

**CHAPTER 220. NOTICES, INSTRUCTIONS AND REPORTS TO
WORKERS; INSPECTIONS AND INVESTIGATIONS**

Sec.	
220.1.	Purpose and scope.
220.2.	Posting of notices to workers.
220.3—220.5.	[Reserved].
220.6—220.8.	[Reserved].
220.9.	Incorporation by reference.
220.10.	Effect of incorporation of 10 CFR Part 19.

Authority

The provisions of this Chapter 220 issued and amended under sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), unless otherwise noted.

Source

The provisions of this Chapter 220 adopted December 18, 1987, effective December 19, 1987, 17 Pa.B. 5235, unless otherwise noted.

Cross References

This chapter cited in 25 Pa. Code § 215.32 (relating to exemption qualifications); 25 Pa. Code § 217.1 (relating to purpose and scope); 25 Pa. Code § 217.144 (relating to incidental radioactive material produced by a particle accelerator); 25 Pa. Code § 224.1 (relating to purpose and scope); 25 Pa. Code § 225.1 (relating to purpose and scope); 25 Pa. Code § 225.74 (relating to training and testing); 25 Pa. Code § 226.1 (relating to purpose and scope); 25 Pa. Code § 228.31a (relating to limitations); 25 Pa. Code § 232.1 (relating to purpose and scope); and 25 Pa. Code § 240.401 (relating to inspection).

§ 220.1. Purpose and scope.

This chapter establishes requirements for notices, instructions and reports by licensees or registrants to individuals engaged in activities under a license or registration. This chapter also establishes options available to the individuals in connection with Department inspections of licensees or registrants to ascertain compliance with the provisions of the act and regulations, orders and licenses issued thereunder regarding radiological working conditions. This chapter applies to persons who receive, possess, use, own or transfer radiation sources licensed by or registered with the Department under Chapters 216 and 217 (relating to registration of radiation-producing machines and radiation-producing machine service providers; and licensing of radioactive material).

§ 220.2. Posting of notices to workers.

- (a) A licensee or registrant shall post current copies of the following documents:
 - (1) This chapter and Chapter 219 (relating to standards for protection against radiation).

(2) The license, certificate of registration, conditions or documents incorporated into the license by reference and amendments thereto.

(3) The operating procedures applicable to activities under the license or registration.

(4) A notice of violation involving radiological working conditions, proposed imposition of civil penalty or order issued under Chapter 215 (relating to general provisions) and response from the licensee or registrant.

(b) If posting of a document specified in subsection (a)(1), (2) or (3) is not practicable, the licensee or registrant may post a notice which describes the document and states where it may be examined.

(c) Department Form 2900-FM-BRP0003, “Notice to Employees,” shall be posted by a licensee or registrant as required by this article.

(d) Department documents posted under subsection (a)(4) shall be posted within 2 working days after receipt of the documents from the Department; the licensee’s or registrant’s response shall be posted within 2 working days after dispatch from the licensee or registrant. The documents shall remain posted for a minimum of 5 working days or until action correcting the violation has been completed, whichever is later.

(e) Documents, notices or forms posted under this section shall appear in a sufficient number of places to permit individuals engaged in work under the license or registration to observe them on the way to or from the particular work location to which the document applies. The documents, notices or forms shall be conspicuous and shall be replaced if defaced or altered.

Source

The provisions of this § 220.2 amended September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239; amended July 16, 2004, effective July 17, 2004, 34 Pa.B. 3283; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (304473) to (304474).

§§ 220.3—220.5. [Reserved].

Source

The provisions of these §§ 220.3—220.5 amended November 17, 1995, effective November 18, 1995, 25 Pa.B. 5085; reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial pages (249272) and (203895).

220-2

§§ 220.6—220.8. [Reserved].

Source

The provisions of these §§ 220.6—220.8 reserved September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239. Immediately preceding text appears at serial pages (203895) to (203897).

§ 220.9. Incorporation by reference.

(a) Except as provided in this chapter, the requirements of 10 CFR Part 19 (relating to notices, instructions and reports to workers; inspections and investigations) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, 10 CFR 19.4, 19.5, 19.8, 19.30 and 19.40 are not incorporated by reference.

Source

The provisions of this § 220.9 adopted September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239.

§ 220.10. Effect of incorporation of 10 CFR Part 19.

To reconcile differences between this chapter and the incorporated sections of 10 CFR Part 19 (relating to notices, instructions and reports to workers; inspection and investigations), the following words and phrases shall be substituted for the language in 10 CFR Part 19 as follows:

- (1) A reference to “NRC” or “Commission” means Department.
- (2) A reference to “NRC or agreement state” means Department, NRC or agreement state.
- (3) A reference to “license,” “licenses,” “licensed” and “licensed radioactive material” also include “registration,” “registrant” “registered,” and “registered source of radiation,” respectively.
- (4) Notifications, reports and correspondence referenced in the incorporated parts of 10 CFR (relating to energy) shall be directed to the Department.

Source

The provisions of this § 220.10 adopted September 14, 2001, effective September 15, 2001, 31 Pa.B. 5239; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (304475).

[Next page is 221-1.]

220-4

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