

Proposed Rulemaking: Radiological Health & Radon Certification Fees

Environmental Quality Board Meeting
August 11, 2026



Statutory Requirements

- **Radiation Protection Act**

- Act 147 of 1984 (as amended in 2007 and 2014)
- Requires the EQB to “set reasonable annual fees for the registration of radiation sources and the licensing of radiation source users. ”

- **Radon Certification Act**

- Act 43 of 1987
- Requires DEP to “establish a fee schedule to cover the costs of certification programs” for radon testing and mitigation

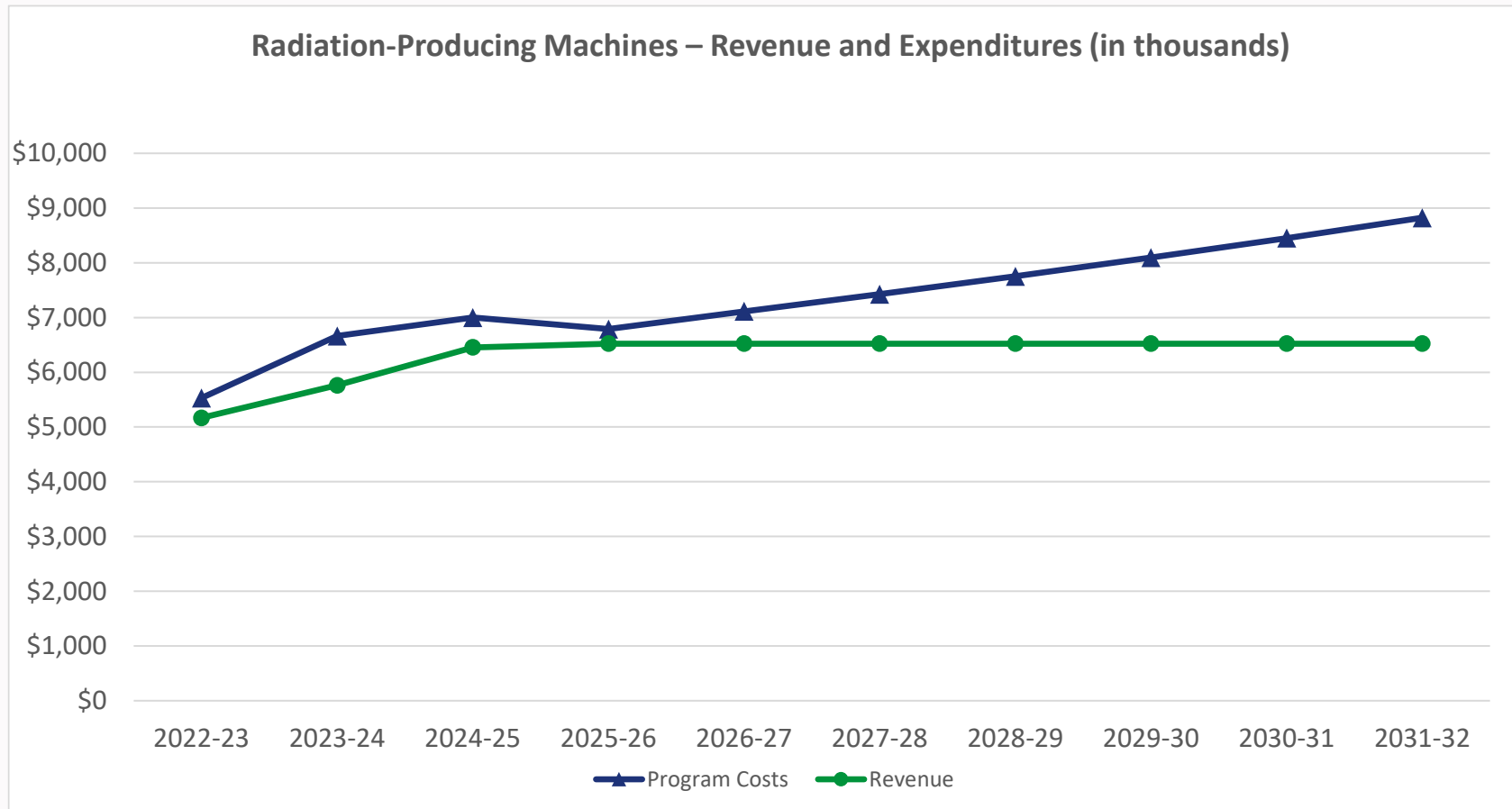
Reason & Purpose for Proposed Fees

- The fees from radiation-producing machine registrants, radioactive material users, and radon testers, mitigators and laboratories are the only source of revenue for their respective programs. No general funds are allocated to the Bureau.
- Current fees will be unable to fully support the radiation-producing machines, radioactive materials, and radon programs.
- This proposed rulemaking will increase fee revenue sufficient to cover program costs, as directed by Act 147 and Act 43.



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Radiation-Producing Machine Program Shortfall

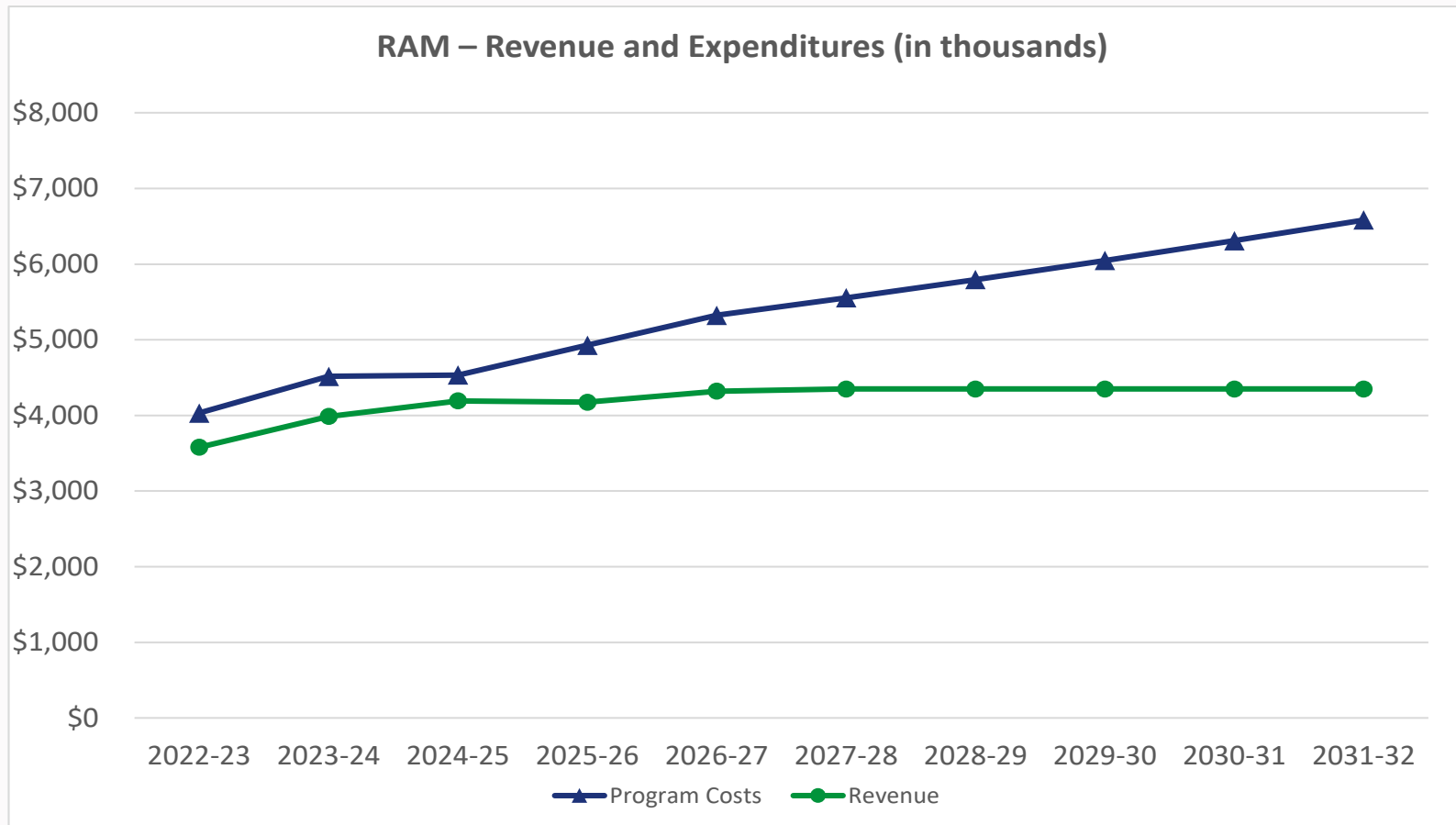


Program costs exceed current incoming revenue and are projected to continue rising.



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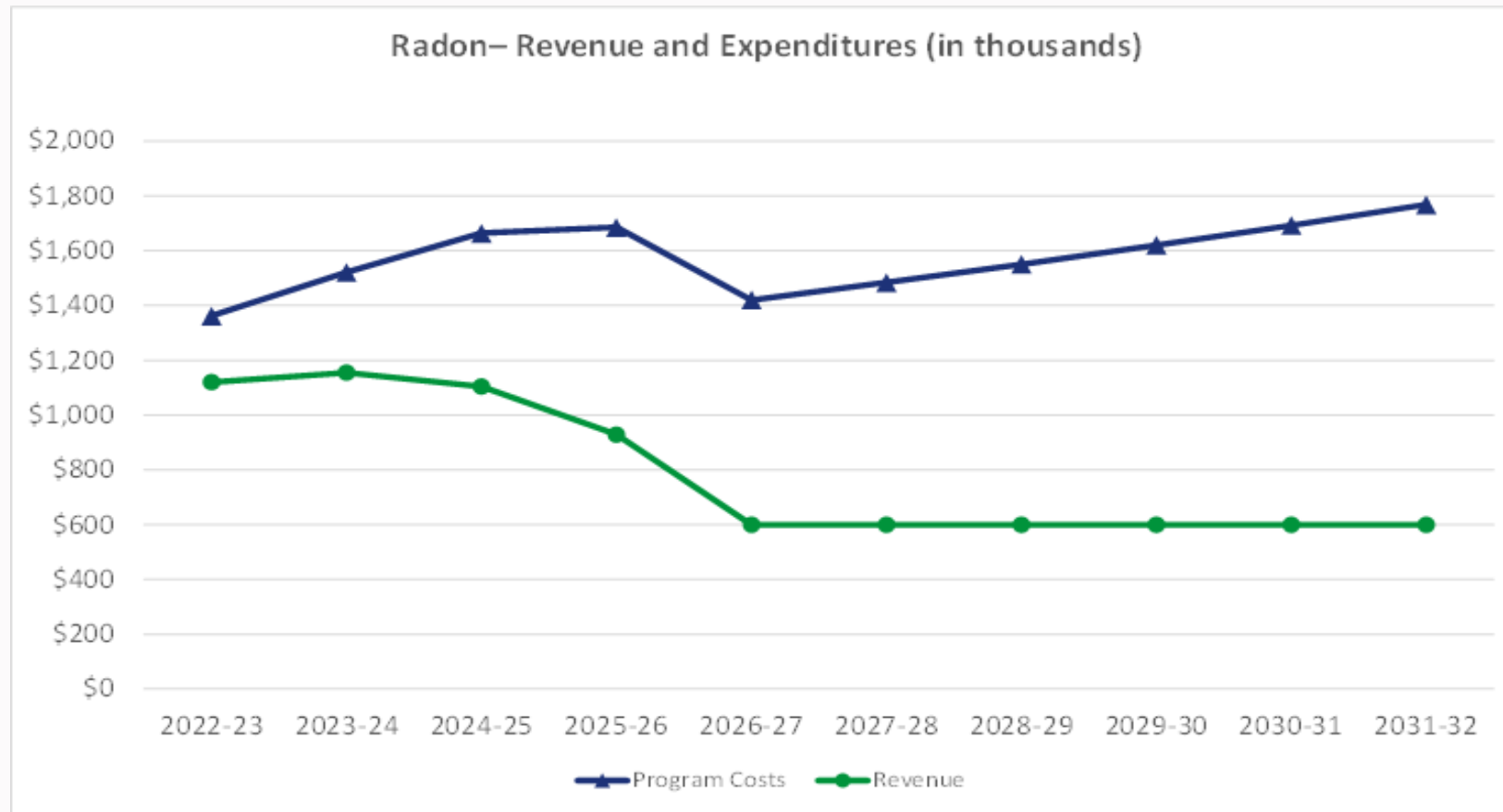
Radioactive Materials Program Shortfall



Program costs for radioactive material also exceed current incoming revenue and are projected to continue rising.



Radon Program Shortfall



Radon program costs exceed current incoming revenue and are projected to continue rising.



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Proposed Radiation-Producing Machine Fees

- Radiation-producing machine fees are proposed to be increased 20% in the first year with an average 3% increase in each of the following 4 years.
- New \$500 fee for an amendment request to an accelerator license.
- Proposal also removes the accelerator for ion implantation fee. These accelerators are currently a subcategory of accelerators with a separate fee.

Proposed RAM Fees

- Radioactive Materials (RAM) fees are proposed to increase 30% in the first year with a 3% increase in each of the following 4 years.
- Small business fees:
 - SB1 – 50% of normal fee category amount.
 - SB2 – 25% of normal fee category amount.
- Amendment fees added based upon complexity of license type.
- Financial assurance charge of \$5,000.
- Full cost recovery charge proposed to increase from \$275/hr to \$310/hr.
- Pennsylvania's agreement with the Nuclear Regulatory Commission keeps fees lower than without the agreement.

Proposed Radon Fees

- Radon fees are proposed to change from biennial to annual fees.
- Radon fees are proposed to increase 20% in the first year with a 3% increase each of the following four years.
- Radon mitigation system fees are proposed to increase from \$50 to \$75
- Testing firm employee, primary testing device listing, course provider, and late application renewal fees are proposed to be eliminated.
- Proposed consolidated radon fee categories:
 - Three testing, mitigation, and laboratory individual categories into one.
 - Three testing, mitigation, and laboratory firm categories into one.

Summary and Recommendation

- Fee Analysis Report presented to the Board on December 9, 2025.
- On February 4, 2026, the Radiation Protection Advisory Committee (RPAC) agreed unanimously with moving forward with this Proposed Fee Rule.
- DEP recommends the Board adopt this proposed regulation with a 30-day public comment period.

Questions?

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The Department of Environmental Protection's mission is to protect Pennsylvania's air, land and water resources and to provide for the health and safety of its residents and visitors, consistent with the rights and duties established under the Environmental Rights Amendment (Article 1, Section 27 of the Pennsylvania Constitution).