADIOGRAPHY RADIATION SAFETY OFFICER ADEQUATE**
869 **RADIATION SAFETY TRAINING AND EXPERIENCE**

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870 **The licensee or registrant shall not permit any individual to act as a radiation safety officer for**
871 **industrial radiography unless and until the individual:**

872 **5B.1 Has provided evidence of valid certification (valid identification) through a radiographer**
873 **certification program by a certifying organization in accordance with the criteria specified**
874 **in Appendix 5A;**

875 and

876 **5B.2 Has provided evidence of having:**

877 5B.2.1 Satisfactorily completed 40 hours of training including each of the following:

878 (1) Fundamentals of radiation safety including:

879 (a) Characteristics of gamma and x-radiation;

880 (b) Units of radiation dose and quantity of radioactivity;

881 (c) Hazards of exposure to radiation;

882 (d) Levels of radiation from sources of radiation;

883 (e) Methods of controlling radiation dose (time, distance, and shielding); and

884 (2) Radiation detection instruments including:

885 (a) Use, operation, calibration, and limitations of radiation survey instruments;

886 (b) Survey techniques; and

887 (c) Use of personnel monitoring equipment; and

888 (3) Equipment to be used including:

889 (a) Operation and control of radiographic exposure equipment, remote handling
890 equipment, and storage containers, including pictures or models of source
891 assemblies (pigtailed);

892 (b) Operation and control of radiation machines;

893 (c) Storage, control, and disposal of sources of radiation; and

894 (d) Inspection and maintenance of equipment; and

895 (4) The requirements of pertinent state and federal regulations; and

896 (5) Case histories of accidents in radiography; and

897 5B.2.2 Successfully completed a written or oral examination after having received copies of and
898 instruction in the:

899 (1) Requirements of Part 5;

900 (2) Requirements of applicable sections of Parts 4, 10 and 17;

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- 901 (3) License or registration under which the radiographer will perform industrial radiography; and
- 902 (4) Licensee's or registrant's operating and emergency procedures; and
- 903 5B.2.3 Successfully completed a practical examination which demonstrates understanding of the use of
904 the equipment after receiving training in the:
- 905 (1) Use of the registrant's radiation machines; or
- 906 (2) Use of the licensee's radiographic exposure devices and sealed sources;
- 907 (3) Daily inspection of devices and associated equipment; and
- 908 (4) Use of radiation survey instruments; and
- 909 5B.2.4 Completed hands on and on the job training in the performance of industrial radiography,
910 including at least 2000 hours of hands on experience, as defined in 5.2, as a qualified
911 radiographer in industrial radiographic operations. ~~The on the job training shall include~~
912 ~~completion of at least a minimum of:~~
- 913 (1) 320 hours (2 months) of on the job active participation utilizing radioactive material; and / or
- 914 (2) 160 hours (1 month) of on the job active participation utilizing radiation machines; ~~and/or~~
- 915 (3) 480 hours (3 months) of on the job training for individuals utilizing both radioactive materials
916 and radiation machines; and
- 917 5B.2.5 Completed formal training in the establishment and maintenance of a radiation protection
918 program;
- 919 or
- 920 **5B.3 Has demonstrated to the Department an acceptable alternative to 5B.2 when the individual**
921 **has appropriate training and experience in the field of ionizing radiation, and, in addition,**
922 **has adequate formal training with respect to the establishment and maintenance of a**
923 **radiation safety protection program for industrial radiography;**
- 924 and
- 925 **5B.4 Has provided evidence of annual refresher safety training, as defined in 5.2, at intervals not**
926 **to exceed 12 months.**
- 927 **PART 5, APPENDIX 5C: INDUSTRIAL RADIOGRAPHER ADEQUATE RADIATION SAFETY**
928 **TRAINING AND EXPERIENCE**
- 929 The licensee or registrant shall not permit any individual to act as a radiographer unless and until the
930 individual:
- 931 **5C.1 Has provided evidence of valid certification (valid identification) through a radiographer**
932 **certification program by a certifying organization in accordance with the criteria specified**
933 **in Appendix 5A;**
- 934 and
- 935 **5C.2 Has provided evidence of having:**

Comment [JJ19]: Clarification that one may complete a total of 480 hours when using both radioactive materials and radiation machines or lesser amounts (as specified) when seeking to be a radiographer for one or the other type of radiography.

Staff identified.

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- 936 5C.2.1 Satisfactorily completed 40 hours of training including each of the following:
- 937 (1) Fundamentals of radiation safety including:
- 938 (a) Characteristics of gamma and x-radiation;
- 939 (b) Units of radiation dose and quantity of radioactivity;
- 940 (c) Hazards of exposure to radiation;
- 941 (d) Levels of radiation from sources of radiation;
- 942 (e) Methods of controlling radiation dose (time, distance, and shielding); and
- 943 (2) Radiation detection instruments including:
- 944 (a) Use, operation, calibration, and limitations of radiation survey instruments;
- 945 (b) Survey techniques; and
- 946 (c) Use of personnel monitoring equipment; and
- 947 (3) Equipment to be used including:
- 948 (a) Operation and control of radiographic exposure equipment, remote handling
- 949 equipment, and storage containers, including pictures or models of source
- 950 assemblies (pigtailed);
- 951 (b) Operation and control of radiation machines;
- 952 (c) Storage, control, and disposal of sources of radiation; and
- 953 (d) Inspection and maintenance of equipment; and
- 954 (4) The requirements of pertinent state and federal regulations; and
- 955 (5) Case histories of accidents in radiography; and
- 956 5C.2.2 Successfully completed a written or oral examination after having received copies of and
- 957 instruction in the:
- 958 (1) Requirements of Part 5;
- 959 (2) Requirements of applicable sections of Parts 4, 10 and 17;
- 960 (3) License or registration under which the radiographer will perform industrial radiography; and
- 961 (4) Licensee's or registrant's operating and emergency procedures; and
- 962 5C.2.3 Successfully completed a practical examination which demonstrates understanding of the use of
- 963 the equipment after receiving training in the:
- 964 (1) Use of the registrant's radiation machines; or
- 965 (2) Use of the licensee's radiographic exposure devices and sealed sources;

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- 966 (3) Daily inspection of devices and associated equipment; and
- 967 (4) Use of radiation survey instruments; and

968 5C.2.4 Completed hands on and on the job training in the performance of industrial radiography,
969 including ~~at least 2000 hours of hands on~~ experience, as defined in 5.2, as a qualified
970 radiographer in industrial radiographic operations. ~~The on the job training shall include~~
971 ~~completion of at least a minimum of:~~

Comment [JJ20]: Consistent with 10 CFR 34.42(a)(2), the 2000 hour requirement pertains ONLY to radiation safety officer (RSO) requirements and not radiographers.

This requirement was inadvertently carried over from Appendix 5B during a prior revision and is corrected here.

- 972 (1) 320 hours (2 months) of on the job active participation utilizing radioactive material; and / or
- 973 (2) 160 hours (1 month) of on the job active participation utilizing radiation machines; ~~and/or~~
- 974 (3) 480 hours (3 months) of on the job training for individuals utilizing both radioactive materials
975 and radiation machines;

Comment [JJ21]: Clarification that one may complete 480 hours when using radioactive materials and radiation machines or lesser amounts as specified when seeking to be a radiographer for one or the other type of radiography.

Staff identified.

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976 or

977 **5C.3 Has demonstrated to the Department an acceptable alternative to 5C.2 when the individual**
978 **has appropriate training and experience in the field of ionizing radiation, and, in addition,**
979 **has adequate formal training with respect to radiation protection for industrial**
980 **radiography;**

981 and

982 **5C.4 Has provided evidence of annual refresher safety training, as defined in 5.2, at intervals not**
983 **to exceed 12 months.**

984 **PART 5, APPENDIX 5D: INDUSTRIAL RADIOGRAPHER'S ASSISTANT ADEQUATE RADIATION**
985 **SAFETY TRAINING AND EXPERIENCE**

986 The licensee or registrant shall not permit any individual to act as a radiographer's assistant unless and
987 until the individual has:

988 **5D.1 Received initial radiation safety training;**

989 and

990 **5D.2 Has provided evidence of having:**

991 5D.2.1 Successfully completed a written ~~or oral~~ examination after having received copies of and
992 instruction in the:

Comment [JJ22]: Deleted due to non-compatibility with 10 CFR Part 34.43(c)(3), which specifies only a written exam for a radiographer assistant.

NRC Letter dated 12/09/2009 (Item 5)
Compatibility = B

993 (1) Requirements of Part 5;

994 (2) Requirements of applicable sections of Parts 4, 10 and 17;

995 (3) License or registration under which the radiographer will perform industrial radiography; and

996 (4) Licensee's or registrant's operating and emergency procedures; and

997 5D.2.2 Successfully completed a practical examination **under the personal supervision of a**
998 **radiographer** which demonstrates understanding of the use of the equipment after receiving
999 training in the:

Comment [JJ23]: Added language to be compatible with 10 CFR Part 34.43(c)(2), and (3).

NRC Letter dated 12/09/2009 (Item 5)
Compatibility = B

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- 1000 (1) Use of the registrant's radiation machines; or
1001 (2) Use of the licensee's radiographic exposure devices and sealed sources;
1002 (3) Daily inspection of devices and associated equipment; and
1003 (4) Use of radiation survey instruments; and

1004 or

1005 **5D.3 Has demonstrated to the Department an acceptable alternative to 5D.2 when the individual**
1006 **has appropriate training and experience in the field of ionizing radiation, and, in addition,**
1007 **has adequate formal training with respect to radiation protection for industrial**
1008 **radiography;**

1009 and

1010 **5D.4 Has provided evidence of annual refresher safety training, as defined in 5.2, at intervals not**
1011 **to exceed 12 months.**

1012 _____

1013 **EDITOR'S NOTES**

1014 6 CCR 1007-1 has been divided into smaller sections for ease of use. Versions prior to 4/1/07 and rule
1015 history are located in the first section, 6 CCR 1007-1. Prior versions can be accessed from the History link
1016 that appears above the text in 6 CCR 1007-1. To view versions effective on or after 4/1/07, Select the
1017 desired part of the rule, for example 6 CCR 1007-1 Part 1 or 6 CCR 1007-1 Parts 8 - 10.

1018 **History**

1019 *[For history of this section, see Editor's Notes in the first section, 6 CCR 1007-1]*