

Legend: (Proposed Amendments)

Single Underline = Proposed new language

**[Bold, Print, and Brackets]** = Current language proposed for deletion

Regular Print = Current language

(No change.) = No changes are being considered for the designated subdivision

§289.203. Notices, Instructions, and Reports to Workers; Inspections.

(a) Scope and purpose. This section establishes requirements for notices, instructions, and reports by licensees or registrants to individuals engaged in activities under a license or certificate of registration, and options available to such individuals in connection with agency inspections of licensees or registrants to ascertain compliance with the provisions of the Texas Radiation Control Act (Act), Health and Safety Code, Chapter 401, and rules, orders, licenses, and certificates of registration issued thereunder regarding radiological working conditions. The requirements in this section apply to all persons who receive, possess, use, or transfer sources of radiation licensed by or registered with the agency in accordance with this chapter.

(b) Posting of notices to workers.

(1) Each licensee or registrant shall post current copies of the following documents:

(A) the requirements in this section and in §289.202 of this title (relating to Standards for Protection Against Radiation from Radioactive Materials **[Material]**) or §289.231 of this title (relating to General Provisions and Standards for Protection Against Machine-Produced Radiation), as applicable;

(B) - (C) (No change.)

(D) any notice of violation involving radiological working conditions~~[,]~~ or order that has:

(i) been issued in accordance with §289.201 of this title (relating to General Provisions for Radioactive Material), §289.205 of this title (relating to Hearing and Enforcement Procedures), and §289.231 of this title; and [.]

(ii) not been labeled "withhold from public disclosure under Government Code, §552.101," or equivalent phrase, in accordance with §289.252(ii) of this title (relating to Licensing of Radioactive Material).

(2) (No change.)

(3) Each licensee or registrant shall post RC **[Bureau of Radiation Control (BRC)]** Form 203-1, "Notice to Employees," as contained in subsection (i) of this section, or an

equivalent document containing at least the same wording as RC **[BRC]** Form 203-1 [, **shall be posted by each licensee or registrant as required by this section**].

(4) (No change.)

(c) (No change.)

(d) Notifications and reports to individuals.

(1) Radiation exposure data for an individual and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of an individual shall be made available **[reported annually]** to the individual as specified in this section. The information reported shall include data and results obtained in accordance with agency requirements, orders, license or certificate of registration conditions, as shown in records maintained by the licensee or registrant in accordance with §289.202 or §289.231 of this title, as applicable. Each notification and report shall:

(A) - (D) (No change.)

(2) Each licensee or registrant shall provide an annual written report to advise each worker **[annually]** of the worker's dose as shown in records maintained by the licensee or registrant in accordance with §289.202(rr) or §289.231(dd) of this title, as applicable, if the individual requests his or her annual dose report in writing.

(3) - (5) (No change.)

(e) - (h) (No change.)

(i) Notice to employees. The following form, RC Form 203-1, or an equivalent as stated in subsection (b)(3) of this section, shall be posted.

Figure: 25 TAC §289.203(i)     **[Figure: 25 TAC §289.203(i)]**

Department of State Health Services  
1100 West 49th Street  
P.O. Box 149347  
Austin, Texas 78714-9347

# NOTICE TO EMPLOYEES

## TEXAS REGULATIONS FOR CONTROL OF RADIATION

The Department of State Health Services has established standards for your protection against radiation hazards, in accordance with the Texas Radiation Control Act, Health and Safety Code, Chapter 401.

### YOUR EMPLOYER'S RESPONSIBILITY

Your employer is required to-

1. Apply these rules to work involving sources of radiation.
2. Post or otherwise make available to you a copy of the Department of State Health Services rules, licenses, certificates of registration, notices of violations, and operating procedures that apply to your work, and explain their provisions to you.

### YOUR RESPONSIBILITY AS A WORKER

You should familiarize yourself with those provisions of the rules and the operating procedures that apply to your work. You should observe the rules for your own protection and protection of your co-workers.

### WHAT IS COVERED BY THESE RULES

1. Limits on exposure to sources of radiation in restricted and unrestricted areas;
2. Measures to be taken after accidental exposure;
3. Individual monitoring devices, surveys and equipment;
4. Caution signs, labels, and safety interlock equipment;
5. Exposure records and reports;
6. Options for workers regarding agency inspections; and
7. Related matters.

### REPORTS ON YOUR RADIATION EXPOSURE HISTORY

1. The rules require that your employer give you a written report if you receive an exposure in excess of any applicable limit as stated in the rules, license, or certificate of registration. The basic limits for exposure to employees are stated in 25 Texas Administrative Code (TAC)

§289.202(f), (k), (l), and (m) (relating to Standards for Protection Against Radiation from Radioactive Materials) and 25 TAC §289.231(m) (relating to General Provisions and Standards for Protection Against Machine-Produced Radiation). These subsections specify limits on exposure to radiation and exposure to concentrations of radioactive material in air and water.

2. If you work where individual monitoring devices are provided in accordance with 25 TAC §289.202 or §289.231:

- (a) your employer must furnish to you, upon your written request, an annual written report of your exposure to radiation; and
- (b) your employer must give you a written report, upon termination of your employment, of your radiation exposures if you request the information on your radiation exposure in writing.

### INSPECTIONS

All licensed or registered activities are subject to inspection by representatives of the Department of State Health Services. In addition, any worker or representative of the workers who believe that there is a violation of the Texas Radiation Control Act, the rules issues thereunder, or the terms of the employer's license or registration with regard to radiological working conditions in which the worker is engaged, may request an inspection by sending a notice of the alleged violation to the Department of State Health Services. The request must state the specific grounds for the notice, and must be signed by the worker or the representative of the workers. During inspections, agency inspectors may confer privately with workers, and any worker may bring to the attention of the inspectors any past or present condition that the individual believes contributed to or caused any violation as described above.

### POSTING REQUIREMENT

Copies of this notice shall be posted in a sufficient number of places in every establishment where employees are employed in activities licensed or registered, in accordance with 25 TAC §289.252 (relating to Licensing of Radioactive Material) and 25 TAC §289.226 (relating to Registration of Radiation Machine Use and Services), to permit employees to observe a copy on the way to or from their place of employment.

Applicable sections of 25 TAC Chapter 289 may be reviewed online, at [www.dshs.state.tx.us/radiation/rules.shtm](http://www.dshs.state.tx.us/radiation/rules.shtm). Our license and/or certificate of registration and any associated documents, our operating procedures, and any "Notice of Violation" or order issued by the agency may be reviewed at the following location: \_\_\_\_\_

