

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

RADIATION REGULATORY AGENCY

- 1. Title and its heading:** 12, Natural Resources
- Chapter and its heading:** 1, Radiation Regulatory Agency
- Article and its heading:** 2, Radiation Machine Facility Registration or Licensing, Installation, and Service Registration, and Mammographic Facility Certification
6, Use of X-rays in the Healing Arts
9, Radiation Safety Requirements for Particle Accelerators
12, Administrative Provisions
14, Rules for the Control of Nonionizing Radiation
17, Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies
- Section numbers:** R12-1-201, R12-1-202, R12-1-203, R12-1-205, R12-1-206, R12-1-207, R12-1-208, R12-1-209, R12-1-602, R12-1-603, R12-1-604, R12-1-605, R12-1-606, R12-1-607, R12-1-608, R12-1-609, R12-1-610, R12-1-611, R12-1-613, R12-1-614, R12-1-615, R12-1-901, R12-1-902, R12-1-903, R12-1-904, R12-1-906, R12-1-907, R12-1-908, R12-1-909, R12-1-910, R12-1-911, R12-1-912, R12-1-1201, R12-1-1202, R12-1-1203, R12-1-1204, R12-1-1205, R12-1-1206, R12-1-1207, R12-1-1208, R12-1-1209, R12-1-1210, R12-1-1211, R12-1-1212, R12-1-1213, R12-1-1214, R12-1-1215, R12-1-1216, R12-1-1217, R12-1-1218, R12-1-1219, R12-1-1220, R12-1-1221, R12-1-1222, R12-1-1223, R12-1-1401, R12-1-1402, R12-1-1403, R12-1-1404, R12-1-1405, R12-2-1406, R12-1-1407, R12-1-1408, R12-1-1409, R12-1-1410, R12-1-1411, R12-1-1412, R12-1-1413, R12-1-1414, R12-1-1415, R12-1-1416, R12-1-1417, R12-1-1418, R12-1-1419, R12-1-1420, R12-1-1421, R12-1-1422, R12-1-1423, R12-1-1424, R12-1-1425, R12-1-1426, R12-1-1427, R12-1-1428, R12-1-1429, R12-1-1430, R12-1-1431, R12-1-1432, R12-1-1433, R12-1-1434, R12-1-1435, R12-1-1436, R12-1-1437, R12-1-1438, R12-1-1439, R12-1-1440, R12-1-1441, R12-1-1442, R12-1-1443, R12-1-1444, R12-1-1702, R12-1-1703, R12-1-1712, R12-1-1713, R12-1-1714, R12-1-1715, R12-1-1716, R12-1-1717, R12-1-1718, R12-1-1719, R12-1-1720, R12-1-1721, R12-1-1722, R12-1-1723, R12-1-1731, R12-1-1732, R12-1-1733, R12-1-1734, R12-1-1741, R12-1-1742, R12-1-1743, R12-1-1751
- 2. Subject matter of the proposed rules:**
The majority of the rulemaking is the result of Five-Year Reviews of the rules contained in the following articles: Article 2, completed in February 2000; Article 17, completed in June 2000; Articles 6 and 9, completed in September 2000; and Articles 12 and 14, completed in October 2000. As a result of the reviews some significant changes will be made. The nonionizing licensing requirements are being moved from Article 2 to Article 14, where the devices are regulated. The mammography rules in Article 6 are updated to include the latest Federal standards. Article 9 is amended to include a list of definitions needed to understand the updates that were added to it during the previous rulemaking. Article 12 is amended to replace the existing hearing procedures with those of the Office of Administrative Hearings. Article 14 is under going major revision so that the requirements for nonionizing radiation machines will be compatible with current Federal standards. Also, the magnetic resonance imaging (MRI) rules are being deleted from Article 14. Many of the rules contained in Article 14 are being amended so that they will contain current language and format. As stated earlier, the nonionizing licensing requirements are being moved to this Article from Article 2.
- Agency docket number:**
#0052
- 3. A citation to all published notices relating to the proceedings:**
None

Arizona Administrative Register
Notices of Rulemaking Docket Opening

4. Name and address of Agency personnel with whom persons may communicate regarding the rules:

Name: Aubrey Godwin
Address: Arizona Radiation Regulatory Agency
4814 South 40th Street
Phoenix, Arizona 85040

5. The time during which written comment can be made:

Written comments will be accepted 8:00 a.m. to 5:00 p.m., Monday through Friday.

The time and place where oral comment can be made:

Oral comments will be accepted 8:00 a.m. to 4:30 p.m., Monday through Friday, at the Arizona Radiation Regulatory Agency, 4814 South 40th Street, Phoenix, Arizona 85040.

6. A timetable for agency decision or other action in the proceeding:

A timetable is not available at this time.

NOTICE OF RULEMAKING DOCKET OPENING

RADIATION REGULATORY AGENCY

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 1, Radiation Regulatory Agency
Article and its heading: 3, Radioactive Material Licensing;
4, Standards for Protection Against Ionizing Radiation;
5, Radiographic Operations;
7, Use of Radionuclides in the Healing Arts;
11, Technologically Enhanced Naturally Occurring Radioactive Material (Tenorm);
13, License and Registration Fees
Section numbers: R12-1-309, R12-1-319, R12-1-403, R12-1-419, R12-1-423, R12-1-425, R12-1-434,
R12-1-501, R12-1-502, R12-1-514, R12-1-521, R12-1-533, R12-1-703, R12-1-707,
R12-1-1101, R12-1-1102, R12-1-1103, R12-1-1104, R12-1-1105, R12-1-1106,
R12-1-1107, R12-1-1108, R12-1-1109, R12-1-1110, R12-1-1111, R12-1-1112,
R12-1-1302, and R12-1-1306

2. Subject matter of the proposed rules:

R12-1-309 is amended to reference the new rules in Article 11. R12-1-319 is amended to include new license termination requirements that are added so Arizona remains compatible with Federal standards as is required by Arizona's Agreement with the Federal Nuclear Regulatory Commission. R12-1-403 is amended to include new definitions; changes are made to Articles R12-1-423 and R12-1-425; and Appendix A is revised so that Arizona remains compatible with Federal standards as is required by Arizona's Agreement with the Federal Nuclear Regulatory Commission. R12-1-419 is amended to minimize confusion created by having personnel monitoring requirements scattered throughout Chapter 1, and R12-1-434 is amended to eliminate a routinely used license condition. R12-1-501 is amended to include new definitions; changes are made to Articles R12-1-502, R12-1-514, R12-1-521, and R12-1-533; and Appendix A is added so that Arizona remains compatible with Federal standards as is required by Arizona's Agreement with the Federal Nuclear Regulatory Commission. R12-1-703 is amended to delete the requirement for outpatient nuclear medicine licensees to have an agreement with a medical institution to accept radioactive patients should the need arise, and R12-1-707 is amended so that radiopharmaceuticals will be administered according to a written directive. Article 11 is added to regulate technologically enhanced naturally occurring radioactive material. Article 13 is amended to delete the Magnetic Resonance Imaging (MRI) category and to add a new category for Class II Medical Devices that remove body hair using high intensity light. Also, non-ionizing radiation machine licensees will be broken out of their current category system that is shared with x-ray machines registrants to clarify the license/registration category system.

Agency docket number:

#0054

3. A citation to all published notices relating to the proceedings:

None

Arizona Administrative Register
Notices of Rulemaking Docket Opening

4. Name and address of Agency personnel with whom persons may communicate regarding the rules:

Name: Aubrey Godwin
Address: Arizona Radiation Regulatory Agency
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