



NOTICE TO EMPLOYEES

WHAT IS THE RADIOLOGICAL HEALTH PROGRAM?

The Radiological Health Program (RHP) is a regulatory agency in the Radiation, Toxics and Indoor Air Division, Office of Environmental Health Services, Bureau for Public Health, Department of Health and Human Resources, in the State of West Virginia. The RHP is responsible for registration and inspection of devices and sources that produce radiation.

WHAT IS THE PURPOSE OF THE RHP?

The WV Code of State Regulations, Title 64 Chapter 23 establishes the Radiological Health Rule which is a law designed to protect workers and the public from unnecessary exposure to ionizing radiation. The purpose of the RHP is to provide oversight and assistance for users of radiation producing devices and any source of radioactive material which is not produced as a byproduct of nuclear fission.

WHAT IS THE RESPONSIBILITY OF MY EMPLOYER?

A business or individual that is required to be registered for the use of a radiation producing device and/or a radioactive source in West Virginia must comply with all requirements set forth in the Radiological Health Rule (64-CSR-23). If a registrant is found to be in violation of the law, the registration can be modified, suspended or revoked. The user can face fines or penalties for violations which are not corrected. Your employer must inform you of State or federal regulations or the requirements which pertain to your work with radiation sources. The requirements for registration of a source of radiation are found in 64-CSR-23, Sections 5 and 11.

WHAT IS MY RESPONSIBILITY?

For your own protection and the protection of your co-workers, you should know how the State regulations relate to your work and you should obey them. If you observe violations of the Radiological Health Rule or a safety concern, you should report them.

WHAT IF I CAUSE A VIOLATION?

If you deliberately engage in misconduct that may cause a violation of the WV Code of State Regulations, Radiological Health Rule, or deliberately provide inaccurate or incomplete information to either the RHP or your employer, you may be subject to enforcement action. If you report such a violation, the RHP will consider the circumstances surrounding your reporting in the determination of appropriate enforcement action, if any.

HOW MUCH RADIATION AM I ALLOWED TO GET?

If you work with a radiation producing device or a source of radioactive material, the amount of radiation exposure that you are permitted to receive may be regulated by the State RHP in sections 64-CSR-23.6.5, 23.6.10, 23.6.11, 23.6.12 or the U.S. NRC regulations in sections 10-CFR-20.1201, 20.1207 and 20.1208, depending on which regulations your employer is subject to. While these are the maximum allowable limits according to the law, your employer should keep your radiation exposure far below the limits "As Low As Reasonably Achievable" (ALARA).

MAY I GET A RECORD OF MY RADIATION EXPOSURE?

Yes. Your employer is required to advise you of your dose to radiation at least annually upon your request according to 64-CSR-23.6.51 and in the format described in 64-CSR-23.6.46 or 23.6.54.b and 23.13.4. In addition, you may request a written report of your radiation exposure when you leave your job.

CAN I BE FIRED FOR REPORTING SAFETY CONCERNS?

Federal and State law prohibits an employer from firing or otherwise discriminating against an employee for bringing safety concerns to their attention or to the regulatory agency because you ask the agency to enforce its rules, refuse to engage in activities that violate the rules, or provide information to your employer or the agency about violations.

MAY I TALK WITH AN INSPECTOR?

Yes. The RHP inspector will want to speak with you if you are worried about radiation safety or have concerns about activities regarding the use of radiation producing devices or radioactive material. Your employer may not prevent you from talking with an inspector. The agency will make every effort to protect your identity where appropriate and possible.

MAY I REQUEST AN INSPECTION?

Yes. If you believe that your employer is not in compliance with the WV Radiological Health Rule for the safe use of radiation producing devices or radioactive material, you may request an inspection. Your request should be addressed to the address below in writing and signed by you or your representative. Your employer may not discharge or discriminate against any worker because they file a complaint, report of a suspected violation, or agree to testify in proceedings afforded by the report or request for inspection.

HOW DO I REPORT SAFETY CONCERNS?

If you believe that violations of State or federal rules for safe use of radiation producing devices or radioactive material, you should report them immediately to your supervisor or the Radiation Safety Officer. If you choose to report directly to the RHP, you should clearly identify the allegation(s).

HOW DO I CONTACT THE RHP?

You can call an inspector or write to:
Radiological Health Program
Office of Environmental Health Services
Capitol and Washington Streets
1 Davis Square, Suite 200
Charleston, WV 25301-1798
Telephone: (304) 558-2981 or
Facsimile: (304) 558-1289 FAX
Internet: <http://www.wvdhhr.org/rtia>

(64-CSR-23.13.2) A copy of this Notice must be posted in sufficient locations to permit individuals, engaged in work with sources of radiation under the registration, to observe it on the way to or from any place of work to which this notice applies. This Notice shall be conspicuous and must be replaced if defaced or altered.