

5/3020/2019

8.4.2019

Annulment and termination of applicability of certain decisions pertaining to the Radiation Act

During the period of validity of the repealed Radiation Act (592/1991), the Radiation and Nuclear Safety Authority (STUK) has made decisions concerning radiation safety, as well as other general decisions that fall within the scope of radiation legislation.

The new Radiation Act (859/2018) entered into force on 15 December 2018. As a rule, the safety licences issued and the decisions made pursuant to the repealed Radiation Act remained in force due to the transitional provisions of section 202, paragraph 1 of the new legislation.

STUK's decisions referred to in this decision are incorporated into existing legislation or have been annulled or otherwise lost their relevance as a result of the reform.

For the sake of clarity, STUK has made this decision pertaining to the annulment and termination of applicability of the said decisions. Some of the general decisions issued under the repealed Radiation Act remain in force for the time being.

DECISION

The Radiation and Nuclear Safety Authority annuls the following decisions:

- 1) reference levels for patient radiation exposure in computed tomography examinations of adults, decision 2/3020/2013 (23 May 2013)
- 2) reference levels for patient radiation exposure for nuclear medicine examinations, decision 1/3020/2015 (23 February 2015)
- 3) reference levels for patient radiation exposure for paediatric CT scans, decision 9/3020/2015 (25 May 2015)
- 4) reference levels for patient radiation exposure in cone-beam computed tomography examinations of adults' head region, decision 12/3020/2016 (7 November 2016)
- 5) reference levels for patient radiation exposure in cardiology, decision 15/3020/2016 (20 December 2016)
- 6) reference levels for patient radiation exposure for conventional X-ray examinations of adults, decision 11/3020/2017 (15 May 2017)

5/3020/2019

8.4.2019

- 7) reference levels for patient radiation exposure for conventional paediatric X-ray examinations, decision 6/3020/2018 (5 April 2018)
- 8) activity limits for the discharges of radioactive waste into the sewer network or otherwise into the environment, decision 4/3020/2014 (27 October 2014)
- 9) clearance levels of radioactive materials, decision 4/3020/2013 (11 September 2013)
- 10) exemption values for radioactive substances, decision 5/3020/2013 (11 September 2013)

Termination of applicability

The Radiation and Nuclear Safety Authority states that the following decisions are no longer applicable because they have been annulled or lost their relevance:

- 11) exemption from safety licence for the use of equipment that generates ionizing radiation electrically when the equipment operates at a maximum voltage of 5 kV, decision 7/3020/2013 (11 September 2013)
- 12) change of conventional dental X-ray practices exempt from a safety licence to practices requiring a safety licence, decision 5/3020/2014 (5 August 2014)
- 13) making the sale and possession of X-ray equipment subject to a licence, decision 2/3005/2014 (29 September 2015)
- 14) exemption from safety licence for radiation sources used as teaching aids, decision 30/310/07 (2 May 2007)
- 15) exemption from safety licence for the use of equipment that generates ionizing radiation electrically when the equipment operates at a maximum voltage of 30 kV, decision 6/3020/2013 (11 September 2013)
- 16) exemption of the use of fire alarms and smoke detectors from safety licencing, decision 3/3120/2017 (26 July 2017)
- 17) fees charged for regulatory control of radiation practices as of 11 April 2018, decision 18/3020/2018 (5 April 2018)

5/3020/2019

8.4.2019

Legal basis

Annulment of decisions

Reference levels of patient radiation exposure are prescribed in the Radiation and Nuclear Safety Authority's regulation on justification assessment and optimization of radiation protection in medical exposure (STUK S/4/2019). *Decisions 1–7* are annulled as unnecessary pursuant to section 112, paragraph 4 of the Radiation Act.

The activity limits for radioactive discharges are prescribed in the Radiation and Nuclear Safety Authority's regulation on radioactive waste and discharges of radioactive substances in the use of unsealed sources (STUK S/2/2019). Decision 8 is annulled as unnecessary pursuant to section 127, paragraph 6 of the Radiation Act.

Exemption values and clearance levels are prescribed in the Radiation and Nuclear Safety Authority's regulation on exemption values and clearance levels (STUK SY/1/2018). Decisions 9 and 10 are annulled as unnecessary. The former is annulled under section 85, paragraph 2 and the latter under section 49, paragraph 3 of the Radiation Act.

Termination of applicability

Pursuant to section 2 of the Radiation Act, the legislation does not apply to the use of equipment that generates ionizing radiation electrically when the equipment operates at a maximum voltage of 5 kV. *Decision 11* has lost its relevance.

According to section 48 of the Radiation Act, the use of radiation requires a safety licence. *Decisions 12 and 13* have lost their relevance because the activities covered by the decisions are now covered directly by law.

Section 49 of the Radiation Act provides for activity exempted from safety licence. The Government Decree on Ionizing Radiation (1034/2018) sets out more detailed provisions on the activities exempted from safety licence.

Pursuant to section 27, paragraph 1, subparagraph 1 of the Decree, no safety licence is required for the use, manufacture, trade, installation, possession, safekeeping, import, shipment or storage of equipment generating ionizing radiation electrically, when the equipment operates at a maximum voltage of 30 kV and does not cause, within a distance of 10 centimetres of the equipment's accessible surfaces, a dose rate exceeding one microsievert per hour.

Pursuant to subparagraph 2, no safety licence is required for the use of fire alarms and smoke detectors containing radioactive americium-241 isotope in the purpose they have been designed for, or for their retail

5/3020/2019

8.4.2019

trade, or for the possession, retention, storage, installation, maintenance or repair related to their use and retail trade. However, new fire alarms may not contain more than 40 kilobecquerels of the americium-241 isotope.

Pursuant to subparagraph 3, no safety licence is required for the use of a sealed source with radiation safety properties intended for educational use which generates ionizing radiation electrically and contains a maximum of 40 kilobecquerels of the americium-241, strontium-90 or caesium-137 isotope as a teaching aid in schools, vocational colleges and similar institutions, provided that the educational institution has appointed a person in charge of radiation safety.

As a result of the above, *decisions 14–16* have lost their relevance.

The Radiation and Nuclear Safety Authority has decided on the fees to be charged for the regulatory control of radiation activities on the basis of the respective decision of the Ministry of Social Affairs and Health (580/1993). The ministry's decision has been repealed by a decree of the Ministry of Social Affairs and Health (1259/2018) on fees charged for the services of the Radiation and Nuclear Safety Authority. *Decision 17* has been annulled with the entry into force of the said decree.

Sections of the law

Those mentioned in the legal justification above.

Appeal

Provisions concerning an appeal against this decision are detailed in the Act on Legal Proceedings in Administrative Matters (808/2019).

Additional information

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