

NOTICE OF RULE ADOPTION -FINAL RULE



STATE OF MISSISSIPPI
Mississippi State Department of Health
Division of Radiological Health

MS State Department of Health
c/o B. J. Smith
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Specific Legal Authority authorizing the promulgation of
of Rule:

Section 45-14-1 through 45-14-41 of the MS Code of
1972

Reference to Rules repealed, amended or suspended by the
Proposed Rule : Sections 100, 300, 400, 700, 1000, 1300
of the MS State Board of Health Regulations for Control
of Radiation

Date Rule Proposed: January 14, 2009

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The Mississippi Radiation Protection Act of 1976, Sections 45-14-1 through 45-14-41 of the Mississippi Code of 1976 established the state's responsibilities to protect the public in matters relating to radiological health & safety. This act specifies that the State Department of Health as the Radiation Control Agency and requires them to promulgate regulations dealing with radiation safety. Mississippi is an Agreement State that has to be compatible with the Nuclear Regulatory Commission oversight. These changes in the Regulations are required to by the Nuclear Regulatory Commission to stay compatible with their Regulations 10 Code of Federal Regulations (Parts 19 through 150)

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date: December 18, 2008
Time: 3:00 PM
Place: Underwood Building, MS State Department of Health

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The difference however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Propose Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be rule in question.

The entire text of the Propose Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: 5-8-09

B. J. Smith, Director/Rad Health
Signature and Title of Person Submitting Rule for Filing