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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Office of Waste, Air, Radiation & Remediation

Final Rulemaking: Radiological Health (25 Pa. Code Chapters 215-221, 223-228, 230, 232, and 240)

**Environmental Quality Board Meeting
June 19, 2018**

Purpose

- Update radiological protection standards and oversight of the use of sources in response to technological advances.
- Update radon certification standards and testing and mitigation protocols and requirements.
- Regulations last updated in 2009.

Purpose

- 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.

Statutory Authority

- 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.

▶ Important Changes – Radiological Health

- Add electronic brachytherapy licensure
- Accreditation of Diagnostic CT X-ray Systems
- Operator Qualifications
- Clarify continuing education/training requirements
- QA and QC
- Clarify Use of Nonmedical Use Device
- Lock-down of an abandoned radiation source device

Important Changes - Radon

- Certification exceptions and requirements
- Span of control requirements for firms
- Blind studies
- Remove duplicative continuing education credit hour requirements
- Codify testing and mitigation standards

Public Comments

- Proposed Rulemaking published May 13, 2017
- DEP held webinars on May 31, 2017
- 24 commentators, including IRRC

Concerns include:

- Dose criteria
- Continuing education hours
- Qualified Medical Physicist requirements
- Physician Assistants utilizing fluoroscopy

Public Comments

- Limits to the number of Radon firm certified individuals and employees
- Radon firm employee training requirements
- Date of birth requirement for Radon firm employees
- Eliminate certification exemption for new construction builders
- Reference current ANSI/AARST Standards

Advisory Committee Review

- The Radiation Protection Advisory Committee and a subcommittee of radon professionals reviewed and recommended moving forward with the final amendments on October 19, 2017.
- Responses to IRRC suggestions and questions incorporated in Preamble and Comment/Response Document.

Recommendation

- DEP recommends the adoption of this final rulemaking.
- The final rulemaking will take effect 90 days after publication in the *Pennsylvania Bulletin*.



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