FOREWORD

This booklet contains the Michigan Administrative Rules that pertain to the application of ionizing radiation produced by radioactive material for any purpose. The following narrative briefly describes the events leading to the promulgation of and current authority for these rules.

The former Michigan Department of Public Health began radiation health and safety activities in the mid-1940s as a natural extension of its industrial hygiene program. Beginning with routine response to requests from industry, staff personnel developed a self-initiated system of studies of usage of radionuclides, x-ray machines, and accelerators in industry and the healing arts. Through the mid-1950s, activities included radon concentration studies in Michigan's Upper Peninsula mines, x-ray safety education through Michigan State College, and a radioactive fallout sampling survey in cooperation with the U.S. Public Health Service and the U.S. Atomic Energy Commission.

In 1958 Michigan became one of the first states with administrative rules regulating all sources of ionizing radiation by means of registration and compliance investigations. Under those early rules, the former Department of Public Health conducted a comprehensive radiological health program that included periodic investigations of facilities using any source of radioactive material or x-radiation. These facilities included hospitals, offices and clinics of the healing arts, educational institutions, and industries. Radioactive material was regulated in Michigan as a total health physics concern without regard to its natural or man-made origin.

In 1965 the Legislature passed a law (1965 PA 54) authorizing the state to enter into agreement with the Federal Government for assumption of certain regulatory functions currently conducted by the U.S. Nuclear Regulatory Commission (USNRC).

In 1972 the Legislature passed a comprehensive radiation control law (1972 PA 305). This law was implemented by these *Ionizing Radiation Rules*, which became effective on December 2, 1975. In 1978 the authority for the rules was superseded by the enactment of Part 135 of the Public Health Code (1978 PA 368) and 1972 PA 305 was rescinded. Amendments to Part 135 of 1978 PA 368, have occurred in 1980, 1981, 1983, 1989, 1992, and 1994.

The *Ionizing Radiation Rules* were developed by adopting appropriate standards from several documents, including reports of the National Council on Radiation Protection and Measurements, the Suggested State Regulations for Control of Radiation, and Performance Standards for Electronic Products of the U.S. Department of Health and Human Services. Standards for which no precedent was found were developed with a background of many years of regulatory experience in radiological health and the advice of the former Department of Public Health's Radiation Advisory Board.

The application of these rules to the licensing of byproduct material, source material, and special nuclear material shall not become operative until the effective date of an agreement executed by the state of Michigan and the Federal Government under the provisions of Section 274b of the Atomic Energy Act of 1954, as amended (73 Stat. 689).

Executive Order 1996-1 transferred the radiation program from the Department of Public Health into two other departments. Pursuant to that Executive Order, radioactive material registration, licensure, and compliance regulatory activities became the responsibility of the Michigan Department of Environmental Quality.

This booklet contains the pertinent individual rules in the *Ionizing Radiation Rules* that relate to the control of radioactive material. In a few instances, a rule that pertains to the use of radioactive material may also pertain to the use of radiation machines or contain a subrule that pertains to radiation machines. In these instances, a special note is provided to designate that, as published in this booklet, the requirements of the rule that relate to radioactive material control or compliance are under the purview of the Michigan Department of Environmental Quality.