**Section 335.1040 Authorities and Responsibilities** **for the Radiation Protection Program**

a) In addition to the radiation protection program requirements of 32 Ill. Adm. Code 340.110, a licensee's management shall approve in writing:

1) Requests for a license application, renewal or amendment before submittal to the Agency.

2) Any individual before allowing that individual to work as an authorized user or authorized medical physicist.

b) A licensee's management shall appoint a Radiation Safety Officer who agrees, in writing, to be responsible for implementing the radiation protection program. The licensee, through the Radiation Safety Officer, shall ensure that radiation safety activities are being performed in accordance with licensee-approved procedures and regulatory requirements. A licensee's management may appoint, in writing, one or more Associate Radiation Safety Officers to support the Radiation Safety Officer. The Radiation Safety Officer, with written agreement of the licensee's management, shall assign the specific duties and tasks to each Associate Radiation Safety Officer. These duties and tasks are restricted to the types of use for which the Associate Radiation Safety Officer is listed on a license. The Radiation Safety Officer may delegate duties and tasks to the Associate Radiation Safety Officer but shall not delegate the authority or responsibilities for implementing the radiation protection program.

c) For up to 60 days each year, a licensee may permit an individual qualified to be a Radiation Safety Officer, under Sections 335.9010 and 335.9180, to function as a temporary Radiation Safety Officer and to perform the functions of a Radiation Safety Officer, as provided in subsection (g), if the licensee takes the actions required in subsections (b), (e), (g), (h) and (i). The licensee shall provide notification to the Agency in accordance with subsection 335.45(b).

d) A licensee may simultaneously appoint more than one temporary Radiation Safety Officer in accordance with subsection (c), if needed to ensure that the licensee has a temporary Radiation Safety Officer that satisfies the requirements to be a Radiation Safety Officer for each of the different types of uses of radioactive material permitted by the license.

e) A licensee shall establish the authority, duties and responsibilities of the Radiation Safety Officer in writing.

f) Licensees that are authorized for two or more different types of uses of radioactive material under Subparts F, H and I or Section 335.2140 for emerging technologies, or two or more types of units under Subpart I, shall establish a Radiation Safety Committee to oversee all uses of radioactive material permitted by the license. The Committee shall include an authorized user of each type of use permitted by the license, the Radiation Safety Officer, a representative of the nursing service, and a representative of management who is neither an authorized user nor a Radiation Safety Officer. The Committee may include other members the licensee considers appropriate.

g) A licensee shall provide the Radiation Safety Officer sufficient authority, organizational freedom, time, resources and management prerogative to:

1) Identify radiation safety problems;

2) Initiate, recommend or provide corrective actions;

3) Stop unsafe operations; and

4) Verify implementation of corrective actions.

h) A licensee shall retain a record of actions taken by the licensee's management in accordance with subsection (a) for 5 years. The record shall include a summary of the actions taken and a signature of licensee's management.

i) The licensee shall retain a copy of the authority, duties and responsibilities of the Radiation Safety Officer as required by subsection (e) and a signed copy of each Radiation Safety Officer's agreement to be responsible for implementing the radiation safety program, as required by subsection (b), for the duration of the license. The records shall include the signature of the Radiation Safety Officer and licensee's management.

j) For each Associate Radiation Safety Officer appointed under subsection (b), the licensee shall retain a copy of the written document appointing the Associate Radiation Safety Officer, signed by the licensee's management, for 5 years after the Associate Radiation Safety Officer is removed from the license.

(Source: Amended at 46 Ill. Reg. 966, effective December 21, 2021)