

DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

RADIATION SAFETY SECTION

(By authority conferred on the department of public health by section 13521 of Act No. 368 of the Public Acts of 1978, as amended, and section 48 of Act No. 306 of the Public Acts of 1969, as amended, being SS333.13521 and 24.248 of the Michigan Compiled Laws)

PART 4. REGISTRATION OF RADIATION MACHINES

R 325.5181. Purpose and scope.

Rule 181. (1) This part provides for the registration of radiation machines. A person shall not manufacture, produce, transport, own, receive, acquire, possess, use or transfer any radiation machine unless registered or exempted under this part.

(2) In addition to the requirements of this part, a registrant is subject to the requirements of part 1 and the applicable provisions of parts 5 to 11 and 13.

History: 1979 AC.

R 325.5182. Exemptions.

Rule 182. (1) Electronic equipment that produces radiation incidental to its operation for other purposes is exempt from the registration requirements of this part if the dose equivalent rate averaged over an area of 10 square centimeters does not exceed 0.5 mrem per hour at 5 cm from any accessible surface of the equipment. The production testing, or factory servicing of the equipment is not exempt.

(2) Radiation machines which are electrically disconnected pending sale, transfer of ownership or destructive disposal while in such temporary storage condition are exempt from the registration requirements of this part.

(3) Particle accelerators or other sources licensed under part 2 are exempt from the registration requirements of this part.

History: 1979 AC.

R 325.5183. Responsibility for compliance with rules.

Rule 183. The owner and the person effectively in control of radiation machines not exempted under rule 182 shall each be individually, and both shall be jointly, responsible for full compliance with all provisions of these rules.

History: 1979 AC.

R 325.5184. Applications for registration.

Rule 184. (1) Each person having 1 or more radiation machines shall apply for registration of the machines with the department within 30 days after the effective date of these rules or thereafter before the operation of the machines.

(2) An application for registration shall be completed on forms furnished by the department and shall contain all the information required by the form and accompanying instructions. The application shall be accompanied by the appropriate registration fee as specified in rules 191 to 194.

(3) The registrant shall designate an individual to be responsible for radiation protection, and shall specify that the individual:

(a) Is knowledgeable concerning the hazards and precautions in the handling of the radiation machines for which he is responsible.

(b) Has read and understands the applicable requirements of these rules.

(c) Shall permit operation of the radiation machines only by individuals who have received proper instructions in their safe use.

(d) Shall conduct or cause to be conducted such adequate radiation surveys and other procedures as may be necessary to demonstrate compliance with these rules.

(e) Has the authority to make or cause to be made such changes of the machines, their operation or both as may be necessary to comply with these rules.

(4) The application shall be signed by the registrant or an individual authorized to act for and on his behalf.

(5) In his application, the registrant may incorporate by reference information contained in previous applications, statements or reports filed with the department if the references are clear and specific.

(6) The application and documents submitted to the department may be made available for public inspection except that the department may withhold any document or part thereof from public inspection if disclosure of its content is not required in the public interest and would adversely affect the interest of a person concerned.

History: 1979 AC.

R 325.5185. Issuance of registration tags.

Rule 185. (1) The department shall initially issue a registration tag for each radiation machine when it is properly registered with the department. The tag shall include a machine registration number uniquely assigned to a specific machine.

(2) The registrant shall apply the registration tag to the control panel of the radiation machine specified according to instructions provided by the department.

(3) The registrant shall not permit removal of the registration tag from the radiation machine unless instructed by the department. If the tag is accidentally removed or defaced the registrant shall notify the department by specifying the tag number and machine description from the registration certificate and requesting a replacement.

(4) The registrant shall refer to a radiation machine in any correspondence with the department according to the registration number assigned to that machine if available.

History: 1979 AC.

R 325.5186. Issuance of certificates of registration.

Rule 186. (1) The department shall issue a certificate of registration if it determines that an application meets the requirements of these rules and receives the appropriate registration fee as specified in rules 191 to 194.

(2) The department may incorporate in the certificate of registration at the time of issuance or thereafter by appropriate rule, regulation or order, such additional requirements and conditions with respect to the registrant's receipt, possession, use and transfer of radiation machines as it deems appropriate or necessary.

History: 1979 AC.

R 325.5187. Registrations; expirations; applications for renewal; filing before expiration.

Rule 187. (1) Except as provided in subrule (3) and rule 188 a registration expires at the end of the day in the month and year stated in the certificate of registration.

(2) An application for renewal of registration shall be filed in accordance with rule 184 and shall be accompanied by the appropriate registration fee as specified in rules 191 to 193.

(3) If a registrant has filed an application for renewal in proper form not less than 30 days before the expiration of his existing registration, the existing registration shall not expire until the application has been finally determined by the department.

History: 1979 AC.

R 325.5188. Registrations; notices of change; complete changes; partial changes.

Rule 188. (1) The registrant shall notify the department in writing before making any change that would render the information contained in the application for registration or the certificate of registration, or both, no longer accurate. In the case of sale, transfer, or disposal of radiation machines, the notification shall specify the proposed recipient of the machines, or the location and method of disposal.

(2) A complete change in ownership, possession or location of all machines listed on a certificate of registration terminates the certificate of record, and requires a new application for registration except as provided in subrule (4).

(3) In case of a partial change the department may terminate the certificate of registration of record and issue a new certificate pursuant to rule 194.

(4) Notwithstanding subrule (2), replacement of all machines listed on a certificate of registration shall be considered a partial change if the name and address of the registrant and the name and address of the facility are not changed.

History: 1979 AC.

R 325.5189. Approval not implied.

Rule 189. A person, in an advertisement, shall not refer to the fact that he or his facility is registered with the department pursuant to this part and a person shall not state or imply that an activity under such registration has been approved by the department.

History: 1979 AC.

REGISTRATION FEES

R 325.5191. Registration fee; minimum fee.

Rule 191. (1) An application for registration submitted in accordance with rule 184 shall be accompanied by the full registration fee determined from the schedule provided in rule 193.

(2) The minimum fee submitted with the application shall be \$10.00.

History: 1979 AC.

R 325.5192. Registration fee; exemptions.

Rule 192. Application fees or annual fees are not required for registration certificates applied for by, or issued to the following:

(a) An agency of this state or any political subdivision thereof.

(b) A nonprofit charitable institution using a radiation machine primarily for services rendered on a charitable basis or in connection with a facility used primarily for charitable purposes.

(c) A nonprofit educational institution using a radiation machine exclusively for teaching or training purposes or in connection with a facility used exclusively for teaching or training purposes.

History: 1979 AC.

R 325.5193. Registration fee; schedule of fees.

Rule 193. Specific registration fees are dependent upon the number of x-ray or electron tubes included in the application for registration. The minimum fee shall be applied toward the total registration. The following schedule shall be used to determine the registration fee:

SCHEDULE OF RADIATION MACHINES

REGISTRATION FEES

Each Individual Type of Machine X-ray Tube (design or use) (or electron tube)

Dental (intra-oral) \$10.00 (panoramic) 10.00 (cephalometric) 10.00 (multiple purpose) 10.00
Medical (extremities only) 10.00 (radiographic) 10.00 (fluoroscopic) 10.00 (radiographic-fluoroscopic)
10.00 (single tube combination) 10.00 (therapy) \$10.00 (other) 10.00 Industrial (radiographic) 10.00
(fluoroscopic) 10.00 (electron beam welder) 10.00 (other) 10.00 Analytical (diffraction) 10.00
(fluorescence) 10.00 (electron microscope) 10.00 (other) 10.00 Miscellaneous (film identification
markers) 10.00 (cold cathode discharge tubes) 10.00 (other) 10.00

History: 1979 AC.

R 325.5194. Registration fee; notice of change; additional tubes; notice of disposal; refunds; amendment expiration.

Rule 194. (1) A notice of change submitted in accordance with rule 188 may necessitate issuance of an amended certificate of registration and shall be accompanied by the minimum registration fee specified in rule 191(2). If additional tubes are added to the registration before the current registration expiration date, the notice shall be accompanied by a fee for each added x-ray tube as provided in subrule (2). The minimum fee shall not be applied toward the addition of tubes to the certificate of registration.

(2) The fee for each additional x-ray tube or electron tube shall be \$5.00. Only net increase in the number of tubes currently registered requires an additional fee.

(3) Notwithstanding subrule (1), notice of disposal without replacement of all registered machines covered by a single registration certificate shall void the certificate of record. Such notice shall not require issuance of an amended certificate and shall not require payment of the minimum fee.

(4) Refund of a registration fee shall not be made as a result of a notice of change resulting in the deletion of machines or in the termination of the certificate of registration before the expiration date of the registration.

(5) An amended certificate of registration issued as provided in this rule expires on the expiration date of the current registration.

History: 1979 AC.

R 325.5195. Vendor obligation; notification of transfer; duty to report; compliance with these rules.

Rule 195. (1) A person who sells, leases, transfers, lends, assembles, or installs a radiation machine in this state shall notify the department in writing within 15 days after the end of each calendar quarter of the following:

(a) The name and address of the person who has received the machine.

(b) For each radiation machine transferred all of the following:

(i) Date of transfer of possession or ownership.

(ii) Manufacturer.

(iii) Model.

(iv) Department registration number, if the machine was previously registered with the department and the registration tag is on the control panel.

(v) Number of x-ray tubes.

(vi) Type of machine as described in rule 193, schedule of fees.

(2) A person who notifies the department in accord with subrule (1) shall thereafter report on a quarterly basis even if no sales or installations are made in this state until written notice is submitted to the department of termination of business in Michigan.

(3) A person shall not make, sell, lease, transfer, lend, assemble, or install radiation machines, including x-ray equipment and supplies used in connection with the machines, unless the equipment

and supplies, when properly placed in operation and properly used, meet the requirements of these rules.

History: 1979 AC.

R 325.5196. Out-of-state radiation machines.

Rule 196. (1) Whenever a radiation machine is brought into this state, for purposes other than temporary storage as provided for in rule 182(2), the person proposing to bring the machine into the state shall give written notice to the department not less than 2 working days before the machine enters the state. The notice shall include the radiographer's name; the type of radiation machine; the nature, duration and scope of use; and the exact locations where the radiation machine is to be used. If for a specific case the 2 working-day period would impose an undue hardship on the person, upon application to the department, he may arrange for other notification to comply with the intent of this rule.

(2) In addition, the out-of-state person shall comply with all applicable rules of the department and supply the department with such other information as the department may reasonably request.

History: 1979 AC.