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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Office of Waste, Air, Radiation & Remediation

Proposed Rulemaking 25 Pa. Code Chapters 215-221, 223, 225, 227, 228, 230, and 240

Radiological Health

Environmental Quality Board Meeting October 18, 2016

Statutory Requirements

- Radiation Protection Act, act of July 10, 1984 (P.L. 688, No. 147), 35 P.S. Sec. 7110.101, et seq.
- Section 13 of the Radon Certification Act (“Radon Act”) (63 P.S. § 2013), which provides that the Department shall adopt rules and regulations to administer and enforce the Radon Act.
- Section 1920-A of the Administrative Code, April 9, 1929 (P.L. 177, No. 175), as amended, 71 P.S. Sec. 510-20.

Background

- Radiological health regulations were last revised in 2009, after the Commonwealth became an NRC Agreement State.
- The radon certification regulations were first promulgated in 1991 and were last revised in 2009 with minor edits.

Purpose

The proposed amendments:

- Ensure that trained professionals are operating radiation sources and add clarity for the regulated community
- Ensure the safety of the public and workers from the harmful effects of radiation

Chapters 215 - 230

The proposed amendments to the X-ray regulations update requirements for:

- Quality assurance
- Operator qualifications
- Emerging technologies

Chapters 215 - 230

The X-ray regulation revisions also:

- Require a higher degree of oversight by the Qualified Medical Physicist (QMP) for high-risk procedures such as computed tomography (CT)
- Define the credentials of a QMP
- Require that CT systems are operated by appropriately trained personnel

Chapters 215 - 230

Other revisions include:

- Deleting transitional language from when Pennsylvania became an NRC Agreement State
- Revising incorrect references

Chapter 240

Radon regulatory amendments include:

- Clarification of certification exceptions and requirements
- Adding an exemption for employees of local government and schools who meet specific criteria to perform radon testing
- Removal of one-year testing experience requirement

Chapter 240

Radon regulatory updates:

- Responsible charge: Sets the ratio of workers under a certified individual to a maximum of 5 to 1
- Specifies how to withdraw an individual and/or firm application or certification and reinstate a previously withdrawn certification

Chapter 240

Radon regulatory updates:

- Remove exposure tracking for radon testers
- Add clarity on how to add or remove testing and/or lab devices
- Add requirement for certified testing and laboratory individuals to pass a DEP-conducted blind study

Chapter 240

Radon regulatory updates:

- Add a records requirement for inter-comparison measures in quality assurance programs
- Add requirement for mitigation firm employees to pass an exam or course

Summary

Updating the radiological health regulations is vital for the medical and industrial communities. As technological advancements continue, ongoing education and strengthened controls will ensure that public health and safety are protected.

Outreach

DEP and the Radiation Protection Advisory Committee (RPAC) have worked together since 2014 to develop the proposed amendments.

Radon industry representatives and the PA local chapter of the American Association of Radon Scientists and Technologists were engaged in this process to gain more input for the radon amendments.

DEP Recommendation

DEP respectfully requests that the Board approve these proposed amendments for publication with a 45-day public comment period.



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