

<h2 style="margin: 0;">Regulatory Analysis Form</h2> <p style="margin: 0;">(Completed by Promulgating Agency)</p>	<p>INDEPENDENT REGULATORY REVIEW COMMISSION</p>
<p>(All Comments submitted on this regulation will appear on IRRC's website)</p>	
<p>(1) Agency</p> <p>Environmental Protection</p>	<p>IRRC Number: 3153</p>
<p>(2) Agency Number:</p> <p>Identification Number: 7-498</p>	
<p>(3) PA Code Cite: 25 Pa. Code Chapters 218 and 240</p>	
<p>(4) Short Title: Radiological Health and Radon Certification Fees; and Radon Mitigation System Fee</p>	
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Laura Edinger, 783-8727, ledinger@pa.gov Secondary Contact: Jessica Shirley, 783-8727, jessshirley@pa.gov</p>	
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input type="checkbox"/> Proposed Regulation <input checked="" type="checkbox"/> Final Regulation <input type="checkbox"/> Final Omitted Regulation</p>	<p><input type="checkbox"/> Emergency Certification Regulation; <input type="checkbox"/> Certification by the Governor <input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>With two exceptions, which are identified in the response to (15), the final-form rulemaking increases fees associated with the radioactive materials licensing and radon certification activities regulated by the Department's Radiation Protection Program by 50 percent. The final-form rulemaking also adds a requirement for a new radon mitigation system fee in order to help assure the quality of radon services.</p>	
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p>The amendments to Chapter 218 are authorized under the following:</p> <ul style="list-style-type: none"> • Sections 301, 302 and 401 of the Radiation Protection Act, 35 P.S. §§ 7110.301, 7110.302 and 7110.401. • Section 1920-A of the Administrative Code, 71 P.S. § 510-20. <p>The amendments to § 240.3 and Chapter 240, Appendix A, are authorized under the following:</p> <ul style="list-style-type: none"> • Sections 8, 12 and 13 of the Radon Certification Act, 63 P.S. §§ 2008, 2012 and 2013. • Section 302 of the Radiation Protection Act, 35 P.S. §§ 7110.302. • Section 1920-A of the Administrative Code, 71 P.S. § 510-20. 	

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Yes, section 401 of the Radiation Protection Act requires the Department to establish license fees “in an amount at least sufficient to cover the department’s costs of administering the programs.” 35 P.S. § 7110.401. Likewise, Section 8 of the Radon Certification Act requires the Department to “establish a fee schedule to cover the costs of the certification programs.” 63 P.S. § 2008. These fee increases are needed to meet these statutory requirements. Section 302 of the Radiation Protection Act requires the Environmental Quality Board to review the fee structure every three years. 35 P.S. § 7110.302

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

In March 2008, then-Governor Rendell signed an Agreement with the Chairman of the U.S. Nuclear Regulatory Commission (NRC) for the Commonwealth to become an Agreement State. This allows the Commonwealth to oversee and regulate licensure of radioactive materials for Pennsylvania entities. These duties are funded through the Chapter 218 license fees and include registration and inspection of x-ray facilities, licensing and inspection of accelerators, registration of radiation-producing machine service providers and licensing and inspection of radioactive material users. As part of that Agreement, the Commonwealth committed to ensuring that its regulations are compatible with NRC regulations. The amendments to the Chapter 218 fees for radioactive material licenses are necessary to assure adequate funding is available for the Commonwealth to carry out its duties under the Agreement State program. The professional hourly rate fee that supports required full cost recovery for unique services that cannot be standardized is an important component to the Chapter 218 fees. Examples of the professional hourly rate fee include the evaluation, inspection and licensing of high-energy accelerators and decommissioning activities at contaminated sites. If the Commonwealth was forced to cede its authority to regulate radioactive materials back to the NRC, they would impose higher fees on the regulated community. The goal of the program is to keep the public’s exposure to radioactive materials as low as reasonably achievable and to help prevent radiation injury from the use of licensed sources.

The biennial Chapter 240 fees are used to ensure that radon testing, mitigation and laboratory work is done by individuals and firms qualified to perform those services. The biennial Chapter 240 fees are also used to perform outreach and to make public service announcements that encourage homeowners to test for and mitigate radon contamination. At this time, however, the Chapter 240 fee revenue does not cover the Department’s Radon Program costs. Without a fee increase, it will be difficult to provide effective quality assurance for the statewide radon program and the effectiveness of radon mitigation services. The new radon mitigation system fee will help ensure quality of radon services in the state.

Pennsylvania leads the nation in radon oversight, primarily since the Commonwealth has the highest potential for harm from radon in the country. Pennsylvania has a unique geologic setting such that it has some of the highest radon levels in the country. In fact, a private home in Pennsylvania has recently been measured with the highest radon value in the country at 3,750 picocuries per liter (pCi/L). This value is over 900 times greater than the U.S. EPA recommended action level of 4 pCi/L. Pennsylvania also has a wide geographic distribution of radon occurrence and with the population of 12.5 million people, has a great potential for radon exposure.

The U.S. EPA as well as other national and international health and radiation safety organizations have declared radon to be the second leading cause of lung cancer after smoking, and the leading cause of lung cancer in non-smokers. Pennsylvania residents are at particular risk since the radon levels in this Commonwealth are much more significant than most other parts of the country.

The Department will benefit from the final-form rulemaking by having the needed additional revenue to cover the costs of the programs mandated by the Radiation Protection Act and Radon Certification Act. The general public will benefit from the final-form rulemaking by the continued safety with the use of radioactive materials, and additional quality assurance that will be provided as well as continued outreach and public service announcements regarding indoor radon that will be supported by the increased fees.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No provisions are more stringent than the federal standards.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

The same categories of fees apply to radioactive materials licensees whether they are based in Pennsylvania, some other Agreement State, or a state regulated by NRC. The NRC's fee category designations have been adopted by the Department and other states. Some additional common fee categories from the NRC's fee tables in 10 CFR Part 170 and 171 (relating to fees for federal facilities, special nuclear materials, import and export licenses, and other regulatory services under the Atomic Energy Act of 1954, as amended; annual fees for reactor licenses and fuel cycle licenses and materials licenses, including holders of certificates of compliance, registrations, and quality assurance program approvals and government agencies licensed by the NRC) have not been added because the Department is not authorized to regulate such operations.

In terms of fee categories, no advantage or disadvantage is associated with business location. For the type of entities that are regulated, the costs are negligible compared to utilities and other common overhead costs of doing business. The fees should not lead to a reduction in availability of service providers. The fees are set to cover the Department's costs of implementing the programs as required by the Radiation Protection Act and are substantially lower than NRC's current fee schedule for non-Agreement States by about 50 percent. The professional hourly rate fee identified by the asterisk in Chapter 218, Appendix A, of the proposed rulemaking is increased from \$150 per hour to \$225 per hour—below the NRC's fiscal year 2007 hourly rate of \$265 per hour. Reduced Chapter 218 fees are available for small businesses. (See question 24).

Similarly, the new radon mitigation system fee and the increase to the biennial Chapter 240 fees will not affect Pennsylvania's ability to compete with other states. Radon is a geographically-specific issue, and competition with other states is not a factor. Elevated indoor radon is a serious public health threat, and levels above the EPA's 4 pCi/L 'action level' have been detected in all 67 counties. Other states, such as Illinois, Iowa and New Jersey, implement similar radon mitigation system fees.

Nine other states have licensing or certification programs for radon testing, mitigation, and laboratory analysis.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No other Pennsylvania regulations will be affected.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. (“Small business” is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

All amendments to the radiological health and radon fee regulations in Chapters 218 and 240 were reviewed by the Department’s Radiation Protection Advisory Committee (RPAC). The committee represents various stakeholders, including radioactive materials licensees and radon service providers, as well as the general public. The Department presented the draft final regulation and a summary of the comments received to RPAC on November 17, 2016. RPAC endorsed moving forward with the final-form rulemaking.

The proposed rulemaking was approved by the EQB on April 19, 2016, and published in the *Pennsylvania Bulletin* on July 2, 2016, with a 60-day public comment period. No public meetings or hearings were held. The EQB received comments from 40 commentators during the public comment period and from the Independent Regulatory Review Commission. These comments were considered and are addressed in the comment and response document that accompanies this final-form rulemaking.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

All radioactive material licensees and radon service providers in the Commonwealth will be affected, which includes approximately 850 specific and general radioactive material licensees, and approximately 720 certified radon service providers. 65 radioactive material licensees qualify as small businesses under the definitions currently in use by the NRC and the Department (see question 24 for further explanation). Examples of radioactive materials licensees include hospitals (license category 7C “Human Use – Specific License”) and possessors of nuclear density gauges (license category 3P “Other Byproduct Material”). The Department estimates that all certified radon service providers are likely to be small businesses. Across-the-board increases in fees of approximately 50 percent will occur for certified radon service providers and licensees with two exceptions. The first exception is for license category 2A(2)(c) – Source Material – Metal Extraction, which is proposed to be reduced by 50 percent. No one is currently licensed in the Commonwealth of Pennsylvania in the Source Material category, and regulatory oversight required for this license activity is significantly less than anticipated at the time this fee was established. The second exception is for category 7B—Human Use—Broad Scope (except Teletherapy). Based on feedback from RPAC, this fee category will only be increased by 25% to avoid licensees in this category from “downgrading” their licenses and placing additional administrative burdens on the Department. The increases are in line with increased personnel costs.

An additional charge of \$50 will be required for each radon mitigation performed as a result of the new radon mitigation system fee. Approximately 8,000 to 10,000 new active radon mitigation system

installations or passive radon mitigation systems conversions in Pennsylvania occur each year and approximately 132 mitigators will be affected by the \$50 fee. A typical mitigation system costs between \$800 and \$1,200.

See response to (10) for the benefits to the public from this regulation.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

All radioactive material licensees and radon service providers in the Commonwealth will be affected, which includes approximately 850 specific and general radioactive material licensees, and approximately 720 certified radon service providers. 65 radioactive material licensees qualify as small businesses under the definitions currently in use by the NRC and the Department (see question 24 for further explanation).

Approximately 8,000 to 10,000 new active radon mitigation system installations or passive radon mitigation systems conversions in Pennsylvania occur each year and approximately 132 mitigators will be affected by the \$50 fee..

See question (15) for additional information.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

See response for (15) for the financial, economic and social impacts of the final-form rulemaking. The final-form rulemaking will provide benefits to the Department's radioactive materials and radon programs funding and to the citizens of Pennsylvania.

The increase to the Chapter 218 fees will allow the Department to continue to implement existing programs under the Radiation Protection Act and assure adequate funding is available for the Commonwealth to carry out its duties under NRC's Agreement State program.

The increased biennial Chapter 240 fees ensure that the Department will be able to exercise effective quality assurance over statewide radon data and the effectiveness of radon mitigation services as required by the Radon Certification Act. The increased biennial Chapter 240 fees and radon mitigation system fee will also be used to ensure that individuals and firms performing radon testing and remedial work are qualified to perform those services, and will support the Department's efforts to perform outreach and to make public service announcements that encourage homeowners to test for and mitigate radon contamination.

See response to (10) for the benefits to the public from this regulation.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

All radioactive material licensees and radon service providers in the Commonwealth will be affected. With the exception of two license categories identified in the response to (15), an across-the-board increase in fees of approximately 50 percent will be required for existing licensees and certified radon

service providers. An additional charge of \$50 per radon mitigation performed will also be required as a result of the new radon mitigation system fee.

The increased fees will allow the Department to maintain existing programs at current levels of operation. This includes enabling the Department to continue to fund personnel, purchase upgrades to obsolete survey equipment, and make investments in new personnel training.

For radioactive material licensees, Pennsylvania's increased Chapter 218 fee will still be below the amount that would have been charged by the NRC had Pennsylvania not become an Agreement State.

The benefits outweigh any cost and adverse effect because the increase to the Chapter 218 fees will allow the Department to continue to implement existing programs required by law and assure adequate funding is available for the Commonwealth to carry out its duties under NRC's Agreement State program.

Also, the increased biennial Chapter 240 fees ensure that the Department will be able to exercise effective quality assurance over statewide radon data and the effectiveness of radon mitigation services. Likewise, the new radon mitigation system fee will help assure the quality of radon services. These fees will also be used to ensure that individuals and firms performing radon testing and remedial work are qualified to perform those services, and to perform outreach and to make public service announcements that encourage homeowners to test for and mitigate radon contamination.

See response to (10) for the benefits to the public from this regulation.

(19) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Costs to the regulated community associated with this final-form rulemaking are the increase of the Chapter 218 and biennial Chapter 240 fees and the new radon mitigation system fee.

No other compliance, legal, accounting, or consulting procedure costs or savings are required by this final-form rulemaking.

The Chapter 218 radioactive material licensing fees vary by type and complexity and were calculated to cover the Department's costs of implementing the programs as required by the Radiation Protection Act. The increase in cost to the regulated community is approximately 50 percent. Overall, the final-form rulemaking will increase Chapter 218 fees paid to the Department to approximately \$5,225,000 per year. The Department multiplied the number of entities that will be subject to the increased fees by the dollar amounts of the increased fees to derive the overall estimate.

The increase in the biennial Chapter 240 fees for certification of radon testers, mitigators and laboratories is 50 percent. The increase in cost to the regulated community, as a whole, will be approximately \$150,000 every two years. The Department multiplied the number of entities that will be subject to the increased fees by the dollar amounts of the increased fees to derive the overall estimate. Each primary radon testing device or additional employee certified to perform radon services will pay an application fee of \$150, which is 50 percent more than the current base fee for a firm and individual. The additional new radon mitigation system fee will apply to the approximately 8,000 to 10,000 new active

radon mitigation system installations or passive radon mitigation system conversions in Pennsylvania each year. An average of \$400,000 in annual revenue will be generated based on 8,000 installations per year. Overall, the final-form rulemaking will increase Chapter 240 fees paid to the Department by about \$525,500 per year.

(20) Provide a specific estimate of the costs and/or savings to the local governments associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Fees for local governments that use licensed radioactive material will increase by the amount specified in the final-form rulemaking. Approximately six local governments will experience radioactive material license fee increases. The total increase in fees paid to the Department by local governments is less than \$5,000 per year. The Department multiplied the number of local governments that will be subject to the increased fees by the dollar amounts of the increased fees to derive the overall estimate.

The increased biennial Chapter 240 fees do not apply directly to local governments because no local government holds a radon services certificate. However, local governments seeking radon services may be affected if the increased fee is passed on to the local government as a consumer of the service.

(21) Provide a specific estimate of the costs and/or savings to the state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

Fees for Commonwealth agencies that use licensed radioactive material would increase by the amount specified in the proposed rulemaking. Approximately four (4) Commonwealth agencies would experience radioactive material license fee increases. The total increase in fees paid to the Department by Commonwealth agencies is \$8,500 per year. Thus, a slight cost increase to the Commonwealth would occur since the monies received from other Commonwealth agencies as fees are deposited to the Department's Radiation Protection Fund and utilized by the Radiation Protection Program.

The increased biennial Chapter 240 fees do not apply directly to Commonwealth agencies because the Commonwealth does not hold any radon services certificate. However, Commonwealth agencies seeking radon services may be affected if the increased fee is passed on to the agency as a consumer of the service.

No other compliance, legal, accounting, or consulting procedure costs or savings are required by this final-form rulemaking.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The final-form rulemaking does not require additional recordkeeping or reporting requirements as a result of the Chapter 218 fee increases. The amendments to Chapter 240 will require certified individuals who install an active radon mitigation system or convert a passive radon mitigation system to an active radon mitigation system to submit a Department-approved form on a quarterly basis along with

the appropriate fee based on the number of mitigation installations or conversions performed in the previous quarter.

(22a) Are forms required for implementation of the regulation?

Yes.

(22b) If forms are required for implementation of the regulation, attach copies of the forms here. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.

The form required by the new radon mitigation system installation fee is attached to this Regulatory Analysis Form.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY 2016/2017	FY +1 2017/2018	FY +2 2018/2019	FY +3 2019/2020	FY +4 2020/2021	FY +5 2021/2022
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Savings	0	0	0	0	0	0
COSTS:						
Regulated Community	0	2,153,000	2,153,000	2,153,000	2,153,000	2,153,000
Local Government	0	4,530	4,530	4,530	4,530	4,530
State Government	0	8,500	8,500	8,500	8,500	8,500
Total Costs		2,166,030	2,166,030	2,166,030	2,166,030	2,166,030
REVENUE LOSSES:						
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Revenue Losses	0	0	0	0	0	0

As an example, a recent Certification of Small Entity Status form submitted by a radiographic laboratory would have qualified under both the CFR definition of a small business and the Department's definition. This particular lab would qualify under the CFR because its annual gross income was less than \$15,000,000 (see 13 CFR § 121.201 (NAICS Code 541380)) and qualified under the Department's definition because its average gross income over its last 3 years was between \$350,000 and \$5,000,000.

Based upon the Department's definitions, 65 radioactive material licensees in Pennsylvania qualify as small businesses. The Department does not believe that the final-form rulemaking will have any adverse impact on small businesses, beyond the increased fees discussed in the response to question 15.

The Department estimates that all radon service providers are likely to be small businesses.

No projected reporting, recordkeeping, or other administrative costs are required for compliance with the final-form rulemaking, except for the form that accompanies the corresponding radon mitigation system activation or conversion fee.

The Department did consider regulatory alternatives to the proposed rulemaking requirement of a Pennsylvania Radon Mitigation System tag and corresponding \$50 fee. The Board received several comments that raised concern over the logistical and administrative burden that the tags would place on both the Department and the regulated community. Based on those comments, the Board is replacing the tag system with a per-system \$50 fee in this final-form rulemaking. Instead of purchasing five tags at a time, certified mitigation individuals will pay a fee of \$50 per active mitigation system installed or passive mitigation system converted to an active mitigation system. Fees will be paid on a quarterly basis based on the number of mitigation installations and conversions performed in the previous quarter. This change to the final-form rulemaking reduces the logistical and administrative burdens posed by the Pennsylvania Radon Mitigation System Tag while retaining the \$50 mitigation system fee needed to adequately fund the radon certification program.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions were developed. Reduced Chapter 218 fees are already available for small businesses that will be affected by the increased fees in the proposed rulemaking.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

The Department did consider regulatory alternatives to the proposed rulemaking requirement of a Pennsylvania Radon Mitigation System tag and corresponding \$50 fee. The Board received several comments that raised concern over the logistical and administrative burden that the tags would place on both the Department and the regulated community. Based on those comments, the Board is replacing the tag with a per-system \$50 fee in this final-form rulemaking. Instead of purchasing five tags at a time, certified mitigation individuals will pay a fee of \$50 per mitigation system installed or converted. Fees will be paid on a quarterly basis based on the number of mitigation installations and conversions performed in the previous quarter. This change to the final-form rulemaking reduces the logistical and administrative burdens posed by the Pennsylvania Radon Mitigation System Tag while retaining the \$50 mitigation system fee needed to adequately fund the radon certification program.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;**
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;**
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;**
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and**
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.**

Less stringent compliance and reporting requirements are not necessary because the compliance requirements in the final rulemaking are minimal. The amendments to Chapter 240 will require certified individuals who install an active radon mitigation system or convert a passive radon mitigation system to an active radon mitigation system to submit a Department-approved form on a quarterly basis along with the appropriate fee based on the number of mitigation installations or conversions performed in the previous quarter.

Less stringent schedules or deadlines and the consolidation or simplification of compliance or reporting are not necessary because the compliance and reporting requirements in the final-form rulemaking are minimal.

The final-form rulemaking does not require design or operation standards.

Reduced Chapter 218 fees are already available for small businesses that will be affected by the increased fees in the final-form rulemaking.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Data is the basis for this final-form rulemaking. The Department prepared the “Three-Year Regulatory Fee and Program Cost Analysis Report” (Report) to summarize the Department’s fee collections and program costs by functional area for the past three fiscal years and the next three projected years. The functional areas for purposes of this final-form rulemaking are grouped into three categories: Radiation-producing machines (i.e., Accelerator, X-ray, and Vendors/Service Providers); Radioactive Materials and Decommissioning; and Radon. The conclusion of the Report is that Radioactive Materials (Chapter

218 fees) and Radon (Chapter 240 fees) require an increase to cover program costs. A copy of the report is provided with this final-form rulemaking.

(29) Include a schedule for review of the regulation including:

- | | |
|---|---|
| A. The length of the public comment period: | <u>60 days</u> |
| B. The date or dates on which any public meetings or hearings will be held: | <u>N/A</u> |
| C. The expected date of delivery of the final-form regulation: | <u>Quarter 3, 2017</u> |
| D. The expected effective date of the final-form regulation: | <u>Quarter 3 2017</u> |
| E. The expected date by which compliance with the final-form regulation will be required: | <u>Effective on the date of publication</u> |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | <u>N/A</u> |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Board is not establishing a sunset date for these regulations, since they are needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.