



TO: Licensees and Registrants

FROM: Becki Harisis, Manager
Office of Radiological Health

DATE: 10/13/2022

SUBJECT: Notice of Public Hearing – 180 NAC 18

The purpose of these hearings is to receive comments on proposed Title 180 of Nebraska Administrative Code (NAC) Chapters 18. The proposed changes update definitions; update fees; modify terminology; remove all duplicate statutory, unnecessary, and inconsistent language from the regulations; update section headings; correct typographical and punctuation errors; and update formatting. Authority for these regulations is found in Neb. Rev. Stat. § 81-3117(7).

Copies of the proposed regulations, fiscal impact statements, and additional public hearing information may be viewed and downloaded at <https://www.nebraska.gov/nesos/rules-and-regs/regtrack/index.cgi>, or obtained from DHHS at the mailing address below.

Public Hearing for this chapter will be held on November 21, 2022 at 10:00 a.m. Central Time in the Nebraska State Office Building – Lower Level A, 301 Centennial Mall South, Lincoln, Nebraska. Phone call information: 888-820-1398; Participant code: 3213662#

Interested persons may attend the hearing and provide verbal or written comments or mail or email written comments, no later than the day of the hearing to: DHHS Legal Services, PO Box 95026, Lincoln, NE 68509-5026, (402) 742-2382 or dhhs.regulations@nebraska.gov, respectively. For answers to technical questions about the proposed changes, contact the Office of Radiological Health at (402) 471-2168 or by email at dhhs.radiationprograms@nebraska.gov.

Auxiliary aids or reasonable accommodations needed to participate in a hearing can be requested by calling (402) 471-8417. Individuals with hearing impairments may call DHHS at (402) 471-9570 (voice and TDD) or the Nebraska Relay System at 711 or (800) 833-7352 TDD at least 2 weeks prior to the hearing.

A summary of proposed changes can be found on the following page.

TITLE 180 – CONTROL OF RADIATION

180 NAC 18 Fees for Certificates of Registration, Radioactive Material Licenses, Environmental Surveillance, Emergency Response and Other Regulatory Services

- Updated definitions.
- Corrected typographical and punctuation errors.
- Removed unnecessary and repetitive language, and updated formatting throughout the chapter.
- 180 NAC 18-005.01 table item 26 radioactive material application and license fee category of “Other Specific License” was modified by adding the words “Not Requiring a Decommissioning Funding Plan or Financial Assurance for Decommissioning”.
- Reduction of Dental X-ray fees in 180 NAC 18-008.01.
- Reduction of Cabinet X-ray fees in 180 NAC 008.01 item 4.b.
- Reduction of Service registrant fees in 180 NAC 18-008.02.

Yearly fees to registrants mentioned above are proposed to be reduced as follows:

Service Type Fees (Service Registrations)	\$100.00/service type
Dental X-ray Machines	\$15.00/machine
Cabinet X-ray Machines	\$50.00/machine
Therapy Units	\$100.00/unit