

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form

**FILED**  
10-15-14 11:20 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Oregon Health Authority, Public Health Division  
Agency and Division

333  
Administrative Rules Chapter Number

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**RULE CAPTION**

Update Radiation Protection Service's X-ray, tanning and radioactive materials program administrative rules

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
11-19-14	11:00 a.m.	Portland State Office Building; 800 NE Oregon St. Rm 221; Portland, OR	Staff

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

333-106-0060

**AMEND:**

333-102-0203, 333-102-0305, 333-106-0005, 333-106-0025, 333-106-0040, 333-106-0045, 333-106-0055, 333-106-0201, 333-106-0205, 333-106-0210, 333-106-0215, 333-106-0220, 333-106-0225, 333-106-0240, 333-106-0245, 333-106-0301, 333-106-0325, 333-106-0601, 333-106-0700, 333-106-0735, 333-106-0750, 333-116-0130, 333-116-0190, 333-119-0010, 333-119-0020, 333-119-0030, 333-119-0040, 333-119-0041, 333-119-0050, 333-119-0060, 333-119-0070, 333-119-0080, 333-119-0090, 333-119-0100, 333-119-0110, 333-119-0120, 333-119-0130, 333-120-0200, 333-120-0670, 333-121-0001, 333-121-0010, 333-121-0020, 333-122-0005

**REPEAL:**

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**

ORS 413.042, 431.925 - 431.955 & 453.605 - 453.807 & Oregon Laws 2013, chapter 411

**Other Authority:**

Nuclear Regulatory Commission's (NRC) 10 CFR Parts 20, 30, 36, 39, 40, & 70

**Statutes Implemented:**

ORS 431.655, 431.925 - 431.955 & 453.605 - 453.807 & Oregon Laws 2013, chapter 411

**RULE SUMMARY**

The Oregon Health Authority, Public Health Division, Center for Health Protection is proposing to amend and adopt Oregon Administrative Rules in chapter 333, divisions 102, 106, 116, 119, 120, 121 and 122 pertaining to radiation protection. Proposed rules in relation to the Radioactive Material Licensing program are to meet compatibility with the Nuclear Regulatory Commission's requirements within 10 CFR. In addition, the proposed rules relating to the X-ray program outlines X-ray operator requirements, consolidates rules relating to the use of fluoroscopy and revises the breast density notification rule and statement. The Tanning program's rules have been amended to match the Food and Drugs Administration's definitions and requirements relating to a tanning device, with additional rules requiring all clients to have identification checked during the initial visit.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

Last Day (*m/d/yyyy*) and Time  
for public comment

Rules Coordinator Name

Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.