

STATE OF COLORADO

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Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

NOTICE OF PUBLIC RULE-MAKING HEARING BEFORE THE COLORADO BOARD OF HEALTH

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on November 20, 2013 at 10 a.m. in the Sabin-Cleere Conference Room of the Colorado Department of Public Health and Environment, Bldg. A, First Floor, 4300 Cherry Creek Drive, South, Denver, CO 80246, to consider the promulgation of 6 CCR 1007-1, Part 24, *Particle Accelerators and Therapeutic Radiation Machines in the Healing Arts*. A copy of the meeting agenda will be on the Board's web site:

<http://www.colorado.gov/cs/Satellite/CDPHE-Main/CBON/1251635552089> at least 7 days prior to the meeting.

The purpose of this hearing is to receive public comments on 6 CCR 1007-1, Colorado Rules and Regulations Pertaining to Radiation Control, Part 24, titled *Particle Accelerators and Therapeutic Radiation Machines in the Healing Arts*. A portion of the proposed rules (amendments) are to align and model Colorado regulations with the Suggested State Regulations for Radiation Control (SSRCR), Part X (March 2009), of the Conference of Radiation Control Program Directors, Inc. (CRCPD) which were not incorporated into the last amendment to Part 24. The CRCPD related changes include clarification on certain definitions, updates to language relating to various technical parameters and requirements (e.g., timer function, filtration, acceptance testing, and medical emergencies) specific to therapy machines, and the addition of training requirements for electronic brachytherapy. Additional changes are being proposed based upon stakeholder comments and recommendations and include the addition, modification, or deletion of certain definitions, clarification of supervision requirements, the addition of technical reference documents, and requirements and guidance associated with the emerging modalities of Stereotactic Radiosurgery (SRS), Stereotactic Body Radiation Therapy (SBRT), and electronic brachytherapy, the approval of quality assurance and acceptance testing documents, and the frequency of emergency shut off testing. Proposed changes due to programmatic needs include the addition of Image Guided Radiation Therapy (IGRT) guidance and requirements, the requirement for Department approval for continued use of therapy devices that exceed certain radiation survey criteria, the minor clarification on content and retention of shield plan documentation. Additional changes are necessary to correct cross-reference and typographical errors and omissions and make minor clarifications to certain provisions. Refer to the draft Part 24, and the draft Statement of Basis and Purpose for Part 24 for additional information.

The proposed rules have been developed by the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment pursuant to Section 25-1.5-101(1)(l), 25-1-108(1)(c), and 25-11-104, C.R.S.

Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division HMWM-RM-B2, 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-3454. The proposed amendments will also be available on the Board's Web site at <http://www.colorado.gov/cs/Satellite/CDPHE-Main/CBON/1251622332257> under "Notices of Upcoming Public Rulemaking Hearings and Draft Proposed Rules."

The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing. At the discretion of the Chair, oral testimony at the hearing may be limited to five minutes or less depending on the number of persons wishing to comment.

PURSUANT TO 6 CCR 1014-8, §3.02.1, WRITTEN TESTIMONY MUST BE SUBMITTED TO THE Board no later than five (5) calendar days prior to the rulemaking hearing. Persons wishing to submit written comments should submit them to: Colorado Board of Health, ATTN: Jamie L. Thornton, Program Assistant, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 or by e-mail at: Jamie.thornton@state.co.us

The proposed revisions to be considered at the hearing, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the above address by any person at least five working days prior to the hearing.

Dated this 11th day of October 2013.



Deborah Nelson
Board of Health Administrator