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"Federal / State
Radiation [Ionizing & Non-Ionizing]
Control
Legislation
1972"

Lois A. Miller

Radiation Operations Staff
Division of Field Operations
Executive Director of Regional Operations

March 1973

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U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
FOOD AND DRUG ADMINISTRATION
Rockville, Maryland 20852

FOREWORD

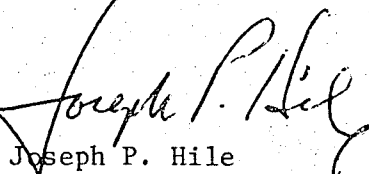
The Food and Drug Administration continues to carry out a national program designed to reduce man's exposure to ionizing and nonionizing radiation.

The Radiation Operations Staff of the Food and Drug Administration's Executive Director of Regional Operations, assists and advises the Bureau of Radiological Health on regional and State radiological health activities. The Radiation Operations Staff also coordinates all radiological health activities for an active Federal-State partnership to achieve and maintain comprehensive radiological health control.

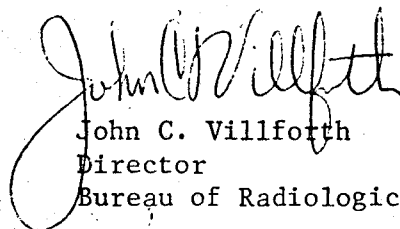
The Bureau of Radiological Health publishes its findings in appropriate scientific journals and technical report and note series for the Bureau's divisions, offices, and laboratory.

The reports of the Radiation Operations Staff (ROS) published by the Bureau allow comprehensive reporting of the results of intramural and contractor projects. The reports are distributed to State and local radiological health personnel, university radiation safety officers, libraries and information services, industry, hospitals, laboratories, schools, the press, Bureau technical staff, Bureau advisory committee members, and other interested individuals. These reports are also included in the collections of the Library of Congress and the Clearinghouse for Federal Scientific and Technical Information.

We encourage the readers of these reports to inform the Bureau of any omissions or errors. Your additional comments or requests for further information are also solicited.



Joseph P. Hile
Executive Director of
Regional Operations



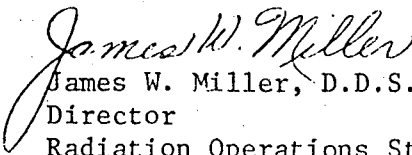
John C. Villforth
Director
Bureau of Radiological Health

PREFACE

This report on Radiation Control Legislation contains pertinent changes and new developments which have taken place during calendar year 1972. It is being published to provide State radiation control programs and other interested agencies with national legislative trends for further control of radiation.

The State legislation has been compiled from reports received from the Commerce Clearing House Reporting Service and the Federal legislation from the CONGRESSIONAL RECORD.

Appreciation is expressed to all radiological health regional representatives who provided comments and suggestions on the draft version of this report.


James W. Miller, D.D.S.
Director
Radiation Operations Staff
Office of the Executive Director
of Regional Operations

KEY TO SYMBOLS

- A. - Assembly Bill
- A.C.R. - Assembly Concurrent Resolution
- A.J.R. - Assembly Joint Resolution
- A.R. - Assembly Resolution
- H. - House Bill
- H.C.R. - House Concurrent Resolution
- H.R. - House Resolution
- H.J.R. - House Joint Resolution
- L. - Legislative Bill
- P.F. - Prefiled
- S. - Senate Bill
- S.C.R. - Senate Concurrent Resolution
- S.R. - Senate Resolution
- X - First Special Session
- XX - Second Special Session

ABSTRACT

This report, which presents a review of Federal and State radiation control legislation for calendar year 1972, is in Federal-State, subject, and Status order. A brief description of each bill introduced in 1972 is included, plus existing laws or statutes governing radiation control.

FEDERAL/STATE PROPOSED LEGISLATION 1972

SUMMARY

This report which presents a review of Federal and State radiation control legislation introduced in calendar year 1972 or carried over from the previous year is in State, subject, and final status order. The subject parameters are: General, Ionizing Radiation, Nonionizing Radiation, Nuclear Energy, Environmental, and User Legislation.

The legislatures of 37 States met in regular session and five met in special session only in 1972. Nineteen Federal bills and 167 State bills pertaining to radiation control were introduced. Of the 136 bills introduced, only 30 were enacted, three of which were Federal bills.

The summary by subject parameters of enacted legislation is as follows:

1. General: There were seven bills approved covering seven areas of interest.

2. Ionizing Radiation: One bill provided for investigation and study of the efficient use of ionizing radiation, and the other for control of ionizing radiation.

3. Nonionizing Radiation: Three States amended their statutes to include nonionizing radiation.

4. Nuclear Energy: There were ten bills approved relating to nuclear compacts, nuclear powerplants and limiting exposure to radiation emanating from uranium mill tailings used in construction. The Federal bill authorized the Atomic Energy Commission to issue temporary operating licenses for nuclear power reactors under certain circumstances.

5. Environmental: Two bills were passed to create environmental agencies for the protection of the environment.

6. User Legislation: There were seven bills approved relating to user legislation: The Federal bill (Amendment to Social Security Act), as related to Radiological Health, required the development and conduct of a program to determine proficiency of health care personnel including x-ray technicians. Kentucky approved new legislation to regulate operators of radiation sources and create an advisory committee. New York passed five amendments relating to its existing user legislation.

FEDERAL-General (Continued)

H.R. 14480 A bill to establish a Department of Health, see
Mr. Rooney S. 3432.

October 18, 1972 No action by adjournment

IONIZING

H.R. 12416 A bill to amend the Public Health Service Act to direct
Rep. Koch the Secretary of Health, Education, and Welfare to
prescribe radiation standards for, and conduct regular
inspections of, diagnostic and other x-ray systems.

October 18, 1972 No action by adjournment

H.R. 15732 A bill to amend the Public Health Service Act to direct
Rep. Koch the Secretary of Health, Education, and Welfare to
prescribe radiation standards for and conduct regular
inspections of diagnostic and other x-ray systems, and
to require use of protective shielding on patients
during x-ray procedures.

October 18, 1972 No action by adjournment

H.R. 17109 Same as H.R. 15732
Rep. Koch

October 18, 1972 No action by adjournment

NONIONIZING

S. 3487 A bill to amend the Radiation Control and Safety Act
Sen. Tunney to provide for research into the chronic effects of
microwave radiation.

October 18, 1972 No action by adjournment

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NUCLEAR ENERGY

H.R. 13752 An act to amend the National Environmental Policy Act
Mr. Dingell of 1969 to provide for the interim licensing of the
operation of certain thermoelectric generating plants.

KANSAS - GENERAL (Continued)

S. 734 existing section.
 (Continued) March 28, 1972 Failed to pass by adjournment

NONIONIZING

S. 236 An act relating to the Nuclear Energy Development and
 Radiation Control Act; redefines radiation to include
 nonionizing, defines electronic products.
 February 18, 1972 Approved

NUCLEAR ENERGY

H.C.R. 1043 A concurrent resolution opposing in its present frame
 of reference a proposed AEC authorization to acquire
 acreage in the State of Kansas for the establishment
 of a permanent nuclear waste storage facility.
 March 28, 1972 Failed to pass by adjournment

S.C.R. 38 A concurrent resolution opposing Atomic Energy
 Commission authorization to acquire acreage in the
 State of Kansas for the establishment of a permanent
 nuclear waste storage facility.
 March 28, 1972 Failed to pass by adjournment

S. 315 An act enacting the Midwest Nuclear Compact and
 specifying the representation of this State therein;
 prescribing extension of benefits for employment-
 connected injuries incurred under Article VI thereof.
 March 21, 1972 Approved

KENTUCKY

NONIONIZING

H. 362 An act to amend K.R.S. 152.125 relating to the

RHODE ISLAND - Environmental (Continued)

H. 1894
(Continued) April 28, 1972 Failed to pass by adjournment

S. 695 An act requiring cooling towers in nuclear or atomic power plants to prevent or control thermal pollution of water and natural resources.

April 28, 1972 Failed to pass by adjournment

SOUTH CAROLINA

NONIONIZING

H. 3288 An amendment to redefine radiation to include nonionizing radiation.

July 28, 1972 Failed to pass by adjournment

NUCLEAR ENERGY

H.C.R. 1954 A concurrent resolution to appoint a committee to study the establishment of plants or facilities for the recovery of nuclear fuel and the storage of waste nuclear materials.

July 19, 1972 Reported to General Assembly

SOUTH DAKOTA

NUCLEAR ENERGY

S. 212 Nuclear Compact--providing for the entering into the Midwest Nuclear Compact.

February 11, 1972 Killed on adjournment

TABLE 2. STATES WITH SPECIFIC STATUTES FOR CONTROL OF NONIONIZING RADIATION

STATE	ALL ELECTROMAGNETIC RADIATION	LASERS ONLY	EFFECTIVE DATE
Alaska	H.B. 267		7/26/69
Arizona	H.B. 5		8/11/70
Arkansas	H.B. 328 Amended by H.B. 441		8/7/69 4/28/71
Florida	S.B. 670		6/18/71
Idaho	H.B. 519		3/27/72
Illinois		S.B. 984	8/11/67
Indiana	S.B. 601		4/14/71
Kansas	S.B. 236		2/18/72
Kentucky	H.B. 362		3/30/72
Louisiana	H.B. 1165		1/31/68
Massachusetts		S.B. 1148	10/9/68
Mississippi*			
New Hampshire	H.B. 207		6/8/71
New Jersey	S.B. 2091		12/30/71
New Mexico	H.B. 426		4/8/71
New York	H.B. 6393		4/27/69
Oklahoma	H.B. 1405		4/14/69
Pennsylvania		Ch. 4	
Texas	H.B. 733	Art. 436	6/9/71

*Attorney General has ruled that the present Radiation Control Act provides authority to control nonionizing radiation.



TABLE 3. STATES WITH SPECIFIC STATUTES FOR USER CONTROL
JANUARY 1, 1973

STATE	ALL USERS	X-RAY TECHNOLOGY	CHIRO- PRACTORS	NUCLEAR PLANT PERSONNEL
California Effective Date	S.B. 1056 11/10/69			
Delaware		*		
Kentucky Effective Date		H.B. 404 3/29/72		
Massachusetts Effective Date				H.B. 216 8/5/71
New Jersey Effective Date		A.B. 660 12/6/68		
New York Effective Date		S.B. 1313 7/1/64 Amend S.B. 4888 6/17/71 Amend A.B. 8041 4/25/72 Amend A.B. 8381 6/2/72 Amend S.B. 7278 4/5/72 Amend S.B. 8118 6/2/72	S.B. 6480 7/2/71	
Oregon		*		
Puerto Rico Effective Date		Act 78 9/23/63		
Texas Effective Date			S.B. 327 5/25/71	

*Attorney General has determined that legislation covers certification of x-ray technologists.

TABLE 4. APPROVED LEGISLATION
JANUARY 1, 1972

STATE	GENERAL	IONIZ- ING	NONION- IZING	NUCLEAR ENERGY	ENVIRON- MENTAL	USER	TOTAL
Colorado				1			1
Florida				1			1
Idaho	1		*				1
Iowa					1		1
Kansas			1	1			2
Kentucky			1			1	2
Louisiana	1						1
Massachusetts		1		2			3
Michigan		1					1
Nebraska	1			1			2
New Jersey	1			2			3
New Mexico	2						2
New York					1	5	6
South Carolina				1			1
Federal	1			1		1	3
TOTALS	7	2	2	10	2	7	30

*General legislation passed included nonionizing.

TABLE 5. FINAL DISPOSITION OF PROPOSED LEGISLATION
JANUARY 1, 1972

STATUS	APPROVED	PENDING	FAILED TO PASS	TOTAL
General	7		9	16
Ionizing Radiation	2		6	8
Nonionizing Radiation	2		2	4
Nuclear Energy	10	3	39	52
Environmental	2	1	13	16
User Legislation	7	1	32	40
TOTAL	30	5	101	136

TABLE 6. PROPOSED LEGISLATION IN 1972

STATE	GENERAL	IONIZ- ING	NONION- IZING	NUCLEAR ENERGY	ENVIRON- MENTAL	USER	TOTAL
California		1		5	2	6	14
Colorado				1	1		2
Florida	1*			1	2		4
Idaho	1*						1
Indiana	1						1
Iowa					1		1
Kansas	1*		1	3	2		7
Kentucky			1			1	2
Louisiana	1				1	1	3
Maryland					2	1	3
Massachusetts	1	2		5		4	12
Michigan		1					1
Missouri						1	1
Nebraska	1			1			2
New Hampshire						1	1
New Jersey	1			5	1	1	8
New Mexico	3						3
New York		1		13	2	18	34
Pennsylvania	1*			3		1	5
Rhode Island					2		2
South Carolina			1	1			2
South Dakota				1			1
Vermont				2			2
Washington				2			2
Wisconsin				1			1
Puerto Rico				1		1	2
Federal	4	3	1	7	Not Reported	4	19
TOTAL	16	8	4	52	16	40	136

*Amendments relating to nuclear energy, ionizing, and other radiation.

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Lois A. Miller. FEDERAL/STATE CONTROL LEGISLATION 1972.

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