

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF WASTE, AIR, RADIATION AND REMEDIATION
BUREAU OF RADIATION PROTECTION
HARRISBURG, PA 17101

July 14, 2016

BRP INFORMATION NOTICE 2016-04

PROPOSED RULEMAKING NOTICE:
CHAPTER 240 FEE INCREASE AND RADON
MITIGATION SYSTEM TAGS

ADDRESSEES

All Pennsylvania Department of Environmental Protection (DEP) Certified Radon Service Providers.

PURPOSE

DEP is issuing this Information Notice (IN) to notify certified radon service providers of the proposed rulemaking that would increase the Chapter 240 certification fees and proposes to add a new fee for Pennsylvania Radon Mitigation System Tags.

DISCUSSION

On August 19, 2014, as part of the Radiation Protection Act requirement, the Department presented its Three-Year Regulatory Fee and Program Cost Analysis Report (Report) to the Environmental Quality Board (Board). The Report indicates that, despite substantial increases in personnel and program costs, the Chapter 240 fees, which support the certification and inspection of radon service providers has not been revised since 2009. As a result, the Radiation Protection Fund is decreasing annually in operating reserves. Without a fee increase, the Department will be required to curtail spending for needed equipment, infrastructure upgrades, training, and hiring of qualified personnel. Based on the findings of the Report, the Board is proposing to increase fees for certified radon service providers by 50% to ensure adequate funding is available for the Commonwealth to carry out its duties to protect the public from the dangers of radon. The proposed rulemaking also introduces a \$50 fee for each newly installed active radon mitigation system or each passive system that is subsequently activated. Radon mitigation system tags would be purchased in multiples of five or more per transaction. The tag would be required to be attached to the radon mitigation system or electric panel.

The proposed rulemaking was published in the *Pennsylvania Bulletin* on July 2. See <http://www.pabulletin.com/secure/data/vol46/46-27/1129.html>.

It is important to note that the increased fees are only proposed and are not yet effective. A 60-day public comment period opened on July 2. DEP will consider all comments received before proceeding with a final rulemaking.

CONTACT

Interested persons are invited to submit written comments, suggestions, support, or objections regarding the proposed rulemaking to the Board. These formal comments must be received by the Board by August 30, 2016. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by the Board by August 30, 2016. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final-form rulemaking will be considered.

Comments including the submission of a one-page summary of comments may be submitted to the Board online, by e-mail, by mail, or express mail as follows. Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>. Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission. If an acknowledgement of comments submitted online or by e-mail is not received by the sender within two working days, the comments should be re-transmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted. Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

If you have any questions about the information in this notice, please contact the Radon Division at 717-783-3594.

Issued By:
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