

MARYLAND REGISTER

Proposed Action on Regulations

Comparison to Federal Standards Submission and Response

Name: Carolyn A Jones
Agency: Department of the Environment
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State: MD
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In accordance with Executive Order 01.01.1996.03 and memo dated July 26, 1996, the attached document is submitted to the Department of Business and Economic Development for review.

The Proposed Action is not more restrictive or stringent than corresponding federal standards.

COMAR Codification: 26.12.01.01 Supplement 24

Corresponding Federal Standard:

Required Agreement State adoption of U.S. Nuclear Regulatory Commission regulations as follows: Regulation Amendments Tracking System (RATS) ID #2012-1 Effective Date 1/25/2012 published 77 FR 3640 Regulation Amendments Tracking System (RATS) ID #2012-3 Effective Date 8/6/2012 published 77 FR 39899

Discussion/Justification:

TO BE COMPLETED BY DBED

- Agree

-Disagree

Comments:

Name: Sally Kenyon Grant

Date: 4/22/2014

-Submit to Governor's Office

Governor's Office Response

Comments:

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	04/30/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 6/13/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

26 12 01 01 Supplement 24

3. Name of Promulgating Authority

Department of the Environment

4. Name of Regulations Coordinator

Carolyn A Jones

Telephone Number

410-537-4210

Mailing Address

1800 Washington Blvd

City	State	Zip Code
Baltimore	MD	21230

Email

carolyna.jones@maryland.gov

5. Name of Person to Call About this Document

Michael D. Kurman

Telephone No.

410-537-3208

Email Address

michael.kurman@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: March 24, 2014.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

X- Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Roberta R. James, Assistant Attorney General, (telephone #410-537-3748) on January 9, 2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Robert M. Summers, Ph.D.

Title

Secretary of the Environment

Telephone No.

410-537-3084

Date

April 15, 2014

Title 26
DEPARTMENT OF THE ENVIRONMENT
Subtitle 12 RADIATION MANAGEMENT

26.12.01 Radiation Protection

Authority: Environment Article, §§8-106, 8-301, and 8-304, Annotated Code of Maryland

Notice of Proposed Action

[]

The Secretary of Environment proposes to amend Regulation .01 under COMAR 26.12.01 Radiation Protection.

Statement of Purpose

The purpose of this action is to update COMAR 26.12.01.01, Incorporation by Reference, to incorporate Supplement 24, which includes (a) two U.S. Nuclear Regulatory Commission rules relating to general radioactive materials licenses and technical regulation corrections; (b) a change to the schedule for application for radioactive material license; (c) a requirement for thyroid shielding when an x-ray beam may strike a patient's thyroid gland; (d) requirements for use by veterinarians of hand-held radiation machines; and (e) minor changes and corrections.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to , , , or call , or email to , or fax to . Comments will be accepted through . A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special Funds (State Radiation Control Fund)

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

These regulations have no economic impact because they do not require additional expenditure by stakeholders or provide additional revenue to the State.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations have no economic impact on any businesses.

G. Small Business Worksheet:

Attached Document:

STATE OF MARYLAND
EXECUTIVE DEPARTMENT

**OFFICE OF THE SECRETARY OF STATE
DIVISION OF STATE DOCUMENTS**

MARTIN O'MALLEY
Governor

ANTHONY G. BROWN
Lt. Governor

JOHN P. MCDONOUGH
Secretary of State

Maryland Register

**Code of Maryland Regulations
(COMAR)**

Incorporation by Reference
APPROVAL FORM

Date: March 25, 2014
COMAR: 26.12.01.01

Michael D. Kurman
Department of the Environment
Radiological Health Program

1800 Washington Boulevard
Baltimore, MD 21230

Dear Mike:

The document entitled Regulations for the Control of Ionizing Radiation (1994) Supplement 24 is approved for incorporation by reference.

Please note the following special instructions: None.

Attach a copy of this approval form when submitting an emergency or proposed regulation to the AELR Committee and when submitting a proposed regulation to DSD for publication in the Maryland Register. If submitting through ELF, include as part of the attachment.

Any future changes to the incorporated documents do not automatically become part of the regulation. If there are subsequent changes to the incorporated documents, and the agency wishes those changes to become a part of its regulations, the agency must amend the regulation incorporating the documents.

Please call us if you have any questions.

Sincerely,
Gail S. Klakring
Senior Editor

Office of the Secretary of State, Division of State Documents, State House, Annapolis, MD 21401
410-974-2486; 800-633-9657; fax 410-280-5647; email: statedocs@sos.state.md.us

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 12 RADIATION MANAGEMENT

Chapter 01 Radiation Protection

Authority: Environment Article, §§8-106, 8-301, and 8-304, Annotated Code of Maryland

26.12.01.01

.01 Incorporation by Reference.

All provisions of the "Regulations for the Control of Ionizing Radiation (1994)" as amended by Supplement 1 through Supplement [23] 24 are incorporated by reference.