



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Office of Waste, Air, Radiation & Remediation

Radiation Protection Proposed Fee Regulation

Environmental Quality Board Meeting
April 19, 2016

Kenneth Reisinger
Deputy Secretary
Waste, Air, Radiation and Remediation

Tom Wolf, Governor

John Quigley, Secretary

Statutory Requirements

- **Radiation Protection Act**

Act 1984-147 (as amended by Act 2014-190)

“...set reasonable annual fees for the registration of radiation sources and the licensing of radiation source users.”

- **Radon Certification Act**

Act 43-1987

“...establish a fee schedule to cover the costs of certification”

RP Program Fee History

- Chapter 218 - Radiation-Producing Machine & Radioactive Materials Fees
Last Fee Revision - Effective January 1, 2009
- Chapter 240 - Radon Fees
Last Fee Revision - Effective January 1, 2009

▶ RP Program Activities Funded by Fees

Registration, Licensing, Certification and Inspection For -

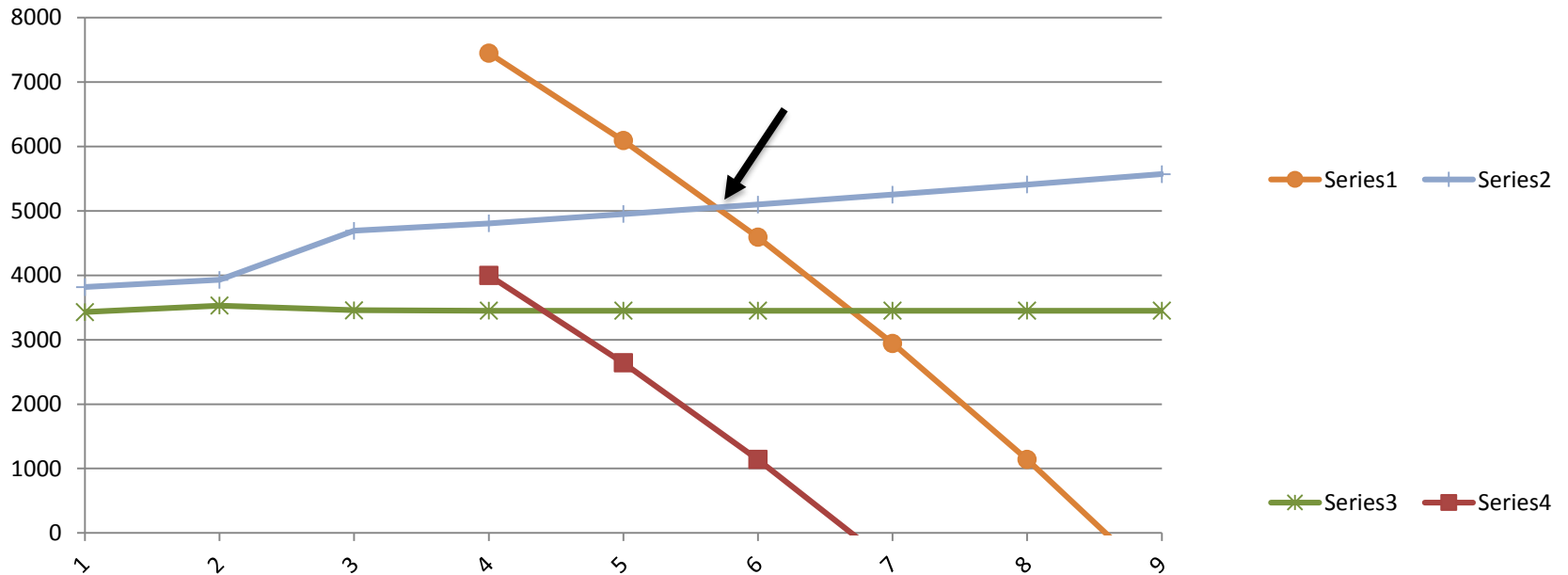
- Radiation-Producing Machines
 - X-ray devices
 - Accelerators
 - Vendors
- Radioactive Materials (RAM)
 - Specific Licenses
 - General Licenses
 - Reciprocity
- Decommissioning
- Radon
 - Testers
 - Mitigators
 - Laboratories

Reason & Purpose for Proposed Fees

- The fees from radiation-producing machine and radioactive material users, and radon testers, mitigators and laboratories are the sole source of revenue for their respective programs.
- The last fee increase was 7 years ago, with program and personnel costs having increased approximately 45%.
- With the exception of the radiation-producing machines program area, which needs no fee increase at this time, current fees will be unable to fully support the radioactive materials and radon programs.
- This proposed fee rulemaking will provide revenue sufficient to cover program costs, as directed by Act-147 and Act-43.

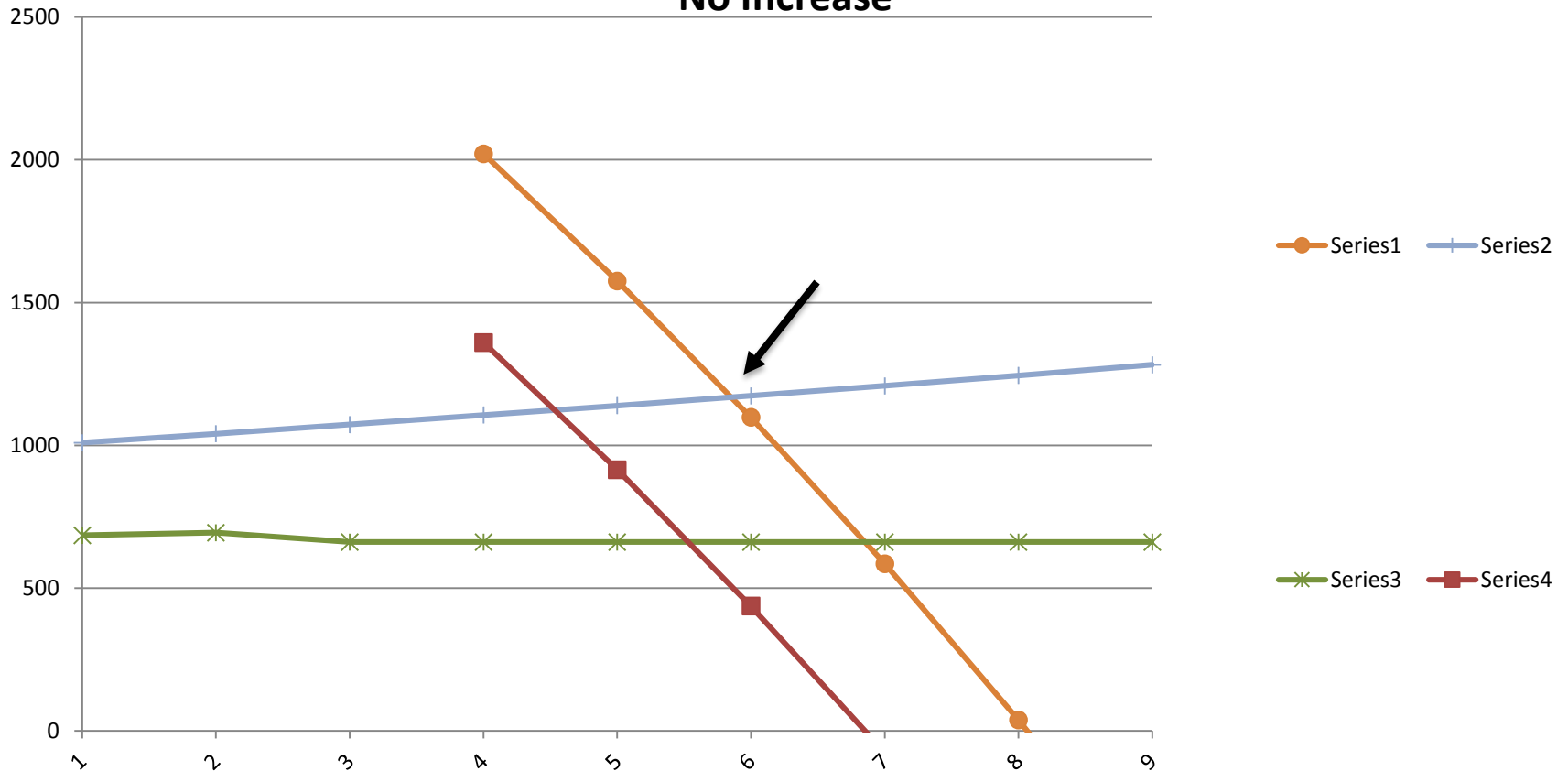
Current RAM Fees

RAM – Available Revenue and Expenditures (in \$1,000) --
No Increase



Current Radon Fees

Radon – Available Revenue and Expenditures (in \$1,000) –
No Increase



Current and Proposed RAM Fees

Examples of Common RAM Licensee Fee Categories

<i>Fee Description</i>	<i>Annual Fee</i>	<i>Proposed Fee</i>
Pharmaceuticals— Distribution Only—10 CFR 32.7x	6,800	10,200
Irradiator—Shielded Source	4,200	6,300
Radiography	14,100	21,150
Other Byproduct Material	2,700	4,050
Generally licensed devices under § 217.143 (relating to certain measuring, gauging or controlling devices)	320	480
Well Logging & Non Field Flood Tracers	4,400	6,600
Human Use—Broad Scope (except Teletherapy)	29,000	43,500
Human Use—Specific License (except Teletherapy)	4,900	7,350
Decontamination, Decommissioning, Reclamation or Site Restoration	Full Cost *	Full Cost *
Reciprocity (180 days/year)	1,500	2,250
Small Business— Category 1	2,300	3,450
Small Business— Category 2	500	750

Current and Proposed Radon Fees

<i>Fee Description</i>	<i>Current Fee</i>	<i>Proposed Fee</i>	<i>Fee Type</i>
Testing Individual	\$350	\$525	Biennial
Testing Employee	\$100	\$150	Biennial
Testing Firm	\$700	\$1,050	Biennial
Mitigation Individual	\$300	\$450	Biennial
Mitigation Firm	\$700	\$1,050	Biennial
Laboratory Individual	\$400	\$600	Biennial
Laboratory Firm	\$750	\$1,125	Biennial
Primary Testing Device Listing	\$100	\$150	Biennial
Course Provider	\$375	\$565	Biennial
Late Application Renewal	\$100	\$150	
Late 45-Day Reporting	\$100	\$150	
Pennsylvania Radon Mitigation System Tag		\$50 per tag	

Summary and Recommendations

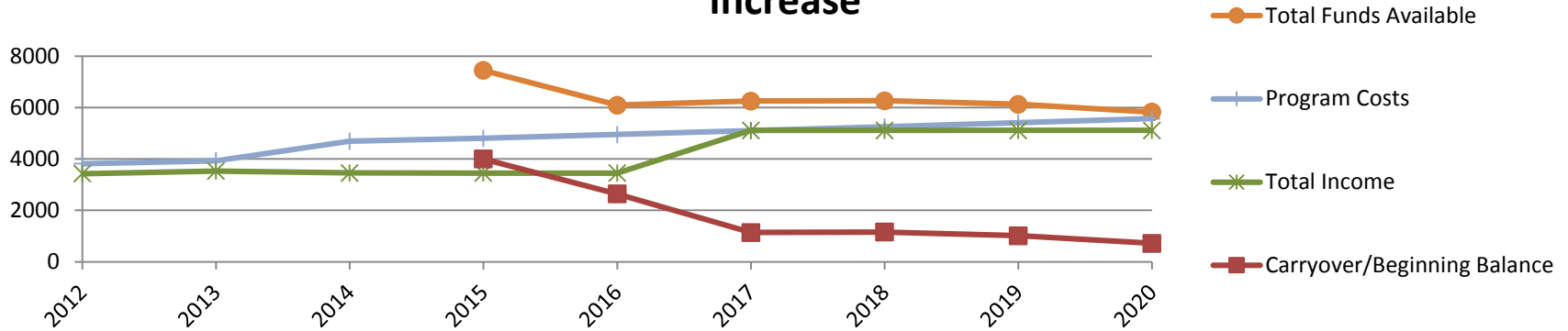
A new Radon Mitigation System “Tag” fee is proposed:

- \$50 fee for each mitigation system installation
- 8,000 – 10,000 installations each year at a cost of \$500 - \$2,000 each
- Expected to generate needed revenue to support program activities
- Similar radon system fees have been successfully implemented in other states:
 - Iowa (1989)
 - Nebraska (2003)
 - Illinois (2009)
 - New Jersey (2010)

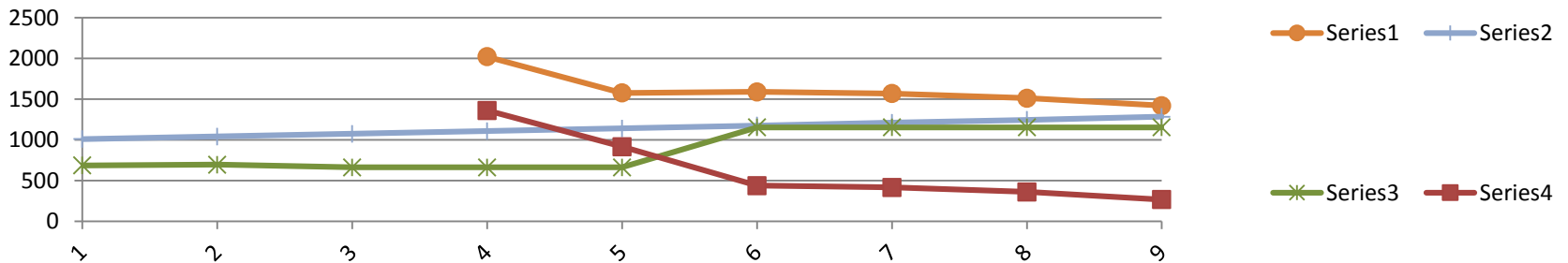
Note: we estimate this new fee represents ~5% increase to the consumer.

Proposed Fees

RAM – Available Revenue and Expenditures (in \$1,000) with increase



Radon – Available Revenue and Expenditures (in \$1,000) with increase



Summary

- The proposed rulemaking would take effect upon final-form publication in the *Pennsylvania Bulletin*.
- The revised fees would be applied to all new applications received after the effective date of the rulemaking.
- Renewal notices sent after the effective date of the rulemaking will include the revised fees.

Summary

- October 16, 2014, the Radiation Protection Advisory Committee (RPAC) approved the Proposed Rule.
- The Board reviewed our Fee Analysis in late 2014.
- DEP respectfully requests that the Board approve this proposed fee rulemaking.
- DEP recommends a 60-day public comment period.



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Questions?

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