

This is an amendment to 20.3.4 NMAC, Sections 404 and 455, effective 05/01/2024.

20.3.4.404 RADIATION PROTECTION PROGRAMS:

A. Each licensee or registrant shall develop, document and implement a radiation protection program commensurate with the scope and extent of licensed or registered activities and sufficient to ensure compliance with the provisions of this part (see 20.3.4.441 NMAC for recordkeeping requirements related to these programs.)

B. The licensee or registrant shall use, to the extent practical, procedures and engineering controls based upon sound radiation protection principles to achieve occupational doses and doses to members of the public that are ALARA.

C. The licensee or registrant shall, at intervals not to exceed 12 months, review the radiation protection program content and implementation ~~[-]~~ with all employees before beginning their job duties and annually thereafter.

D. To implement the ALARA requirements of Subsection B of this section, and notwithstanding the requirements in 20.3.4.413 NMAC, a constraint on air emissions of radioactive material to the environment, excluding Radon-222 and its daughters, shall be established by licensees such that the individual member of the public likely to receive the highest dose will not be expected to receive a total effective dose equivalent in excess of 10 millirems (0.1 millisievert) per year from these emissions. If a licensee subject to this requirement exceeds this dose constraint, the licensee shall report the exceedance as provided in 20.3.4.453 NMAC and promptly take appropriate corrective action to ensure against recurrence.

[20.3.4.404 NMAC - Rp, 20.3.4.404 NMAC, 4/30/2009, A, 05/01/2024]

20.3.4.455 REPORTS OF TRANSACTIONS INVOLVING NATIONALLY TRACKED SOURCES:

~~[Each licensee who manufactures, transfers, receives, disassembles or disposes of a nationally tracked source (as defined in 20.3.4.7 NMAC) shall complete and submit a *national source tracking transaction report* as specified in Subsections A through E of this section for each type of transaction.]~~ The regulations of the U. S. Nuclear Regulatory Commission set forth in 10 CFR 20.2207 are hereby incorporated by reference.

~~**A.** Each licensee who manufactures a nationally tracked source shall complete and submit a *national source tracking transaction report*. The report must include the following information:~~

- ~~(1) the name, address and license number of the reporting licensee;~~
- ~~(2) the name of the individual preparing the report;~~
- ~~(3) the manufacturer, model and serial number of the source;~~
- ~~(4) the radioactive material in the source;~~
- ~~(5) the initial source strength in becquerels (curies) at the time of manufacture; and~~
- ~~(6) the manufacture date of the source.~~

~~**B.** Each licensee that transfers a nationally tracked source to another person shall complete and submit a *national source tracking transaction report*. The report must include the following information:~~

- ~~(1) the name, address and license number of the reporting licensee;~~
- ~~(2) the name of the individual preparing the report;~~
- ~~(3) the name and license number of the recipient facility and the shipping address;~~
- ~~(4) the manufacturer, model and serial number of the source or, if not available, other information to uniquely identify the source;~~
- ~~(5) the radioactive material in the source;~~
- ~~(6) the initial or current source strength in becquerels (curies);~~
- ~~(7) the date for which the source strength is reported;~~
- ~~(8) the shipping date;~~
- ~~(9) the estimated arrival date; and~~
- ~~(10) for nationally tracked sources transferred as waste under a *uniform low level radioactive waste manifest*, the waste manifest number and the container identification of the container with the nationally tracked source.~~

~~**C.** Each licensee that receives a nationally tracked source shall complete and submit a *national source tracking transaction report*. The report must include the following information:~~

- ~~(1) the name, address and license number of the reporting licensee;~~
- ~~(2) the name of the individual preparing the report;~~

- _____ (3) the name, address and license number of the person that provided the source;
- _____ (4) the manufacturer, model and serial number of the source or, if not available, other information to uniquely identify the source;
- _____ (5) the radioactive material in the source;
- _____ (6) the initial or current source strength in becquerels (curies);
- _____ (7) the date for which the source strength is reported;
- _____ (8) the date of receipt; and
- _____ (9) for material received under a *uniform low level radioactive waste manifest*, the waste manifest number and the container identification with the nationally tracked source.

_____ **D.** Each licensee that disassembles a nationally tracked source shall complete and submit a *national source tracking transaction report*. The report must include the following information:

- _____ (1) the name, address and license number of the reporting licensee;
- _____ (2) the name of the individual preparing the report;
- _____ (3) the manufacturer, model and serial number of the source or, if not available, other information to uniquely identify the source;
- _____ (4) the radioactive material in the source;
- _____ (5) the initial or current source strength in becquerels (curies);
- _____ (6) the date for which the source strength is reported; and
- _____ (7) the disassemble date of the source.

_____ **E.** Each licensee who disposes of a nationally tracked source shall complete and submit a *national source tracking transaction report*. The report must include the following information:

- _____ (1) the name, address and license number of the reporting licensee;
- _____ (2) the name of the individual preparing the report;
- _____ (3) the waste manifest number;
- _____ (4) the container identification with the nationally tracked source;
- _____ (5) the date of disposal; and
- _____ (6) the method of disposal.

_____ **F.** The reports discussed in Subsections A through E of this section must be submitted by the close of the next business day after the transaction. A single report may be submitted for multiple sources and transactions. The reports must be submitted to the *national source tracking system* by using:

- _____ (1) the on line *national source tracking system*;
- _____ (2) electronically using a computer readable format;
- _____ (3) by facsimile;
- _____ (4) by mail to the address on the *national source tracking transaction report form* (NRC form 748); or
- _____ (5) by telephone with follow up by facsimile or mail.

_____ **G.** Each licensee shall correct any error in previously filed reports or file a new report for any missed transaction within 5 business days of the discovery of the error or missed transaction. Such errors may be detected by a variety of methods such as administrative reviews or by physical inventories required by regulation. In addition, each licensee shall reconcile the inventory of nationally tracked sources possessed by the licensee against that licensee's data in the *national source tracking system*. The reconciliation must be conducted during the month of January in each year. The reconciliation process must include resolving any discrepancies between the *national source tracking system* and the actual inventory by filing the reports identified by Subsections A through E of this section. By January 31 of each year, each licensee must submit to the *national source tracking system* confirmation that the data in the *national source tracking system* is correct.

_____ **H.** Each licensee that possesses category 1 nationally tracked sources shall report its initial inventory of category 1 nationally tracked sources to the *national source tracking system* by January 31, 2009. Each licensee that possesses category 2 nationally tracked sources shall report its initial inventory of category 2 nationally tracked sources to the *national source tracking system* by January 31, 2009. The information may be submitted by using any of the methods identified by Paragraph (1) through (4) of Subsection F of this section. The initial inventory report must include the following information:

- _____ (1) the name, address and license number of the reporting licensee;
- _____ (2) the name of the individual preparing the report;
- _____ (3) the manufacturer, model and serial number of each nationally tracked source or, if not available, other information to uniquely identify the source;
- _____ (4) the radioactive material in the sealed source;

~~_____ (5) the initial or current source strength in becquerels (curies); and~~
~~_____ (6) the date for which the source strength is reported.]~~
[20.3.4.455 NMAC - N, 4/30/2009, A, 05/01/24]