NOTICE OF INTENT

Department of Environmental Quality

Office of the Secretary

Legal Affairs Division

Miscellaneous Corrections

(LAC 33:XV.503, 542, 544, 545, 551, 577, 732, 762, 763, 1508, 1519, 1599, 1609, 1613, 1623, 1739, and 2022) (RP070ft)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Radiation Protection regulations, LAC 33:XV.503, 542, 544, 545, 551, 577, 732, 762, 763, 1508, 1519, 1599, 1609, 1613, 1623, 1739, and 2022 (Log #RP070ft).

This Rule is identical to federal regulations found in 10 CFR Part 20, 30, 34, 35, 36, 37, 39, 40, 70, and 71, which are applicable in Louisiana. For more information regarding the federal requirement, contact Deidra Johnson at (225) 219-3985. No fiscal or economic impact will result from the Rule. This Rule will be promulgated in accordance with the procedures in R.S. 49:963.A(2) and (3).

This Rule updates the regulations pertaining to individual monitoring devices and Nuclear Regulatory Comission (NRC) organizational changes, and makes miscellaneous corrections. This Rule was promulgated by the NRC as RATS IDs 2018-1, 2018-3, 2019-1 & 2, and 2020-1 & 3. This Rule will update the state regulations to be compatible with changes in the federal regulations. The basis and rationale for this Rule are to mirror the federal regulations and maintain an adequate agreement state program. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

**Family Impact Statement**

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

**Poverty Impact Statement**

This Rule has no known impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

This Rule has no known impact on small business as described in R.S. 49:974.1 - 974.8.

**Provider Impact Statement**

This Rule has no known impact on providers as described in HCR 170 of 2014.

**Public Hearing**

A public hearing will be held via Zoom on November 28, 2022, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or Android at https://deqlouisiana.zoom.us/j/9373792954 or by telephone by dialing 636-651-3182 using the conference code 725573. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985.

These proposed regulations are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

**Public Comments**

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by RP070ft. Such comments must be received no later than November 28, 2022, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-4068 or by e-mail to DEQ.Reg.Dev.Comments@la.gov. The comment period for this Rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of RP070ft. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Courtney J. Burdette

Executive Counsel

**Title 33**

**ENVIRONMENTAL QUALITY**

**Part XV. Radiation Protection**

**Chapter 5. Radiation Safety Requirements for Industrial Radiographic Operations**

**§503. Definitions**

A. As used in this Chapter, the following definitions apply.

\* \* \*

*Independent Certifying Organization―*an independent organization that meets all of the criteria of LAC 33:XV.599.Appendix A, B and C.

\* \* \*

*Radiographer*―any individual who performs or who, in attendance at the site where the sealed source or sources are being used, personally supervises industrial radiographic operations and who is responsible to the licensee for assuring compliance with the requirements of the department's regulations and the conditions of the license, and has successfully completed the training, testing, and documentation requirements contained in LAC 33:XV.575.A.

\* \* \*

*Shielded-Room Radiography*~~―industrial radiography conducted in a room so shielded that every location on the exterior meets the conditions specified in LAC 33:XV.421 for an unrestricted area.~~Repealed.

\* \* \*

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), LR 23:1138 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2581 (November 2000), LR 26:2772 (December 2000), LR 27:1231 (August 2001), LR 29:34 (January 2003), LR 30:1189 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1752 (December 2019), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**Subchapter A. Equipment Control**

**§542. Storage and Transportation Precautions**

A. …

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

CAUTION\*

RADIOACTIVE MATERIAL

NOTIFY CIVIL AUTHORITIES (or “NAME OF COMPANY”)

\*\_\_\_\_\_\_\_\_\_ or “DANGER”.

~~Radiographic exposure devices, source changers, or transport containers that contain radioactive material shall not be stored in residential locations. This requirement does not apply to storage of radioactive material in a vehicle in transit for use at temporary job sites, if the licensee complies with Subsection C of this Section, and if the vehicle does not constitute a permanent storage location as described in Subsection D of this Section.~~

C. —D.3. …

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:1232 (August 2001), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1752 (December 2019), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**§544. Leak Testing, Repair, Tagging, Opening, Modification, Replacement, and Records of Receipt and Transfer of Sealed Sources**

A. …

B. Each sealed source shall be tested for leakage at intervals not to exceed six months. In the absence of a certificate from a transferor that a test has been made within the six-month period prior to the transfer, the sealed source shall not be put into use until tested. The leak testing of the source shall be performed using a method approved by the U.S. Nuclear Regulatory Commission or by an agreement state.

C. — G. …

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2582 (November 2000), LR 27:1233 (August 2001), LR 29:1469 (August 2003), LR 30:1667 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**§545. Quarterly Inventory**

A. Each licensee and registrant shall conduct a quarterly physical inventory to account for all sealed sources and licensed or registered devices received or possessed under his or her license or registration, including devices containing depleted uranium. The records of the inventories shall be maintained for inspection by the department for at least three consecutive years from the date of the inventory and shall include the radionuclide, number of becquerels (curies) or mass (for DU) in each device~~quantities and kinds of radioactive material~~, the location of sealed sources and/or devices, the date of the inventory, the name of individual(s) performing the inventory, the manufacturer, the model number, and the serial number.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2582 (November 2000), LR 27:1233 (August 2001), LR 29:1816 (September 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**§551. Notifications**

A. — A.3. …

B. The licensee or registrant shall include the following information in each report required by Subsection ~~D~~A of this Section and in each report of overexposure submitted under LAC 33:XV.487 that involves failure of safety components of radiography equipment:

B.1. — C. …

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 the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1754 (December 2019), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**Subchapter B. Personal Radiation Safety Requirements for Radiographers**

**§577. Personnel Monitoring Control**

A. No licensee or registrant shall permit an individual to act as a radiographer, instructor, or radiographer trainee unless, at all times during radiographic operations, each such individual wears, on the trunk of the body, a direct-reading pocket dosimeter, an operating alarm ratemeter, and a personnel dosimeter ~~that is processed and evaluated by an accredited National Voluntary Laboratory Accreditation Program (NVLAP) processor~~, except that for permanent radiography facilities where other appropriate alarming or warning devices are in routine use, the wearing of an alarm ratemeter is not required.

B. Pocket dosimeters shall have a range of zero to at least 2 millisieverts (200 millirems) and shall be recharged at least daily or at the start of each shift. Electronic personal dosimeters may only be used in place of ion-chamber pocket dosimeters. Each personnel dosimeter ~~must~~shall be assigned to and worn only by one individual. Pocket dosimeters, or electronic personal dosimeters, shall be checked for correct response to radiation at periods not to exceed one year. Acceptable dosimeters shall read within ±20 percent of the true radiation exposure. Records of positive dosimeter response shall be maintained for three years by the licensee or registrant for department inspection.

C. ~~Each personnel dosimeter shall be processed and evaluated by an accredited NVLAP processor and assigned to and worn by only one individual. Personnel dosimeters must~~Film badges shall be replaced at periods not to exceed one month and all other personnel dosimeters that require replacement shall be replaced at least quarterly. All personnel dosimeters shall be evaluated at least quarterly or promptly after replacement, whichever is more frequent. ~~After replacement, each personnel dosimeter must be processed as soon as possible.~~

D. Direct reading dosimeters, such as electronic personal dosimeters or pocket dosimeters, shall be read and exposures recorded at least daily with use at the beginning and end of each shift, and records ~~must~~shall be maintained for three years or until the Office of Environmental Compliance authorizes their disposition.

E. If an individual's pocket dosimeter is discharged beyond its range (i.e., goes "off-scale"), or an individual's electronic pocket dosimeter reads greater than 2 millisieverts (200 millirems) and the possibility of radiation exposure cannot be ruled out as the cause, industrial radiographic operations by that individual shall cease and the individual's personnel dosimeter that requires processing shall be sent for processing ~~immediately~~and evaluation within 24 hours. For personnel dosimeters that do not require processing, evaluation of the dosimeter shall be started within 24 hours. The individual shall not return to work with sources of radiation until a determination of the radiation ~~exposure~~dose has been made. This determination ~~must~~shall be made by the RSO or the RSO's designee. The results of this determination ~~must~~shall be recorded and maintained indefinitely or until the Office of Environmental Compliance authorizes their disposition.

F. …

G. If a personnel dosimeter is lost or damaged, the worker shall cease work immediately until a replacement personnel dosimeter is provided and the exposure is calculated for the time period from issuance to loss or damage of the personnel dosimeter. The results of the calculated exposure and the time period for which the personnel dosimeter was lost or damaged ~~must~~shall be recorded and maintained indefinitely or until the Office of Environmental Compliance authorizes their disposition.

H. Each alarm ratemeter ~~must~~shall:

1. — 3. …

4. be calibrated at periods not to exceed one year for correct response to radiation: acceptable ratemeters ~~must~~shall alarm within ±20 percent of the true radiation dose rate. Records of calibrations shall be maintained for three years.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2583 (November 2000), LR 27:1235 (August 2001), LR 28:1951 (September 2002), LR 29:35 (January 2003), LR 29:1470 (August 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2531 (October 2005), LR 33:2184 (October 2007), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**Chapter 7. Use of Radionuclides in the Healing Arts**

**§732. Permissible Molybdenum-99, Strontium-82, and Strontium-85 Concentrations**

A. — A.3. …

B. A licensee preparing technetium-99m radiopharmaceuticals from molybdenum-99/technetium-99m generators or rubidium-82 from strontium-82/rubidium-82 generators shall measure the molybdenum-99 concentration or the rubidium-82 concentration in each eluate or extract from a generator to demonstrate compliance with Subsection A of this Section.

C. — E.1.e. …

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 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2589 (November 2000), amended by the Office of the Secretary, Legal Division, LR 40:291 (February 2014), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1857 (December 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**§762. Full Inspection Servicing for Teletherapyand Gamma Stereotactic Radiosurgery Units**

A. A licensee shall have each teletherapy unit and gamma stereotactic radiosurgery unit fully inspected and serviced during each source replacement ~~or~~and at intervals not to exceed five years~~, whichever comes first,~~ to ensure proper functioning of the source exposure mechanism and other safety components.

B. — C. …

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 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2590 (November 2000), LR 30:1186 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1860 (December 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**§763. Training**

A.— A.3.a. …

b. is an authorized user, authorized medical physicist, or authorized nuclear pharmacist identified on a NRC or an agreement state license, ~~or~~ a permit issued by a NRC master material licensee, a permit issued by a NRC or an agreement state licensee of broad scope, or a permit issued by ~~the~~a NRC master material license broad scope permittee, has experience with the radiation safety aspects of similar types of use of byproduct material for which the licensee seeks the approval of the individual as the radiation safety officer or associate radiation safety officer, and meets the requirements in Paragraph 4 of this Section; or

A.3.c. — B.6.b. …

c. for uses authorized under LAC 33:XV.741 or 747, a physician who was certified on or before October 24, 2005, in radiology, therapeutic radiology, or radiation oncology by the American Board of Radiology; radiation oncology by the American Osteopathic Board of Radiology; radiology, with specialization in radiotherapy, as a British “Fellow of the Faculty of Radiology” or “Fellow of the Royal College of Radiology”; or therapeutic radiology by the Canadian Royal College of Physicians and Surgeons; and

B.6.d. — E.4.b. …

c. who is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state in accordance with Subsections F or I of this Section, and who meets the requirements in Subparagraph E.4.d of this Section; ~~or~~

E.4.d. — G.2.b.iv. …

c. has obtained written attestation, signed by a preceptor authorized user who meets the requirements in Subsections B,~~or~~ F, ~~and~~ G of this Section, or equivalent agreement state requirements, or NRC requirements that the individual has satisfactorily completed the requirements in Subparagraphs G.2.a and b of this Section and is able to independently fulfill the radiation safety-related duties as an authorized user of strontium-90 for ophthalmic use.

H. — M. …

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 18:34 (January 1992), amended LR 24:2106 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2590 (November 2000), LR 30:1186 (June 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:814 (May 2006), LR 34:983 (June 2008), LR 34:2121 (October 2008), LR 36:1772 (August 2010), amended by the Office of the Secretary, Legal Division, LR 38:2748 (November 2012), LR 40:1342 (July 2014), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:2138 (December 2018), LR 45:1179 (September 2019), LR 47:1860 (December 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**Chapter 15. Transportation of Radioactive Material**

**§1508. General License: NRC Approved Packages**

A.— C.2. …

3. submit in writing before the first use of the package to: ATTN: Document Control Desk, Director, Division of ~~Spent Fuel Storage and Transportation~~Fuel Management, Office of Nuclear Material Safety and Safeguards, using an appropriate method listed in 10 CFR 71.1(a), the licensee's name and license number and the package identification number specified in the package approval.

D. — E. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2113.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1267 (June 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 34:2107 (October 2008), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1183 (September 2019), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

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

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 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). 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, 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.~~

A.1. — C.3. …

a. Reserved.

b. Contact information for each state, including telephone and mailing addresses of governors and governors' designees, and participating tribes, including telephone and mailing addresses of tribal officials and tribal official's designees, is available on the NRC website at: *https://scp.nrc.gov/special/designee.pdf.*

c. A list of the names and mailing addresses of the governors' designees and tribal officials' designees of participating tribes is available on request from the Director, Division of Materials Safety, Security, State, and Tribal Programs, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

C.4. — F. …

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1269 (June 2000), LR 26:2602 (November 2000), amended by the Office of Environmental Assessment, LR 30:2029 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2537 (October 2005), LR 33:2190 (October 2007), LR 34:2111 (October 2008), amended by the Office of the Secretary, Legal Division, LR 40:1928 (October 2014), LR 41:2325 (November 2015), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:2139 (December 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**§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**

A. Tables A-1, A-2, A-3, and A-4 in 10 CFR Part 71, Appendix A, ~~July 13, 2015~~October 16, 2020, 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.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:1270 (June 2000), amended LR 27:2233 (December 2001), LR 28:997 (May 2002), LR 29:701 (May 2003), LR 30:752 (April 2004), amended by the Office of Environmental Assessment, LR 31:920 (April 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:604 (April 2006), LR 33:641 (April 2007), LR 34:867 (May 2008), 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 40:1929 (October 2014), amended by the Office of the Secretary Legal Affairs and Criminal Investigations Division, LR 45:1186 (September 2019), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**Chapter 16. Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material**

**Subchapter B. Background Investigations and Access Control Program**

**§1609. Access Authorization Program Requirements**

A. — B.1. …

2. Each licensee shall name one or more individuals to be reviewing officials. After completing the background investigation on the reviewing official, the licensee shall provide under oath, or affirmation, a certification that the reviewing official is deemed trustworthy and reliable by the licensee. Provide oath or affirmation certifications to the Office of Environmental Compliance. The fingerprints of the named reviewing official shall be taken by a law enforcement agency, federal or state agencies that provide fingerprinting services to the public, or commercial fingerprinting services authorized by a state to take fingerprints. The licensee shall recertify that the reviewing official is deemed trustworthy and reliable every 10 years in accordance with LAC 33:XV.1611.C.

B.3. — H.3. …

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 the Secretary, Legal Division, LR 41:2327 (November 2015), amended by the Office of the Secretary Legal Affairs Division, LR 48:

**§1613. Requirements for Criminal History Records Checks of Individuals Granted Unescorted Access to Category 1 or Category 2 Quantities of Radioactive Material**

A. — B.2. …

C. Procedures for Processing of Fingerprint Checks

1. For the purpose of complying with this Subchapter, licensees shall use an appropriate method listed in 10 CFR 37.7 to submit to the U.S. Nuclear Regulatory Commission, Director, Division of ~~Facilities and Security~~Physical and Cyber Security Policy, 11545 Rockville Pike, ATTN: Criminal History Program/Mail Stop ~~TWB–05 B32M~~T-07D04M, Rockville, Maryland 20852, one completed, legible standard fingerprint card (Form FD–258, ORIMDNRCOOOZ), electronic fingerprint scan or, where practicable, other fingerprint record for each individual requiring unescorted access to category 1 or category 2 quantities of radioactive material. Copies of these forms may be obtained by ~~writing the Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, by calling 1–630–829–9565, or by email to~~ [*~~FORMS.Resource@nrc.gov~~*emailing](mailto:FORMS.Resource@nrc.govemailing) *MAILSVS.Resource@nrc.gov*. Guidance on submitting electronic fingerprints can be found at *~~http://www.nrc.gov/site-help/e-submittals.html~~https://www.nrc.gov/security/chp.html*.

2. Fees for the processing of fingerprint checks are due upon application. Licensees shall submit payment with the application for the processing of fingerprints through corporate check, certified check, cashier's check, money order, or electronic payment, made payable to U.S. NRC. (For guidance on making electronic payments, contact the ~~Security Branch, Division of Facilities and Security at 301- 492-3531.~~Division of Physical and Cyber Security Policy by emailing *Crimhist.Resource@nrc.gov.)* Combined payment for multiple applications is acceptable. The commission publishes the amount of the fingerprint check application fee on the NRC's public web site. (To find the current fee amount, go to the ~~electronic submittals page at~~ *~~http://www.nrc.gov/site-help/esubmittals.html~~* ~~and see the link for the criminal history program under electronic submission systems.~~Licensee Criminal History Records Checks & Firearms Background Check information page at *https://www.nrc.gov/security/chp.html* and see the link for How do I determine how much to pay for the request?).

3. …

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 the Secretary, Legal Division, LR 41:2329 (November 2015), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:2139 (December 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 48:

**Subchapter C. Physical Protection Requirements During Use**

**§1623. General Security Program Requirements**

A. — D.1. …

2. Efforts to limit access shall include the development, implementation, and maintenance of written policies and procedures for controlling access to, and for proper handling and protection against unauthorized disclosure of, the security plan, ~~and~~ implementing procedures, and the list of individuals that have been approved for unescorted access.

3. Before granting an individual access to the security plan, ~~or~~ implementing procedures, or the list of individuals that have been approved for unescorted access, licensees shall:

a. evaluate an individual's need to know the security plan, ~~or~~ implementing procedures, or the list of individuals that have been approved for unescorted access; and

D.3.b. — 4.b. …

5. The licensee shall document the basis for concluding that an individual is trustworthy and reliable and should be granted access to the security plan, ~~or~~ implementing procedures, or the list of individuals that have been approved for unescorted access.

6. Licensees shall maintain a list of persons currently approved for access to the security plan, ~~or~~ implementing procedures, or the list of individuals that have been approved for unescorted access. When a licensee determines that a person no longer needs access to the security plan, ~~or~~ implementing procedures, or the list of individuals that have been approved for unescorted access, or no longer meets the access authorization requirements for access to the information, the licensee shall remove the person from the approved list as soon as possible, but no later than seven working days, and take prompt measures to ensure that the individual is unable to obtain the security plan, ~~or~~ implementing procedures, or the list of individuals that have been approved for unescorted access.

7. When not in use, the licensee shall store its security plan, ~~and~~ implementing procedures, and the list of individuals that have been approved for unescorted access in a manner to prevent unauthorized access. Information stored in nonremovable electronic form shall be password protected.

8. — 8.a. …

b. the list of individuals approved for access to the security plan, ~~or~~ implementing procedures, or the list of individuals that have been approved for unescorted access.

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 the Secretary, Legal Division, LR 41:2331 (November 2015), amended by the Office of the Secretary Legal Affairs Division, LR 48:

**Chapter 17. Licensing and Radiation Safety Requirements for Irradiators**

**§1739. Personnel Monitoring**

A. Irradiator operators shall wear a personnel dosimeter while operating a panoramic irradiator or while in the area around the pool of an underwater irradiator. The personnel dosimeter processor shall be ~~accredited by the National Voluntary Laboratory Accreditation Program for~~capable of detecting high energy photons in the normal and accident dose ranges ~~in accordance with LAC 33:XV.430.C~~. Each personnel dosimeter shall be assigned to and worn by only one individual. Film badges shall be ~~processed~~replaced at least monthly, and all other personnel dosimeters that require replacement shall be ~~processed~~replaced at least quarterly. All personnel dosimeters shall be evaluated at least quarterly, or promptly after replacement, whichever is more frequent.

B. …

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 24:2118 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:1470 (August 2003), amended by the Office of the Secretary Legal Affairs Division, LR 48:

**Chapter 20.** **Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies**

**Subchapter A.** **Requirements for Personnel Safety**

**§2022. Personnel Monitoring**

A. No licensee or registrant shall permit any individual to act as a logging supervisor or to assist in the handling of sources of radiation unless each such individual wears a personnel dosimeter at all times during the handling of licensed radioactive materials. Each personnel dosimeter shall be assigned to and worn by only one individual. Film badges ~~must~~shall be replaced at least monthly, and all other personnel dosimeters that require replacement shall be ~~processed~~replaced at least quarterly. ~~After replacement, each personnel dosimeter must be promptly processed. The processor of a personnel dosimeter shall be accredited by the National Voluntary Laboratory Accreditation Program~~All personnel dosimeters shall be evaluated at least quarterly or promptly after replacement, whichever is more frequent.

B. …

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2605 (November 2000), LR 29:1472 (August 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2539 (October 2005), LR 33:2191 (October 2007), amended by the Office of the Secretary Legal Affairs Division, LR 48: