



State of Louisiana  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

September 19, 2014

Susan Abraham, Acting Deputy Director  
Division of Materials Safety and State Materials and  
Environmental Management Programs  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Ms Abraham:

Enclosed is a copy of the final revisions to the Louisiana Department of Environmental Quality rules in the Louisiana Administrative Code, Title 33, Part XV, Radiation Protection. The final regulation is identified by ~~strikeout~~/underline and corresponds to the following equivalent amendments to NRC's regulations. **No changes have been made to these regulations since we submitted them to your office as proposed regulations on May 2, 2014.**

<u>RATS ID</u>	<u>Title</u>	<u>State Section</u>
1991-3	Standards for Protection Against Radiation	102.Definitions, 410.C, 417C. & D, & 499.App. B
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations	573.E.3
1998-5	Minor Corrections, Clarifying Changes, And a Minor Policy Change	417.C.2
2006-1	Minor Amendments	713.A.1 & 2
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material	304.A, 304.B, 304.C, 328.A.1 & 2
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent	410.C
2009-1	Medical Use of Byproduct Material - Authorized User Clarification	763.A, C, D, E.1-4, F, G, I, & J

In response to the one comment we received from your office on August 6, 2014, we respectfully disagree and request that you reconsider your comment that we delete “or a trainee” in LAC 33:XV.541.A and B. NRC’s equivalent regulations, 10 CFR 34.23(a) and (b) refer to “a radiographer’s assistant;” however, throughout our regulations we use the term *Radiographer Trainee* (see LAC 33:XV.503.Definitions. *Radiographer Trainee*—any individual who has satisfied the conditions of LAC 33:XV.575.B.)

LAC 33:XV.575.B reads as follows:

B. No licensee or registrant shall permit any individual to act as a *radiographer trainee*, as defined in this Chapter, until such individual completes the following requirements.

1. The requirements of Paragraph A.1 of this Section shall be met.
2. The individual shall complete on-the-job training supervised by one or more radiographer instructors.
  - a. The instructor shall be authorized on the license or registration certificate.
  - b. The on-the-job training, as part of a three-person crew composed of an instructor, a radiographer, and the radiographer trainee applicant, shall include at least:
    - i. 40 hours of active participation in radioactive materials industrial radiography operations for an individual to perform industrial radiography utilizing radioactive materials; and/or
    - ii. 40 hours of active participation in X-ray industrial radiography operations for an individual to perform industrial radiography utilizing X-rays.
  - c. The hours of on-the-job training do not include safety meetings or classroom training or the use of a cabinet X-ray unit.
3. The individual shall receive copies of and instruction in the regulations contained in this Chapter and the applicable sections of LAC 33:XV.Chapters 4 and 10, appropriate license, and the licensee's or registrant's operating and emergency procedures.
4. The individual shall demonstrate competence to use the sources of radiation, radiographic exposure devices, related handling tools, and radiation survey instruments that may be employed in his assignment.
5. The individual shall successfully complete a company-specific written examination and field test covering the subjects listed in Paragraphs B.3 and 4 of this Section.
6. The current Form DRC-20, available from the department or the department's website, must be submitted to the Office of Environmental Compliance documenting the on-the-job training, instruction in the subjects outlined in Appendix A in this Chapter, and successful completion of a company-specific written examination.
7. The individual shall have in his or her possession, a valid radiographer trainee I.D. card issued by the department or equivalent certification recognized by another agreement state or the U.S. Nuclear Regulatory Commission.
8. Each radiographer trainee I.D. card is valid for a five-year period, unless revoked or suspended in accordance with LAC 33:XV.579.

Also, please consider the following LAC 33:XV.573. Conducting Industrial Radiographic Operations, which reads:

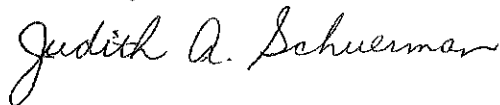
- A. Whenever radiography is performed at a location other than a permanent radiographic installation, the radiographer must be accompanied by at least one other qualified radiographer or, if the radiographer is a qualified instructor, a qualified radiographer trainee, as required by Subsection D of this Section. The additional qualified individual shall observe the operations and be capable of providing immediate assistance to prevent unauthorized entry. Radiography may not be performed if only one qualified individual is present.
- B. All radiographic operations conducted at locations of use authorized on the license must be conducted in a permanent radiographic installation, unless specifically authorized by the department.
- C. A licensee may conduct lay-barge, offshore platform, or underwater radiography only if procedures have been approved by the department, the Nuclear Regulatory Commission, or another agreement state.
- D. At temporary job sites each licensee or registrant shall provide, as a minimum, two-person crews. Such crews shall consist of at least two qualified radiographers or an approved instructor directly supervising a qualified radiographer trainee.

In 10 CFR 34.3 Definitions, the following was found: *Radiographer's assistant* means any individual who under the direct supervision of a radiographer, uses radiographic exposure devices, sealed sources or related handling tools, or radiation survey instruments in industrial radiography.

We believe that adoption of these revisions 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. This final rule, RP056ft, was promulgated in the *Louisiana Register* on July 20, 2014.

If you have any questions, please feel free to contact me at (225) 219-3634 or Joe Noble of my staff at (225) 219-3643 or [joe.noble@la.gov](mailto:joe.noble@la.gov).

Sincerely,



Judith A. Schuerman, Ph.D.  
Environmental Scientist Manager  
Assessment Division/Radiation Section