

Chapter 246-224 WAC

RADIATION PROTECTION—RADIATION MACHINE ASSEMBLY AND REGISTRATION

WAC

246-224-0001	Purpose.
246-224-0010	Definitions.
246-224-0020	Who must register a radiation machine?
246-224-0030	Are there any radiation machines within Washington state that do not have to be registered?
246-224-0040	What if we have separate locations with radiation machines?
246-224-0050	When and how do I register?
246-224-0060	Are there other requirements besides registration?
246-224-0070	When and how do I report changes to my registration?
246-224-0080	When and how do I renew my registration?
246-224-0090	What are my obligations if I close my facility or get rid of a machine?
246-224-0100	What are the responsibilities of the X-ray agent?
246-224-0110	What if I want to bring a radiation machine into Washington state for temporary use from out-of-state?
246-224-0120	What happens if I do not register my radiation machine?

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

246-224-001	Purpose and scope. [Statutory Authority: RCW 70.98.-050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-001, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-001, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-210, filed 12/8/80; Order 1084, § 402-16-210, filed 1/14/76. Formerly WAC 402-16-010.] Repealed by WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080.
246-224-010	Exemptions. [Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-010, filed 12/27/90, effective 1/31/91; Order 1084, § 402-16-220, filed 1/14/76. Formerly WAC 402-16-100.] Repealed by WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080.
246-224-020	Application for registration of radiation machine facilities. [Statutory Authority: RCW 70.98.050 and 70.98.-080. WSR 91-15-083 (Order 183), § 246-224-020, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-020, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-230, filed 9/16/83. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-230, filed 1/14/76. Formerly WAC 402-16-020 and 402-16-040.] Repealed by WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080.
246-224-030	Issuance of certificate of registration. [Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-030, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-030, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-232, filed 12/8/80; Order 1084, § 402-16-232, filed 12/8/80.] Repealed by WSR 94-01-073, filed 12/9/93, effective 1/9/94. Statutory Authority: RCW 70.98.050.
246-224-040	Expiration of registration. [Statutory Authority: RCW 70.98.050. WSR 94-01-073, § 246-224-040, filed 12/9/93, effective 1/9/94. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-040, filed 7/23/91, effective 8/23/91. Statu-

246-224-050

246-224-060

246-224-070

246-224-080

246-224-090

tory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-040, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 83-19-050 (Order 2026), § 402-16-234, filed 9/16/83. Statutory Authority: RCW 70.98.-050. WSR 81-01-011 (Order 1570), § 402-16-234, filed 12/8/80.] Repealed by WSR 97-20-101, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.70.-040.

Renewal of registration. [Statutory Authority: RCW 70.98.050. WSR 94-01-073, § 246-224-050, filed 12/9/93, effective 1/9/94. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-050, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-050, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 83-19-050 (Order 2026), § 402-16-238, filed 9/16/83. Statutory Authority: RCW 70.98.-050. WSR 81-01-011 (Order 1570), § 402-16-238, filed 12/8/80.] Repealed by WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080.

Separate locations. [Statutory Authority: RCW 70.98.-050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-060, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-060, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 83-19-050 (Order 2026), § 402-16-240, filed 9/16/83. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-240, filed 12/8/80; Order 1084, § 402-16-240, filed 1/14/76. Formerly WAC 402-16-050.] Repealed by WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080.

Report of changes. [Statutory Authority: RCW 70.98.-050. WSR 94-01-073, § 246-224-070, filed 12/9/93, effective 1/9/94. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-070, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-070, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 83-19-050 (Order 2026), § 402-16-250, filed 9/16/83. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-250, filed 12/8/80; Order 1084, § 402-16-250, filed 1/14/76. Formerly WAC 402-16-060.] Repealed by WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080.

Approval not implied. [Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-080, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-080, filed 12/27/90, effective 1/31/91; Order 1084, § 402-16-260, filed 1/14/76. Formerly WAC 402-16-070.] Repealed by WSR 97-20-101, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.70.040.

Repair person, assembler, or installer obligation. [Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-090, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-090, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 83-19-050 (Order 2026), § 402-16-270, filed 9/16/83. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-270, filed 12/8/80; Order 1084, § 402-16-270, filed 1/14/76. Formerly WAC 402-16-090.] Repealed by

246-224-100

WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080. Out-of-state radiation machines. [Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-083 (Order 183), § 246-224-100, filed 7/23/91, effective 8/23/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-224-100, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), § 402-16-280, filed 12/8/80; Order 1084, § 402-16-280, filed 1/14/76. Formerly WAC 402-16-110.] Repealed by WSR 02-14-050, filed 6/27/02, effective 7/28/02. Statutory Authority: RCW 70.98.050 and [70.98.]080.

WAC 246-224-0001 Purpose. The purpose of this chapter is to regulate sources of ionizing radiation as required by RCW 70.98.050 and 70.98.080. This chapter provides for the registration of all radiation machines installed, manufactured, tested, used, or located in Washington state.

[Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0001, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0010 Definitions. (1) "Agent" means a person, company, or dealer; which assembles, installs, repairs, sells, or leases X-ray machines.

(2) "Application" means, for the purpose of this chapter, the business license application or business license renewal application and appropriate addenda used by the BLS of the department of revenue.

(3) "BLS" means the department of revenue's business licensing service.

(4) "Department" means the department of health.

(5) "Facility" means all buildings, structures, and operations on one contiguous site or identified by one physical location address designation at which one or more radiation machines are installed, manufactured, tested, or used.

(6) "FDA" means the United States Food and Drug Administration.

(7) "Radiation" means, for the purposes of this chapter, ionizing radiation, including X-ray, electron beam, and other machine produced particulate radiation.

(8) "Radiation machine" means, for purposes of this chapter, a device that, when operated, produces X-ray or electron radiation, in a prescribed manner, with defined characteristics, techniques, or parameters. It does not include devices with radioactive material as the only source of radiation.

(9) "Registrant" means the owner or controller of the radiation machine who is responsible for the safe operation of the radiation machine.

(10) "Registration" means providing required information and continuing contact with the department by any person possessing a radiation machine in accordance with regulations adopted by the department.

(11) "Storage" means the status of a radiation machine that is approved by the department as being unable to produce radiation without substantial effort at set-up, reassembly, or reinstallation. For facilities with a radiation control authority, (for example radiation safety office) a locking or disabling procedure may serve to provide this status.

[Statutory Authority: RCW 70.98.050, 70.98.080 and chapter 19.02 RCW. WSR 13-17-040, § 246-224-0010, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 19.02.050, 43.20B.020, 43.70.110, 70.98.050, and 70.98.080. WSR 08-09-079, § 246-224-0010, filed 4/16/08, effective

[Ch. 246-224 WAC p. 2]

5/17/08. Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0010, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0020 Who must register a radiation machine? Any X-ray facility within Washington state must register with the department.

[Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0020, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0030 Are there any radiation machines within Washington state that do not have to be registered? Machines do not need to be registered when:

(1) Electronic equipment (including television receivers) produces incidental X rays provided that the dose equivalent rate does not exceed 5 µSv/hr (0.5 mrem/hr) at 5 cm from any accessible equipment surface averaged over an area of 10 square centimeters;

(2) Radiation machines are in transit;

(3) Radiation machines are held for sale or lease by X-ray agents; or

(4) The department allows an exemption.

[Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0030, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0040 What if we have separate locations with radiation machines? (1) Geographically separate facilities must register separately even if these separate facilities are under one administrative control (e.g., several satellite clinics operated by one health care institution).

(2) Each facility must designate a contact person.

(3) If machines are routinely moved between or among separate facilities, notify DOL prior to the machine being moved, or notify the department at the time shielding plans are submitted for review.

[Statutory Authority: RCW 19.02.050, 43.20B.020, 43.70.110, 70.98.050, and 70.98.080. WSR 08-09-079, § 246-224-0040, filed 4/16/08, effective 5/17/08. Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0040, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0050 When and how do I register? (1) You must register with the department through submission of a business license application and appropriate addendum used by BLS no later than fifteen calendar days of initial use unless shielding plans review is required.

(2) Facilities requiring shielding plan review must register with BLS and submit plans to the department for review prior to construction or installation of radiation machines according to WAC 246-225-030, General requirements—Plan review.

(3) Registration is valid for one year from the department approval date, or any other date as may be determined through partnership with BLS.

(4) Pay applicable registration fees according to WAC 246-254-053, Radiation machine facility registration fees.

(5) Submit registration information and applicable fees to BLS in accordance with their instructions.

Note: For BLS information, visit the following web site:
www.bls.dor.wa.gov.

[Statutory Authority: RCW 70.98.050, 70.98.080 and chapter 19.02 RCW. WSR 13-17-040, § 246-224-0050, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 19.02.050, 43.20B.020, 43.70.110, 70.98.050, and

(8/13/13)

70.98.080. WSR 08-09-079, § 246-224-0050, filed 4/16/08, effective 5/17/08. Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0050, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0060 Are there other requirements besides registration? All registrants must:

(1) Follow applicable standards according to chapter 246-225 WAC, Radiation protection—X-rays in the healing arts; chapter 246-227 WAC, Radiation protection—Industrial X ray; chapter 246-228 WAC, Radiation protection—Analytical X-ray equipment; and chapter 246-229 WAC, Radiation protection—Particle accelerators;

(2) Meet general radiation protection rules and standards according to chapter 246-220 WAC, Radiation protection—General provisions; chapter 246-221 WAC, Radiation protection standards; chapter 246-222 WAC, Radiation protection—Worker rights; and

(3) Pay applicable fees for radiation machine use according to WAC 246-254-053, Radiation machine facility registration fees.

[Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0060, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0070 When and how do I report changes to my registration? (1) You must notify BLS within thirty days of any change to your registration information.

(2) Submit registration changes to:

Department of Revenue
Business Licensing Service
P.O. Box 9034
Olympia, WA 98507-9034
Phone: 800-451-7985
Fax: 360-705-6699
Email: BLS@dor.wa.gov

Note: For office of radiation protection information, visit the following web site: www.doh.wa.gov.
For BLS information, visit the following web site: www.bls.dor.wa.gov.

[Statutory Authority: RCW 70.98.050, 70.98.080 and chapter 19.02 RCW. WSR 13-17-040, § 246-224-0070, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 19.02.050, 43.20B.020, 43.70.110, 70.98.050, and 70.98.080. WSR 08-09-079, § 246-224-0070, filed 4/16/08, effective 5/17/08. Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0070, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0080 When and how do I renew my registration? (1) You will receive registration renewal notices from BLS.

(2) You must submit renewal information and the applicable fees to the department of revenue as specified by BLS.

(3) If you do not receive a renewal notice, contact BLS.

[Statutory Authority: RCW 70.98.050, 70.98.080 and chapter 19.02 RCW. WSR 13-17-040, § 246-224-0080, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 19.02.050, 43.20B.020, 43.70.110, 70.98.050, and 70.98.080. WSR 08-09-079, § 246-224-0080, filed 4/16/08, effective 5/17/08. Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0080, filed 6/27/02, effective 7/28/02.]

(8/13/13)

WAC 246-224-0090 What are my obligations if I close my facility or get rid of a machine? (1) You must notify the department or BLS of the machine status within thirty days of closure or removal.

(2) If the machine is disposed of or transferred within Washington state, you must provide the department the following:

- (a) The name and contact information of the recipient;
- (b) The address of the recipient; and
- (c) The date of the disposal or transfer.

(3) If the machine is to be placed in storage and retained, contact the department for approval.

[Statutory Authority: RCW 70.98.050, 70.98.080 and chapter 19.02 RCW. WSR 13-17-040, § 246-224-0090, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 19.02.050, 43.20B.020, 43.70.110, 70.98.050, and 70.98.080. WSR 08-09-079, § 246-224-0090, filed 4/16/08, effective 5/17/08. Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0090, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0100 What are the responsibilities of the X-ray agent? (1) Within fifteen calendar days, any agent who sells, leases, transfers, lends, disposes of, assembles, repairs, replaces, or installs radiation machines or components in Washington state must notify the department of the:

- (a) Recipient's name and facility address;
- (b) Manufacturer, model, and serial number of each radiation machine master control; and
- (c) Date of transfer of the radiation machine.

Note: An FDA form 2579 or equivalent may be used for this notification requirement.

(2) Any agent who installs X-ray systems, controls, or components must ensure that machines, accessories, or components (including exposure switch placement) meet the applicable requirements of chapter 246-225 WAC, Radiation protection—X rays in the healing arts; chapter 246-227 WAC, Radiation protection—Industrial X ray; chapter 246-228 WAC, Radiation protection—Analytical X-ray equipment; and chapter 246-229 WAC, Radiation protection—Particle accelerators.

(3) Agents shall not install or transfer a radiation machine if the registrant does not complete:

(a) A required plan review according to chapter 246-225 WAC, Radiation protection—X rays in the healing arts or chapter 246-227 WAC, Radiation protection—Industrial radiography; or

(b) Shielding and/or required design construction.

(4) Agents must assemble certified X-ray systems according to 21 C.F.R., subchapter J so that manufacturer's specifications and intended performance designs are met.

[Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0100, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0110 What if I want to bring a radiation machine into Washington state for temporary use from out-of-state? (1) Notify the department at least three business days prior to in-state use when bringing an X-ray machine into the state for any temporary use. The department may waive the time requirement upon hardship request by the owner. Notification to the department includes, at a minimum, the:

- (a) Type of radiation machine;

(b) Nature, duration, and scope of use; and
(c) Exact location where the radiation machine is to be used.

(2) All machines and assemblies must comply with all applicable regulations.

(3) Any medical or dental use radiation (e.g., X-ray) machines within the state must register with the department according to WAC 246-224-0020.

(4) For radiation (e.g., X-ray) machines not intended for patient diagnosis and treatment, you must register the machine if it is used for more than sixty calendar days. Registration is waived for sixty or fewer calendar days per year.

[Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0110, filed 6/27/02, effective 7/28/02.]

WAC 246-224-0120 What happens if I do not register my radiation machine? You must pay a late fee plus registration fees due for the period of time the machine has been in operation and not registered according to WAC 246-254-053, Radiation machine facility registration fees.

[Statutory Authority: RCW 70.98.050 and [70.98.]080. WSR 02-14-050, § 246-224-0120, filed 6/27/02, effective 7/28/02.]