

Title 33**ENVIRONMENTAL QUALITY****Part XV. Radiation Protection****Chapter 1. General Provisions****§102. Definitions and Abbreviations**

As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain chapter may be found in that Chapter.

Indian Tribe—an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a.

Tribal Official—the highest ranking individual that represents tribal leadership, such as the chief, president, or tribal council leadership.

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Chapter 3. Licensing of Radioactive Material**Subchapter D. Specific Licenses****§325. General Requirements for the Issuance of Specific Licenses**

A. Upon a determination that an application meets the requirements of these regulations, the department shall issue a specific license authorizing the possession and use of byproduct material. A license application will be approved if the department determines that:

1. the applicant is ~~adequately~~ qualified by training and experienced to use the material in question for the purpose requested in accordance with these regulations in such a manner as to protect health and minimize danger to life~~public welfare and safety~~ or property;
2. the applicant's proposed equipment, facilities, and procedures are adequate to protect health and minimize danger to life~~public welfare and safety~~ or property;
3. ~~the issuance of the license will not be inimical to the welfare and safety of the public;~~ and application is for a purpose authorized by these regulations;
4. the applicant satisfies any applicable special requirements contained in LAC

33:XV.326, 327, 328, Chapters 5, 7, 13, 17, or 20-; and

B. – D.8.d.iv. ...

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§326. Special Requirements for Issuance of Certain Specific Licenses for Radioactive Material

A. ...

1. the applicant shall satisfy the general requirements specified in LAC 33:XV.~~Chapter~~ 3325.A.1-4 and the requirements contained in this Part;

2. – 2.e. ...

3. the application shall include an outline of the written operating and emergency procedures listed in LAC 33:XV.~~17357~~ that describes the radiation safety aspects of the procedures;

4. ...

5. the application shall include a description of the access control systems required by LAC 33:XV.1713~~5~~, the radiation monitors required by LAC 33:XV.172~~19~~, the method of detecting leaking sources required by LAC 33:XV.174~~3~~, including the sensitivity of the method, and a diagram of the facility that shows the locations of all required interlocks and radiation monitors;

6. if the applicant intends to perform leak testing of dry-source-storage sealed sources, the applicant shall establish procedures for performing leak testing ~~of dry source storage sealed sources~~ and submit a description of these procedures to the department. The description shall include the:

- a. methods of performing the analysis~~collecting the leak test samples~~;
- b. ~~qualifications~~pertinent experience of the individual who analyzes~~collects~~ the samples; and
- c. instruments to be used; ~~and~~
- d. ~~methods of analyzing the samples~~;

7. ...

8. the applicant shall describe the inspection and maintenance checks, including the frequency of the checks required by LAC 33:XV.174~~35~~.

B. ...

C. ~~Reserved.~~Specific Licenses for Well Logging. The department will approve an application for a specific license for the use of licensed material in well logging if the applicant meets the following requirements.

1. The applicant shall satisfy the general requirements specified in LAC 33:XV.325.A for byproduct material, and any special requirements contained in this Part.

2. The applicant shall develop a program for training logging supervisors and logging assistants, and submit to the department a description of this program which specifies the:

- a. initial training;

b. on-the-job training;

c. annual safety reviews provided by the licensee;

d. means the applicant will use to demonstrate the logging supervisor's knowledge and understanding of and ability to comply with the department's regulations and licensing requirements and the applicant's operating and emergency procedures; and

e. means the applicant will use to demonstrate the logging assistant's knowledge and understanding of and ability to comply with the applicant's operating and emergency procedures.

3. The applicant shall submit to the department written operating and emergency procedures as described in LAC 33:XV.2021, or an outline or summary of the procedures that includes the important radiation safety aspects of the procedures.

4. The applicant shall establish and submit to the department its program for annual inspections of the job performance of each logging supervisor to ensure that the department's regulations, license requirements, and the applicant's operating and emergency procedures are followed. Inspection records shall be retained for three years after each annual internal inspection.

5. The applicant shall submit to the department a description of its overall organizational structure as it applies to the radiation safety responsibilities in well logging, including specified delegations of authority and responsibility.

6. If an applicant performs leak testing of sealed sources, the applicant shall identify the manufacturers and the model numbers of the leak test kits used. If the applicant analyzes its own wipe samples, the applicant shall establish procedures to be followed and submit a description of these procedures to the department. The description shall include the:

a. instruments to be used;

b. methods of performing the analysis; and

c. pertinent experience of the person who will analyze the wipe samples.

D. – E.1.k. ...

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§331. Specific Terms and Conditions of Licenses

A. – E.1. ...

2. an entity (as that term is defined in 11 U.S.C. 101(15)) controlling the licensee or listing the license or licensee as property of the estate; or

3. an affiliate (as that term is defined in 11 U.S.C. 101(2)) of the licensee.

F. ...

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Chapter 5. Radiation Safety Requirements for Industrial Radiographic Operations

Subchapter A. Equipment Control

§550. Performance Requirements for Radiography Equipment

A. ...

1. each radiographic exposure device and all associated equipment shall meet the requirements specified in American National Standard (ANSI) N432-1980 Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography, (published as NBS Handbook 136, issued January 1981). This publication has been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. This publication may be purchased from the American National Standards Institute, Inc., 25 West 43rd Street, New York, New York 10036;

Telephone: (212) 642-4900. Copies of the document are available for inspection at the Nuclear Regulatory Commission Library, 11545 Rockville Pike, Rockville, Maryland 20852. A copy of the document is also on file at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030. Engineering analyses may be submitted by an applicant or licensee to demonstrate the applicability of previously performed testing on similar individual radiography equipment components. Upon review, the department may find this an acceptable alternative to actual testing of the component in accordance with the referenced standard;

2. – 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), amended LR 21:554 (June 1995), LR 23:1138 (September 1997), LR 24:2100 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2583 (November 2000), amended by the Office of the Secretary, Legal Division, LR 40:***.

Chapter 15. Transportation of Radioactive Material

§1519. Advance Notification of Shipment of Irradiated Reactor Fuel and Nuclear Waste

[Formerly §1516]

A. As specified in Subsections B, C, and D of this Section, each licensee shall provide advance notification to the governor, or to the governor's designee, of the shipment of licensed material, ~~within~~through, or across the boundary of, Louisiana, before the transport, or delivery to a carrier for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage. A list of the names and mailing addresses of the governors' designees receiving advance notification of transportation of nuclear waste was published in the *Federal Register* on June 30, 1995 (60 FR 34306), ~~and~~ ~~+~~ The list of governor's designees and tribal official's designees of participating tribes will be published annually in the *Federal Register* on or about June 30 to reflect any changes in the information. The list of the names and mailing addresses of the governors' designees and tribal official's designees of participating tribes is also available on request from the Director, Division of Intergovernmental Liaison and Rulemaking, Office

of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, ~~11555 Rockville Pike,~~ Washington, DC 20555-0001. In Louisiana, the governor's designee is the Louisiana State Police, 7919 Independence Boulevard, Box 66614 (#A2621), Baton Rouge, LA 70896-6614.

1. As specified in Subsections B, C, and D of this Section, after June 11, 2013, each licensee shall provide advance notification to the tribal official as defined in LAC 33:XV.102 of participating tribes referenced in Subsection A of this Section, or the official's designee, of the shipment of licensed material, within or across the boundary of the tribe's reservation, before the transport, or delivery to a carrier for transport, of licensed material outside the confines of the licensee's plant, or other place of use or storage.

B. – C. ...

1. The notification ~~must~~shall be made in writing to the office of each appropriate governor or to the governor's designee, the office of each appropriate tribal official or tribal official's designee, and to the ~~department~~Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, ~~11555 Rockville Pike,~~ Washington, DC 20555.

2. ...

3. A notification delivered by any means other than mail ~~must~~shall reach the office of the governor or the governor's designee or the tribal official or tribal official's designee at least four days before the beginning of the seven-day period during which departure of the shipment is estimated to occur.

C.4. – D.3. ...

4. the seven-day period during which arrival of the shipment at the boundary of the state or tribal reservation is estimated to occur;

5. – 6. ...

E. A licensee who finds that schedule information previously furnished to the governor or to the governor's designee or a tribal official or tribal official's designee, in accordance with this Section, will not be met shall telephone a responsible individual in the office of the governor or of the governor's designee or

the tribal official or tribal official's designee and inform that individual of the extent of the delay beyond the schedule originally reported. The licensee shall maintain a record of the name of the individual contacted for three years.

F. Each licensee who cancels an ~~irradiated reactor fuel or~~ nuclear waste shipment for which advance notification has been sent shall send a cancellation notice to the governor of each state or to the governor's designee previously notified, each tribal official or to the tribal official's designee previously notified, and to the department~~Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Washington, DC 20555.~~

The licensee shall state in the notice that it is a cancellation and identify the advance notification that is being canceled. The licensee shall retain a copy of the notice as a record for three years.

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§1599. Appendix—Incorporation by Reference of 10 CFR Part 71, Appendix A, Tables A-1, A-2, A-3, and A-4; Procedures for Determining A₁ and A₂

[Formerly §1517]

A. Tables A-1, A-2, A-3, and A-4 in 10 CFR Part 71, Appendix A, ~~June 13~~June 6, 2012, are hereby incorporated by reference. These tables are used to determine the values of A₁ and A₂, as described in Subsections B-F of this Section.

B. – F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104(B) and 2113.

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LR 34:2114 (October 2008), LR 35:1110 (June 2009), LR 36:2275 (October 2010), amended by the Office of the Secretary, Legal Division, LR 38:2748 (November 2012), LR 40:**.

Chapter 17. Licensing and Radiation Safety Requirements for Irradiators

§1731. Design Requirements

A. – F. ...

G. Access Control. For panoramic irradiators, the licensee shall verify from the design and logic diagram that the access control system shall meet the requirements of LAC 33:XV.17157.

H. – L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 24:2116 (November 1998), amended by the Office of the Secretary, Legal Division, LR 40:**.

§1733. Construction Monitoring and Acceptance Testing

A. – E. ...

F. Source Rack. For panoramic irradiators, the licensee shall test the movement of the source racks for proper operation prior to source loading; testing shall include source rack lowering due to simulated loss of power. For all irradiators with product conveyor systems, the licensee shall observe and test the operation of the conveyor system to assure that the requirements in LAC 33:XV.17279 are met for protection of the source rack and the mechanism that moves the rack; testing shall include tests of any limit switches and interlocks used to protect the source rack and mechanism that moves that rack from moving product carriers.

G. – L. ...

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