



# Arkansas Department of Health

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**Governor Sarah Huckabee Sanders**

**Renee Mallory, RN, BSN, Secretary of Health**

**Jennifer Dillaha, MD, Director**

## **ARKANSAS INFORMATION NOTICE 23-02**

To: Radioactive Material Licensees, Accelerator Licensees, X-ray Registrants,  
General License Registrants, Vendors, and other Interested Parties

From: Bernard Bevill, Section Chief   
Radiation Control Section

Date: October 23, 2023

Subject: **Proposed revisions to the Arkansas State Board of Health Rules for Control  
of Sources of Ionizing Radiation – July 2023 package**

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The Arkansas Department of Health is accepting public comments on the proposed adoption of revisions to the Arkansas State Board of Health Rules for Control of Sources of Ionizing Radiation pursuant to the Administrative Procedures Act as amended, Ark. Code Ann. 25-15-201 et seq., by the authority of Ark. Code Ann. 20-21-201–222.

The proposed revisions are available for inspection online through the ADH website at [www.healthy.arkansas.gov](http://www.healthy.arkansas.gov), “Rules” link. Copies may be obtained by calling the Radiation Control Section at (501) 661-2301. The proposed revisions will also be available for public inspection and copying at the Arkansas Department of Health, Radiation Control Section, Freeway Medical Tower, 5800 West 10<sup>th</sup> Street, Suite 401, Little Rock, Arkansas.

A brief summary of the revisions is attached.

The public may submit written comments to [adh.ram@arkansas.gov](mailto:adh.ram@arkansas.gov), in person at 5800 West 10<sup>th</sup> Street – Suite 401, or by mail to the Radiation Control Section Chief, Radiation Control Section, Arkansas Department of Health, 4815 West Markham Street, Slot #30, Little Rock, Arkansas 72205-3867, no later than 4:30 p.m. on November 30, 2023.

If you have any questions, please call Radiation Control at (501) 661-2301.

**PROPOSED REVISIONS TO THE  
RULES FOR CONTROL OF SOURCES OF IONIZING RADIATION  
JULY 2023 RULE PACKAGE**

The Radiation Control Section is initiating the process for the revision of the Arkansas State Board of Health Rules for Control of Sources of Ionizing Radiation. The Section regulates the possession and use of x-ray machines, accelerators, and radioactive material in the State of Arkansas. Revisions to radioactive material rules are driven by our agreement with the U.S. Nuclear Regulatory Commission (NRC). The State of Arkansas, as an Agreement State, must have rules that are compatible with NRC regulations. The following revisions are being proposed.

- Revisions concerning the following **NRC regulation amendments**:  
Medical Use of Byproduct Material, Organizational Changes and Conforming Amendments, Individual Monitoring Devices, Social Security Number Fraud Prevention, Miscellaneous Corrections Amendments (3)
- Revisions due to **Act 315 of 2019**:  
Changes concern substituting the term “regulation” for “rule” throughout the Rule.
- Revisions not in conjunction with a particular NRC regulation amendment (**general clean up**):

<b>RULE SECTION</b>	<b>TITLE</b>
RH-103.	License fees. (license code and description clean up)*
RH-301.b.1.	Certain items containing radioactive material.
RH-401.a.2.C	Small quantities of source material.
RH-401.c.5. and c.6.	Certain industrial products or devices.
RH-402.e.	Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere.
RH-402.f.5.	Luminous safety devices in aircraft.
RH-402.g.5.	Calibration and reference sources.
RH-402.i.4.	Ice detection devices.
RH-402.j.2. and j.5.	Products containing radium-226.
RH-402.k.7.	Use of radioactive material for certain in vitro clinical or laboratory testing.
RH-402.n.	Incidentally produced radioactive material generated by the operation of a particle accelerator.
RH-409.g.1.	Bankruptcy notification.
RH-600.a.	Receipt, transfer, and disposal.
RH-750.a.2. and b.2.	Reciprocal Recognition of Licenses.
RH-1300.c.	Surveys.
RH-1915.	Agreement with Well Owner or Operator.
RH-1931.a.2.	Labels.
RH-1961.e. (RH-1992.)	Training.
Appendix I to Section 3, Form X	Notice to Employees
RH-5002.c.	Purpose and Scope. Production of radioactive material.
RH-5003.	Fees. (description clean up)*
RH-5200.	License Requirement.
RH-5212.	Licensure of Out-of-State Particle Accelerators for Non-Industrial Use.
RH-5214.	Reciprocal Recognition of Out-of-State Particle Accelerator Licenses for Industrial Use.
RH-8400.	Quality Control of Diagnostic Equipment.
RH-8409.	Storage and Control of Volatiles and Gases.
RH-8712.	Records of Decay-in-Storage.
RH-8801.d.1.E.	Reports and Notifications of a Dose to an Embryo/Fetus or a Nursing Child.
RH-10308.	Other Use of Electronically-Produced Radiation to Deliver Therapeutic Radiation Dose.

\*Revisions reflect provisions in Arkansas Code Annotated § 20-21-217 or codes and category descriptions used by the U.S. Nuclear Regulatory Commission. Obsolete/no longer in use fees are also being deleted.