

This is an amendment to 20.3.12.9 NMAC, Sub-Section B effective XX/XX/2022.

20.3.12.9 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.

A. The applicant shall satisfy the general requirements specified in 10 CFR 30.33 for byproduct material, 10 CFR 40.32 for source material and in 10 CFR 70.23 for special nuclear material and in 20.3.3.308 NMAC and any special requirements contained in this part.

B. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:

- (1) any reference to the commission or NRC shall be deemed a reference to the department;
- (2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;
- (3) 10 CFR 37.7, 10 CFR 37.9, 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;
- (4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address when applicable: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.

C. 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:

- (1) initial training;
- (2) on-the-job training;
- (3) annual safety reviews provided by the licensee;
- (4) 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
- (5) 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.

D. The applicant shall submit to the department written operating and emergency procedures as described in 20.3.12.12 NMAC or an outline or summary of the procedures that includes the important radiation safety aspects of the procedures.

E. 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 must be retained for three years after each internal inspection.

F. The applicant shall submit 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.

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

- (1) instruments to be used;
- (2) methods of performing the analysis; and
- (3) pertinent experience of the person who will analyze the wipe samples.

[20.3.12.9 NMAC- N, 6/30/2011; A, 06/13/2017, XX/XX/2022]