



February 22, 2016

**Attention: Radiation Safety Officers, Specific Radioactive Materials Licensees,
Stakeholders**

**PROPOSED REGULATORY CHANGES AND
OPPORTUNITY TO COMMENT**

This letter/email is to inform you that the Colorado Department of Public Health and Environment (the Department) is proposing to amend Part 16 of the Colorado *Rules and Regulations Pertaining to Radiation Control* (6 CCR 1007-1) (the Regulations). Part 16 is titled "Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies".

HIGHLIGHTS OF PROPOSED REGULATORY CHANGES

The proposed regulatory changes would result in:

- Updates to the regulatory part for consistency with the requirements and language of the Nuclear Regulatory Commission in 10 CFR Part 39;
- A change in the rule title;
- Additional requirements for licensing of well logging consistent with 10 CFR Part 39.13;
- Extend the recordkeeping retention requirements for most records from 2 years to 3 years consistent with 10 CFR Part 39;
- Additional requirements for licensees to have available a lower sensitivity radiological instrument for detection of a breached source, consistent with 10 CFR Part 39.33(b);
- An increase in the periodic source inventory requirements from quarterly to semi-annual, consistent with 10 CFR Part 39.37;
- Clarify and the requirements for (utilization) records for device use, consistent with 10 CFR Part 39.39;
- Additional requirements for pre-use inspections of well logging equipment, consistent with 10 CFR Part 39.43;
- Clarify and strengthen the requirements for training of logging supervisors and assistants, transportation surveys, and reporting of incidents involving lost sources and abandonment, consistent with 10 CFR Part 39.61 and 39.77; and
- Clarify the requirements for performing jobsite surveys, consistent with 10 CFR Part 39.67, and 39.69.

BACKGROUND

Colorado's Part 16 rule has not been updated since 2007. Colorado's current Part 16 rule is based upon the model regulation of the Conference of Radiation Control Program Directors, Inc. (CRCPD) Suggested State Regulations for Control of Radiation Part "W" which was last amended over 20 years ago in 1991. Although there have not been a significant number of changes or updates to federal rules specific to well logging since SSRCR W was last amended, there are numerous differences between the model regulation and federal rule. The primary intent of the proposed amendments to Part 16 is to update the rule for consistency with the



national framework, federal requirements, and regulatory language for regulating well logging activities.

The draft rule and further details on the proposed changes can be found on the Department website at: <https://www.colorado.gov/pacific/cdphe/radregs> [Click on the "Part 16" link]. The Department is inviting stakeholders to provide written comments on the proposed regulatory changes to Part 16. Comments may be submitted via email, FAX, or regular mail (see address below).

When providing comments, please indicate the following: The section number (i.e., "Section 16.x") and the line number(s) - where available - to which your comments apply. Please state the purpose of your comment and/or concern if not otherwise self explanatory. We also encourage you to review the statement of basis and purpose and other associated documents (when available) to become familiar with the basis for the proposed changes prior to commenting.

Comments should be submitted to James Jarvis at: james.jarvis@state.co.us
While email comments are preferred, comments may also be submitted via any of the following methods:

FAX: 303/691-7841

USPS MAIL:

Attn: James Jarvis, Radiation Control Program, HMWMD-RM-B2
Colorado Dept. of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246

Note that comments should be submitted no later than April 10, 2016 to be considered.
Comments received after this date may not be considered unless practical to do so, but the Department is able to assure consideration only for comments received on or before this date.

Please be aware that comments submitted to the department along with any information (e.g., personal or contact) you provide with comments or in an attachment to comments may become part of a public record and may be publicly disclosed and electronically searchable and in a paper form.

The Department is also planning on holding two stakeholder meetings during the comment period to provide stakeholders an opportunity to better understand the proposed changes, to ask questions, and to provide feedback on the proposed rule. Refer to the Part 16 regulations website for further details regarding the dates and times of the meetings:
<https://www.colorado.gov/pacific/cdphe/radregs>

For additional information or questions regarding this proposed regulatory change, please contact James Jarvis at james.jarvis@state.co.us or 303/692-3454.