Proposed Rulemaking

Radiological Health

Environmental Quality Board Meeting
October 18, 2016
• 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.
• 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.
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
The proposed amendments to the X-ray regulations update requirements for:

• Quality assurance
• Operator qualifications
• Emerging technologies
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
Other revisions include:

• Deleting transitional language from when Pennsylvania became an NRC Agreement State

• Revising incorrect references
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
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• Specifies how to withdraw an individual and/or firm application or certification and reinstate a previously withdrawn certification
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
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.
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 respectfully requests that the Board approve these proposed amendments for publication with a 45-day public comment period.
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David Allard
Director, Bureau of Radiation Protection

Keith Salador
Bureau of Regulatory Counsel