

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE V. RADIOLOGICAL HEALTH

CHAPTER 218. FEES

APPENDIX A

Fees for Radioactive Material Licenses

Fee Category^{5,6}	Description	Annual Fee (\$)^{1,2,3,4,7}
1C	Special Nuclear Material Sealed Source Gauges (X-Ray Fluorescence)	[2,100] <u>3,150</u>
1D	Special Nuclear Material—Other	[5,800] <u>8,700</u>
2A(2)(c)	Source Material—metal extraction	[90,200] <u>45,100</u>
2A5	Removal of Radioactive Contaminants from Drinking Water	[11,200] <u>16,800</u>
2B	Source Material as Shielding	[750] <u>1,125</u>
2C	Source Material—Other (not 11e2)	[13,400] <u>20,100</u>
3A	Manufacturing & Distribution Commercial Broad Scope—10 CFR 30, 33	[29,100] <u>43,650</u>
3B	Manufacturing, Refurbishing & Distribution Commercial Specific License— 10 CFR 30	[8,300] <u>12,450</u>
3C	Manufacturing & Distribution Pharmaceuticals—10 CFR 32.72—32.74	[11,900] <u>17,850</u>
3D	Pharmaceuticals—Distribution Only—10 CFR 32.7x	[6,800] <u>10,200</u>
3E	Irradiator—Shielded Source	[4,200]

		<u>6,300</u>
3F	Irradiator—Unshielded < 10kCi	[7,800]
		<u>11,700</u>
3G	Irradiator—Unshielded >= 10kCi	[31,200]
		<u>46,800</u>
3I	Distribution As Exempt—No Review of Device	[10,700]
		<u>16,050</u>
3J	Distribution—SSD Devices to Part 31 GLs	[2,500]
		<u>3,750</u>
3K	Distribution—No Review-Exempt Sealed Source	[1,900]
		<u>2,850</u>
3L	Research & Development Broad Scope	[15,100]
		<u>22,650</u>
3M	Research & Development	[5,600]
		<u>8,400</u>
3N	Services other than Leak Testing, Waste Disposal or Calibration	[8,500]
		<u>12,750</u>
3O	Radiography	[14,100]
		<u>21,150</u>
3P	Other Byproduct Material	[2,700]
		<u>4,050</u>
3Q	Generally licensed devices under § 217.143 (relating to certain measuring, gauging or controlling devices)	[320] <u>480</u>
3R1	Greater than the General License Limits in 10 CFR 31.12(a)(3), (4) or (5) but not more than ten times those Limits	[2,100]
		<u>3,150</u>
3R2	Greater than ten times the General License Limits in 10 CFR 31.12(a)(3), (4) or (5)	[2,700]
		<u>4,050</u>
3S	Manufacturing & Distribution Pharmaceuticals—Accelerator Produced Only	[11,800]
		<u>17,700</u>
4A	Waste Storage, Processing or Disposal	Full Cost *
4B	Waste Packaging or Repackaging	[12,000]
		<u>18,000</u>
4C	Waste Receipt of Prepackaged for Disposal	[9,200]
		<u>13,800</u>
5A	Well Logging & Non Field Flood Tracers	[4,400]
		<u>6,600</u>
5B	Well Logging Field Flood Tracer Studies	Full Cost *
6A	Nuclear Laundry	[28,800]

		<u>43,200</u>
7A	Human Use—Teletherapy	[13,700]
		<u>20,550</u>
7B	Human Use—Broad Scope (except Teletherapy)	[29,000]
		<u>36,250</u>
7C	Human Use—Specific License (except Teletherapy)	[4,900]
		<u>7,350</u>
8A	Specifically licensed sources used in static eliminators, nonexempt smoke detectors, fixed gauges, dew pointers, calibration sources, civil defense uses	[2,100]
	or in temporary (2 years or less) storage	<u>3,150</u>
14	Decontamination, Decommissioning, Reclamation or Site Restoration	Full Cost *
16	Reciprocity (180 days/year)	[1,500]
		<u>2,250</u>
SB1 ⁵	Small Business— Category 1	[2,300]
		<u>3,450</u>
SB2 ⁶	Small Business— Category 2	[500] <u>750</u>
	* * * * *	

* Full cost recovery consists of a professional fee, to cover the activities and support of Department personnel, and any other additional incidental charges incurred, such as related contracted services or laboratory costs. The professional fee component (Hourly Rate) is [**\$150**] **\$225** per hour. Other costs are recovered at 100% of actual cost. Invoices shall be issued by the Department at regular intervals but at least quarterly when net costs are incurred.

CHAPTER 240. RADON CERTIFICATION

Subchapter A. GENERAL PROVISIONS

§ 240.3. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The Radon Certification Act (63 P.S. §§ 2001—2014).

***Active radon mitigation system*—A radon mitigation system with an electric vent fan.**

Acts—The Radon Certification Act and the Radiation Protection Act (35 P.S. §§ 7110.101—7110.703).

Firm—A person, other than an individual.

Laboratory analysis—The act of determining radon concentrations in air, water, soil or passive radon testing devices.

Mitigate—To repair or alter a building or building design for the purpose in whole or in part of reducing the concentration of radon in the indoor atmosphere.

Passive radon mitigation system—A radon mitigation system without an electric vent fan.

Person—An individual, corporation, partnership, association, trust, estate, public or private institution, group, agency or political subdivision of this Commonwealth, another state or political subdivision or agency thereof, and a legal successor, representative, agency or agency of the entities listed in this definition.

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Subchapter D. OPERATION REQUIREMENTS

§ 240.303. Reporting of information.

(a) Within 45 days after testing, mitigation or other radon-related service is provided, the person providing the service shall submit to the Department in a format approved by the Department the results of testing, including screening measurements, follow-up measurements, premitigation measurements, postmitigation measurements and the method used to mitigate against radon contamination. If no testing, mitigation or radon-related service has been provided during this 45-day period, that person shall inform the Department of same in writing. Anyone required to provide this 45-day reporting who does not report within 90 days of the completion of the activity will be subject to the Late 45-Day Reporting Fee as set forth in Appendix A (relating to radon certification fee schedule). At a minimum, these results will be retained for 2 years. The information must include:

* * * * *

(6) The type and price of mitigation system installed.

~~(7) The serial number of the Pennsylvania Radon Mitigation System Tag installed on the system.~~

(b) Within 45 days after testing, mitigation or other radon-related service is provided, the person providing radon-related services shall report in writing to the owner or occupier of the building the results in picocuries per liter and when appropriate in working levels of radon measurements taken in the building. If a person provides the service through a certified intermediary, it is the responsibility of the intermediary to report the results.

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(Editor's Note: The following section is new and printed in regular type to enhance readability.)

~~§ 240.309. Pennsylvania Radon Mitigation System Tag.~~

~~—(a) Upon activation of a new active radon mitigation system in this Commonwealth or upon activation of a passive radon mitigation system in this Commonwealth, the person conducting radon mitigation shall place a Pennsylvania Radon Mitigation System Tag on the vent pipe next to the manometer. If there is not a visible vent pipe, the person conducting radon mitigation shall place the tag on the electric utility panel. The person conducting radon mitigation shall record the following information on the Pennsylvania Radon Mitigation System Tag:~~

~~—(1) The name, phone number and certification number of the individual who is certified to mitigate. If the radon mitigation is conducted by a firm, the name, phone number, the certification number of the individual who is certified to mitigate radon and the responsible charge of the firm's mitigation activities shall be recorded.~~

~~—(2) The date of the radon mitigation system activation.~~

~~—(b) Upon postmitigation testing of an active radon mitigation system, the person conducting the postmitigation radon testing shall record the end date of the postmitigation test on the Pennsylvania Radon Mitigation System Tag.~~

~~—(c) A Pennsylvania Radon Mitigation System Tag shall be purchased from the Department as set forth in Appendix A (relating to radon certification fee schedule).~~

~~—(1) Only an individual who is certified to mitigate radon may purchase a Pennsylvania Radon Mitigation System Tag from the Department.~~

~~—(2) A Pennsylvania Radon Mitigation System Tag may only be transferred with prior written approval from the Department.~~

~~—(d) The Department will assign each Pennsylvania Radon Mitigation System Tag a unique serial number.~~

APPENDIX A

Radon Certification Fee Schedule

Testing Individual	[\$350] <u>\$525</u> every 2 years
Testing Employee	[\$100] <u>\$150</u> every 2 years
Testing Firm	[\$700] <u>\$1,050</u> every 2 years
Mitigation Individual	[\$300] <u>\$450</u> every 2 years
Mitigation Firm	[\$700] <u>\$1,050</u> every 2 years

Laboratory Individual	[\$400] <u>\$600</u> every 2 years
Laboratory Firm	[\$750] <u>\$1,125</u> every 2 years
Primary Testing Device Listing	[\$100] <u>\$150</u> every 2 years (1)
Course Provider	[\$375] <u>\$565</u> every 2 years (2)
Late Application Renewal	[\$100] <u>\$150</u>
Late 45-Day Reporting	[\$100] <u>\$150</u> (3)
<u>Pennsylvania Radon Mitigation System Tag FEE</u>	<u>\$50 per tag FOR EACH RADON MITIGATION SYSTEM INSTALLED OR ACTIVATED (4)</u>

The Department will review the adequacy of the fees established in this schedule at least once every 3 years and provide a written report to the EQB. The report must identify any disparity between the amount of program income generated by the fees and the costs to administer these programs, and must contain recommendations to increase fees to eliminate the disparity, including recommendations for regulatory amendments to increase program fees.

(1) Primary radon testers shall submit the Primary Testing Device Fee as specified in the Radon Certification Fee Schedule for each device they read or analyze, or both.

(2) A person approved by the Department to provide initial or continuing, or both, education courses shall submit the Course Provider Fee as specified in this appendix.

(3) Anyone not submitting the required 45-day testing or mitigation, or both, reporting within 90 days of the completion of the testing or mitigation, or both, activity (or if no activities have been performed during this period of informing the Department of same in writing) will be subject to the Late 45-Day Reporting Fee as specified in this appendix.

(4) ~~Pennsylvania Radon Mitigation System Tags shall be purchased in amounts of five or more per transaction.~~ ANY CERTIFIED MITIGATION INDIVIDUAL WHO INSTALLS OR WHO IS IN RESPONSIBLE CHARGE OF EMPLOYEES WHO INSTALL AN ACTIVE RADON MITIGATION SYSTEM IN THIS COMMONWEALTH OR WHO ACTIVATES OR WHO IS IN RESPONSIBLE CHARGE OF EMPLOYEES WHO ACTIVATE A PASSIVE RADON MITIGATION SYSTEM IN THIS COMMONWEALTH SHALL SUBMIT TO THE DEPARTMENT THE RADON MITIGATION SYSTEM FEE AS SPECIFIED IN THIS APPENDIX ALONG WITH A DEPARTMENT-APPROVED RADON MITIGATION SYSTEM FEE FORM. THE FEE FOR EACH RADON MITIGATION SYSTEM INSTALLED OR ACTIVATED MUST BE RECEIVED BY THE DEPARTMENT NO LATER THAN 10 BUSINESS DAYS AFTER THE END OF THE QUARTER IN WHICH THE INSTALLATION OR ACTIVATION WAS PERFORMED. The Department will waive the RADON MITIGATION SYSTEM fee for a local government employee or school employee who installs an active radon mitigation system in a school or local government building or activates a passive radon mitigation system in a school or local government building if the employee installs or activates the system pursuant to his official duties and the employee is not compensated for this service except through the employee's salary.