

This is an amendment to 20.3.4.425 NMAC, Sub-Section A effective XX/XX/XXXX.

20.3.4.425 SECURITY AND CONTROL OF LICENSED OR REGISTERED SOURCES OF RADIATION:

A. The licensee shall secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas. The licensee possessing category 1 and category 2 quantities of radioactive materials 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, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.27(c), 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and

(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.

B. The licensee shall control and maintain constant surveillance, and use devices or administrative procedures to prevent unauthorized access to licensed radioactive material that is in a controlled or unrestricted area and that is not in storage.

C. The registrant shall secure registered radiation machines from unauthorized removal.

D. The registrant shall use devices or administrative procedures to prevent unauthorized use of registered radiation machines.

[20.3.4.425 NMAC - Rp, 20.3.4.425 NMAC, 04/30/2009; A, XX/XX/XXXX]