
Environmental Quality Board Meeting
June 19, 2018
• NRC regulations are incorporated by reference in DEP regulations to implement the responsibilities delegated to Pennsylvania under the NRC Agreement State program.
• Certain NRC duties are not delegated to Pennsylvania.
The final-omitted rulemaking amends Chapters 215, 217, 230, and 232 to include references to specific sections of Title 10, Chapter 1 (relating to Nuclear Regulatory Commission (NRC)) of the Code of Federal Regulations (CFR) that are not incorporated by reference.
Examples of Provisions to be Excluded

- Definitions of “construction” and “commencement of construction” dealing with national defense.
- Certain industrial devices involving the sale and distribution of radioactive material across state lines.
- Regulating high concentrations of radioactive source material or special nuclear material, such as uranium or plutonium.
- Transportation and distribution of exempt consumer materials.
• Final-omitted process chosen for this rulemaking. Final-omitted process does not include public comment.
• Public comment is unnecessary for these corrections and contrary to the public interest.
The Radiation Protection Advisory Committee reviewed and recommended moving forward with the final-omitted rulemaking on October 19, 2017.
DEP recommends the adoption of this final-omitted rulemaking.
Dave Allard
Bureau of Radiation Protection
djallard@pa.gov

Keith Salador
Bureau of Regulatory Counsel
ksalador@pa.gov