



ARIZONA DEPARTMENT OF HEALTH SERVICES

LICENSING BUREAU OF RADIATION CONTROL

August 31, 2024

Dafna Silberfeld, Deputy Director
Division of Materials Safety, Security, State, Tribal
And Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission (NRC)
T8-E18
Washington, DC 20555-0001

Dear Ms. Silberfeld,

Enclosed is a copy of the final revisions to the Arizona Department of Health Services – Radiation Control rules [Title 9, Chapter 7]. The final rules are identified by line-in/line-out text and correspond to the following equivalent amendments to NRC’s regulations.

Response to comments in NRC letter dated August 30, 2019

<u>NRC Section</u>	<u>Title</u>	<u>State Section</u>
§70.50(c)(2)	Reporting Requirements	R9-7-448(E)
10 CFR 71	Various	R9-7-1507 & R9-7-1510
§71.91(a)	Records	R9-7-1514(A)
§71.91(b)	Records	R9-7-1510(A)(2)(d)
§71.91(c)&(d)	Records	R9-7-1510(A)(2)(e) & (f)
§71.11, 71.85(a-c), 71.91(b), 71.101(c)(2), (d) & (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, 71.125	10 CFR Part 71 sections	R9-7-1507(A)&(C)(2)(b), R9-7-1510(D)(3)(b)(ii) NRC Only provisions excepted

Response to comments in NRC letter dated January 30, 2024

<u>NRC Section</u>	<u>Title</u>	<u>State Section</u>
§30.34(g)	Terms and conditions of licenses	R9-7-313(H)
§37.43(d)(2), (d)(3), (d)(5-7), (d)(8)(ii)	General security program requirements	R9-7-1943(D)(2),(D)(3)(a) (D)(5-7), (D)(8)(b)
§35.2	Definitions	R9-7-102
§35.57	Training for experienced Radiation Safety Officer, teletherapy or medical physicist authorized medical physicist, authorized user, nuclear pharmacist, and authorized nuclear pharmacist.	R9-7-712.01

Katie Hobbs | Governor Jennie Cunico | Director

RATS ID 2013-2

<u>NRC Section</u>	<u>Title</u>	<u>State Section</u>
§30.6	Communications	N/A
§40.4	Definitions	R9-7-102
§40.5	Communications	N/A
§40.8	Information Collection	N/A
§40.13(c)	Unimportant quantities of source material	R9-7-302(C)
§40.13(c)(2)(i)	Unimportant quantities of source material	R9-7-302(C)(2)(a)
§40.13(c)(2)(iii)	Unimportant quantities of source material	R9-7-302(C)(2)(b)
§40.13(c)(5)(i)	Unimportant quantities of source material	Removed
§40.13(c)(5)(ii)-(iv)	Unimportant quantities of source material	R9-7-302(C)(5)(a-c)
§40.13(c)(5)(v)	Unimportant quantities of source material	NRC
§40.13(c)(7)	Unimportant quantities of source material	R9-7-302(C)(7)
§40.13(c)(10)	Unimportant quantities of source material	R9-7-302(D)
§40.13(d)	Unimportant quantities of source material	Removed
§40.13 Footnote 2	Unimportant quantities of source material	R9-7-302(C)(5)(d)
§40.22(a)	Small quantities of source material	R9-7-305(A)
§40.22(a)(1)-(4)	Small quantities of source material	R9-7-305(A)(1-2)
§40.22(b)	Small quantities of source material	R9-7-305(B)
§40.22(b)(1)-(3)	Small quantities of source material	R9-7-305(B)(1-3)
§40.22(b)(4)	Small quantities of source material	N/A
§40.22(b)(5)	Small quantities of source material	R9-7-305(B)(4)
§40.22(c)	Small quantities of source material	R9-7-305(C)
§40.22(d)	Small quantities of source material	R9-7-305(D)
§40.22(e)	Small quantities of source material	R9-7-305(E)
§40.32(f)	General requirements for issuance of a Specific license	N/A
§40.52	Certain items containing source material; requirements for license to apply or initially transfer	NRC
§40.53	Conditions for licenses issued for initial transfer of certain items containing source material: Quality control, labeling, and records and reports	NRC
§40.54	Requirements for license to initially transfer source material for use under the 'small quantities of source material' general license	R9-7-318(F)
§40.55(a)	Conditions of licenses to initially transfer source material for use under the 'small quantities of source material' general license: Quality control, labeling, safety instructions, and records and reports	R9-7-318(G)

<u>NRC Section</u>	<u>Title</u>	<u>State Section</u>
§40.55(b)	Conditions of licenses to initially transfer source material for use under the ‘small quantities of source material’ general license: Quality control, labeling, safety instructions, and records and reports	R9-7-318(H)
§40.55(c)	Conditions of licenses to initially transfer source material for use under the ‘small quantities of source material’ general license: Quality control, labeling, safety instructions, and records and reports	R9-7-318(I)
§40.55(d)	Conditions of licenses to initially transfer source material for use under the ‘small quantities of source material’ general license: Quality control, labeling, safety instructions, and records and reports	R9-7-318(J)
§40.55(e)	Conditions of licenses to initially transfer source material for use under the ‘small quantities of source material’ general license: Quality control, labeling, safety instructions, and records and reports	R9-7-318(K)
§40.82	Criminal Penalties	N/A
§70.5	Communications	N/A

RATS ID 2023-1

<u>NRC Section</u>	<u>Title</u>	<u>State Section</u>
§32.72(a)(2)(i)	Manufacture, preparation, or transfer for commercial distribution of radioactive drugs containing byproduct material for medical use under part 35.	R9-7-311(G)
Appendix A to 10 CFR Part 40	Amend the fourth paragraph of the introduction to appendix A to part 40, to correct the spelling of “meterology” to “meteorology.”	Not in AZ regulations

Arizona Regulation Response Letter
August 31, 2024

We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200

If you have any questions, please feel free to contact me at 602-255-4840 or Brian.Goretzki@azdhs.gov.

Sincerely,



Brian D. Goretzki
Chief
Bureau of Radiation Control
Arizona Department of Health Services

Katie Hobbs | Governor Jennie Cunico | Director