

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

GUIDANCE DOCUMENT

“This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Nebraska Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.”

Pursuant to
Neb. Rev. Stat. § 84-901.03

REGULATORY GUIDE 2.0

RECIPROCITY REQUIREMENTS FOR OUT-OF-STATE RADIATION GENERATING EQUIPMENT

I. INTRODUCTION

PURPOSE AND SCOPE

The purpose of this regulatory guide is to provide out-of-state radiation generating equipment registrants the requirements necessary to obtain reciprocity in the State of Nebraska as per Title 180, Nebraska Regulations for Control of Radiation, 180 NAC 2-012 "Out-of-State Radiation Generating Equipment."

APPLICABLE REGULATIONS

180 NAC 2-012
180 NAC 18

All regulations, regulatory guides, and forms are available at: www.dhhs.ne.gov/rad.

II. RECIPROCITY REQUIREMENTS

- A. Whenever any radiation generating equipment registered in another state or by the federal government is to be brought into the State, for any temporary use, the person proposing to bring the equipment into the State must give written notice to the Department at least **three working days** before the equipment is to be used in the State.

Regulatory Guides are issued to describe and make available to the public acceptable methods of implementing specific parts of Title 180 NAC Nebraska regulations, "Control of Radiation," to delineate techniques used by the staff in evaluating specific problems or postulated accidents, or to provide guidance to applicants, licensees, or registrants. Regulatory Guides are not substitutes for regulations and compliance with them is not required. Methods and solutions different from those set out in the guides will be acceptable if they provide a basis for the DHHS, Division of Public Health, Office of Radiological Health, to make necessary determination to issue or continue a license or certificate of registration.

Comments and suggestions for improvements in these Regulatory Guides are encouraged at all times and they will be revised, as appropriate, to accommodate comments and to reflect new information or experience. Comments should be sent to:

DHHS - Division of Public Health
Office of Radiological Health
301 Centennial Mall South
P.O. Box 95026
Lincoln, NE 69509-5026.
OR
DHHS.RadiationPrograms@nebraska.gov

Copies of issued guides can be obtained at: www.dhhs.ne.gov/rad.

The notice must include:

1. The type of radiation generating equipment;
2. The nature, duration, and scope of use;
3. Exact location or locations where the radiation generating equipment is to be used; and
4. State or states where the equipment is registered.

If the three working days period would impose an undue hardship on the person, the Department may grant permission to proceed sooner. Please notify the Department via telephone if your request for reciprocity is less than 3 days.

- B.** Upon receipt of the required information and annual fee as specified in 180 NAC 18, the determination of reciprocity will be made. Reciprocity registrants will be billed every year in the month in which the original reciprocity was granted.
- C.** The person referred to in Section A above must:
1. Comply with all applicable regulations of the Department;
 2. Supply the Department with other information as the Department may request;
 3. Not operate within the State on a temporary basis in excess of 180 calendar days per year.
 4. Submit the appropriate fee as specified in 180 NAC 18.

III. CONTACT INFORMATION

Correspondence may be sent to:

DHHS - Division of Public Health
Office of Radiological Health
301 Centennial Mall South
P.O. Box 95026
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Phone: 402-471-2079
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Email: dhhs.radiationprograms@nebraska.gov