

**DATE:** March 31, 2004  
**TO:** All State Licensed Private Inspectors  
**FROM:** Roland G. Fletcher, Program Manager III  
**SUBJECT:** Information and Regulatory Interpretation Memo (IRI) 04-01, March 2004

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On March 23, 2004 a meeting was held with the State Licensed Private Inspectors. The following is a summary of topics discussed during the meeting.

### **Website Changes**

The Radiation Machines Division (RMD) has updated the Maryland Department of the Environment's (MDE) Radiological Health Program (RHP) website. The website now contains a section called Upcoming Events and Informational Memos. The Upcoming Events Section posts the RHP informational meetings to be held at MDE. The Informational Memos Section posts the IRI's and service newsletters. The website contains all of the required State Certification forms, including the RX1, RX1a, RX2, RX3, RX4, RX5, RX6, RX7a, RX8, RX10, RX11a, RX14, RX21, and RX22.

### **Maryland Certification Inspections**

All radiation machine facilities are required to have continuous personnel monitoring for all occupationally exposed workers. If a facility does not, this violates COMAR 26.12.01.01D.1107 and D.502. Bone density facilities are **not** exempt from continuous personnel monitoring. A podiatry facility may be exempted after receiving Agency approval. They must submit a request for exemption via letter and send 6 consecutive months or 4 consecutive quarters of dosimetry records. Upon review of the dosimetry records, the RHP may grant an exemption. A podiatry facility must have either an exemption letter or continuous monitoring records **on site** during the State certification. Otherwise, it is a violation of the above mentioned regulations. This exemption remains valid **unless** any of the following occur:

1. The radiation machine facility changes ownership or the Federal Tax ID number changes;
2. The radiation machine facility relocates from its current location;
3. More radiation machines are added to the facility;

4. The radiation machine facility remodels its present location; or
5. The facility exhibits a behavior of non-compliance such that monitoring is again required.

All radiation machine facilities must have a Radiation Machine Facility Registration and Certification Certificate posted in a public viewing location. If a facility does not have a current document posted, it must be cited as a violation of COMAR 26.12.01.01J.11(a) on the inspection summary form and the violation will be resolved by the RMD. No Certificate or expired Certificate indicates that a facility may not have paid the radiation machine fees and/or submitted a Radiation Machine Facility Registration Form (RX1).

In September 2003, the RMD implemented a plan review deficiency letter initiative. The initiative involves a cursory review of all submitted plan reviews in order to identify deficiencies in the application and, if necessary, mailing of a deficiency letter to the facility and the company generating the plan review within 5 business days of receipt. The most common reasons for a deficiency letter are the following: the RX21 is not signed by the facility representative, the shielding is not specified on the back of the RX21, and the plot plan or isodose curves do not have units specified. Currently, the Agency is processing complete plan review applications in an average of 15 days.

#### **Update on Proposed Regulation Changes, Including Fluoroscopic**

Supplement 10 of COMAR 26.1201.01 which are changes to Sections A and B, the rewrite of COMAR 26.12.02 "Inspection and Certification of Radiation Machines", and changes to COMAR 26.12.03 "Radiation Control Fund" became effective March 29, 2004. Supplement 10 will be posted on the RHP website for download soon after. COMAR 26.12.02 and COMAR 26.12.03 changes are located at [www.dsd.state.md.us](http://www.dsd.state.md.us) for download. Once at the DSD website, click on Title 26 "Environment" to find the appropriate regulation. Official copies of all three regulation changes can be purchased through the Division of State Documents.

The next open meeting on the draft fluoroscopic regulations will be held on April 6, 2004 at 1:00pm at MDE. Other changes to Section F.5 will be mailed shortly for review/comment to all private inspectors.

#### **Digital Imaging**

The RMD is gathering information regarding what is currently done at Maryland digital facilities to ensure quality assurance for the digitally captured image. This is preliminary to the eventual drafting of regulations for digital imaging.