



Compliance with Radiation Rules

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Plan for the Use of Administrative Penalty, Cease and Desist Authority, And other Division-wide Enforcement Tools

Minnesota Department of Health

“Health Consolidation Act”

MS 144.989 to 144.993

www.health.state.mn.us

APO Enforcement Program

Authorized By Statute (MS 144.989 to 144.993)

“Health Enforcement Consolidation Act”

Purpose:

- Serves to clearly inform the regulated industry of the requirements and consequences of violations

AND

- Provides a deterrence to future non-compliance.

MDH Enforcement Program

- Routine x-ray inspection reports are given:
 - 30 days to correct violations **or**
 - Provide MDH a plan for correction.
 - Failure to respond to MDH can result in an Administrative Penalty Order.
- MDH does send letters to the facility with each step that's taken to an APO forum.

APO Enforcement Program

A radiation inspection begins by having found violations that are:

Serious **or**

Serious with same repeated violations **or**

Repeated serious violations **or**

Non-compliance of an inspection report with above issues.

-This can start the APO Plan Process

APO Enforcement Plan

- APO process gives the facility:
 - 10 days to dispute the information
 - 30 days to correct violations **or** provide a plan for APO correction of the inspection report violations.
 - **If no** response the next step starts...a forum is formed.

APO Enforcement Program

In the forum, participants discuss the issues;

All decisions are always made by a forum;

All decisions **must** follow the APO Plan!

Penalties can be:

- forgivable **or**
- non-forgivable **or**
- a combination of both

APO Options for Facility

- Come into compliance
- Pay the fine
- Begin to start compliance by knowing the Requirements, Rules, Statutes and having a solid Quality Assurance Program (Radiation Safety Program) and an RSO and Staff that are committed to being compliant.
- Thank you for your attention today!
Sue

Radiation Control

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www.health.state.mn.us/divs/eh/radiation

Bibliography

MN Dept. of Health Radiation Rules, Chapter 4732

MN Statutes 144-121 and MS 144.989 to 144.993

Merriam-Webster Dictionary for “Protection” and “safety” definitions

MDH Notifications for inspection information and

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