

1 AN ACT concerning nuclear safety.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Radiation Protection Act of 1990 is
5 amended by changing Sections 24.7 and 25 as follows:

6 (420 ILCS 40/24.7)

7 (Section scheduled to be repealed on January 1, 2011)

8 Sec. 24.7. Registration requirement; fees. Beginning
9 January 1, 2000, the Department is authorized to require
10 every operator of a radiation installation to register the
11 installation with the Department before the installation is
12 placed in operation. The Department is authorized to exempt
13 certain radiation sources from registration by rule when the
14 Department makes a determination that the exemption of such
15 sources will not constitute a significant risk to health and
16 safety of the public. Whenever there is a change in a
17 radiation installation that affects the registration
18 information provided to the Department, including
19 discontinuation of use or disposition of radiation sources,
20 the operator of such installation shall, within 30 days, give
21 written notice to the Department detailing the change.

22 Beginning January 1, 2000, every radiation installation
23 operator using radiation machines shall register annually in
24 a manner and form prescribed by the Department and shall pay
25 the Department an annual registration fee for each radiation
26 machine.

27 The annual fee to register a radiation installation based
28 on the type of facility and equipment possessed by the
29 registrant is as follows:

30 (1) Class A-dental and veterinary offices, \$35.

31 (2) Class A-installations only using commercially

1 manufactured cabinet radiation machines, \$50.

2 (3) Class B-offices or clinics of persons licensed
3 under the Medical Practice Act and all installations
4 using portable radiographic or fluoroscopic units, \$110.

5 (4) Class B-podiatric offices, \$70.

6 (5) Class B-installations using spectroscopy,
7 non-commercially manufactured cabinet units, non-cabinet
8 baggage/package units, and electron beam welders, \$110.

9 (6) Class C, \$170.

10 (7) Class D, \$70.

11 ~~The--Department--shall---by---rule---establish---the---annual~~
12 ~~registration---fee---to---register---and---inspect--radiation~~
13 ~~installations-based-on-the-type--of--facility--and--equipment~~
14 ~~possessed-by-the-registrant-~~

15 The Department shall bill the operator for the
16 registration fee as soon as practical after January 1. The
17 registration fee shall be due and payable within 60 days of
18 the date of billing. If after 60 days the registration fee
19 is not paid, the Department may issue an order directing the
20 operator of the installation to cease use of all radiation
21 machines or take other appropriate enforcement action as
22 provided in Section 36 of this Act. Fees collected under
23 this Section are not refundable.

24 Registration of any radiation installation shall not
25 imply approval of manufacture, storage, use, handling,
26 operation, or disposal of radiation sources, but shall serve
27 merely as notice to the Department of Nuclear Safety of the
28 location and character of radiation sources in this State.

29 (Source: P.A. 91-340, eff. 7-29-99.)

30 (420 ILCS 40/25) (from Ch. 111 1/2, par. 210-25)

31 (Section scheduled to be repealed on January 1, 2011)

32 Sec. 25. Radiation inspection and testing; fees.

33 (a) The Department shall inspect and test radiation

1 installations and radiation sources, their immediate
2 surroundings and records concerning their operation to
3 determine whether or not any radiation resulting therefrom is
4 or may be detrimental to health. For the purposes of this
5 Section, "radiation installation" means any location or
6 facility where radiation machines are used. The inspection
7 and testing frequency of a radiation installation shall be
8 based on the installation's class designation in accordance
9 with subsection (f).

10 Inspections of mammography installations shall also
11 include evaluation of the quality of mammography phantom
12 images produced by mammography equipment. The Department
13 shall promulgate rules establishing procedures and acceptance
14 standards for evaluating the quality of mammography phantom
15 images.

16 Beginning on the effective date of this amendatory Act of
17 1997 and until June 30, 2000, the fee for inspection and
18 testing shall be paid yearly at an annualized rate based on
19 the classifications and frequencies set forth in subsection
20 (f). The annualized fee for inspection and testing shall be
21 based on the rate of \$55 per radiation machine for machines
22 located in dental offices and clinics and used solely for
23 dental diagnosis, located in veterinary offices and used
24 solely for diagnosis, or located in offices and clinics of
25 persons licensed under the Podiatric Medical Practice Act of
26 1987 and shall be based on the rate of \$80 per radiation
27 machine for all other radiation machines. The Department may
28 adopt rules detailing the annualized rate structure. For the
29 year beginning January 1, 2000, the annual fee for inspection
30 and testing of Class D radiation installations shall be \$25
31 per radiation machine. The Department is authorized to bill
32 the fees listed in this paragraph as part of the annual fee
33 specified in Section 24.7 of this Act.

34 ~~Beginning--July--17--2000--the--Department--shall--establish~~

1 the-fees-under-Section-24.7-of-this--Act--by--rule,--provided
2 that-no-increase-of-the-fees-shall-take-effect-before-January
3 17-2001.

4 (b) (Blank).

5 (c) (Blank).

6 (d) (Blank).

7 (e) (Blank).

8 (f) For purposes of this Section, radiation
9 installations shall be divided into 4 classes:

10 Class A - Class A shall include dental offices and
11 veterinary offices with radiation machines used solely
12 for diagnosis and all installations using commercially
13 manufactured cabinet radiographic/fluoroscopic radiation
14 machines. Operators of Class A installations shall have
15 their radiation machines inspected and tested every 5
16 years by the Department.

17 Class B - Class B shall include offices or clinics
18 of persons licensed under the Medical Practice Act of
19 1987 or the Podiatric Medical Practice Act of 1987 with
20 radiation machines used solely for diagnosis and all
21 installations using spectroscopy radiation machines,
22 noncommercially manufactured cabinet
23 radiographic/fluoroscopic radiation machines, portable
24 radiographic/fluoroscopic units, non-cabinet
25 baggage/package fluoroscopic radiation machines and
26 electronic beam welders. Operators of Class B
27 installations shall have their radiation machines
28 inspected and tested every 2 years by the Department.

29 Class C - Class C shall include installations using
30 diffraction radiation machines, open radiography
31 radiation machines, closed radiographic/fluoroscopic
32 radiation machines and radiation machines used as gauges.
33 Test booths, bays, or rooms used by manufacturing,
34 assembly or repair facilities for testing radiation

1 machines shall be categorized as Class C radiation
2 installations. Operators of Class C installations shall
3 have their radiation machines inspected and tested
4 annually by the Department.

5 Class D - Class D shall include all hospitals and
6 all other facilities using mammography, computed
7 tomography (CT), or therapeutic radiation machines. Each
8 operator of a Class D installation shall maintain a
9 comprehensive radiation protection program. The
10 individual or individuals responsible for implementing
11 this program shall register with the Department in
12 accordance with Section 25.1. As part of this program,
13 the registered individual or individuals shall conduct an
14 annual performance evaluation of all radiation machines
15 and oversee the equipment-related quality assurance
16 practices within the installation. The registered
17 individual or individuals shall determine and document
18 whether the installation's radiation machines are being
19 maintained and operated in accordance with standards
20 promulgated by the Department. Class D installation
21 shall be inspected annually by the Department.

22 (f-1) Radiation installations for which more than one
23 class is applicable shall be assigned the classification
24 requiring the most frequent inspection and testing.

25 (f-2) Radiation installations not classified as Class A,
26 B, C, or D shall be inspected according to frequencies
27 established by the Department based upon the associated
28 radiation hazards, as determined by the Department.

29 (g) The Department is authorized to maintain a facility
30 for the purpose of calibrating radiation detection and
31 measurement instruments in accordance with national
32 standards. The Department may make calibration services
33 available to public or private entities within or outside of
34 Illinois and may assess a reasonable fee for such services.

1 (Source: P.A. 91-188, eff. 7-20-99; 91-340, eff. 7-29-99;
2 92-16, eff. 6-28-01.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.