

○Ordinance of the Ministry of Health, Labour and Welfare No. 152

Pursuant to the provisions of the Industrial Safety and Health Act (Act No.57, 1972) and the Enforcement Order of Industrial Safety and Health Act (Cabinet Order No. 318, 1972) and to enforce the Act, the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works shall be enacted as follows.

22 December 2011

Minister of Health, Labour and Welfare

Yoko Komiyama

Ordinance on Prevention of Ionizing Radiation Hazards at Work to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works

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Supplementary Provisions

Chapter 1 General Provisions

(Basic principles for prevention of ionizing radiation hazards pertaining to work to decontaminate soil, etc. contaminated by radioactive materials discharged by the accident)

Article 1 Employers shall endeavor to minimize exposure of ionizing radiation to the workers who engage in decontamination and other related works.

(Definition)

Article 2 “Employers” in this Ordinance shall mean employers who provide decontamination works.

2. “Workers engaged in decontamination work” in this Ordinance shall mean workers who provide decontamination work.
3. “Ionizing radiation” in this Ordinance shall mean the ionizing radiation in Paragraph 1 of Article 2 of the Ordinance on Prevention of Ionizing Radiation Hazards (Ordinance of the Ministry of Labour No. 41 of 1972, hereinafter referred to as “Ionizing Radiation Ordinance”).
4. “Radioactive materials discharged by the accident” in this Ordinance shall mean radioactive materials discharged by the nuclear power plant due to the accident caused by the Tohoku District Off the Pacific Ocean Earthquake on 11 March 2011 (Limited to the radioactive materials described in Paragraph 2 of Article 2 of the Ionizing Radiation Ordinance).
5. “Works of decontamination, etc.” in this Ordinance shall mean works to remove contaminated soil, fallen leaves and branches, and accumulated sludge in the channels (hereinafter referred to as “contaminated soil and wastes”) to prevent the spread of contamination and to take other measures concerning soil, vegetation, and structures contaminated by radioactive materials discharged by the accident in the special decontamination area stipulated in paragraph 1, Article 25 of the Act on Special Measures Concerning the Handling of Environmental Pollution by Radioactive Materials Discharged by the Nuclear Power Station Accident Associated with the Tohoku District Off the Pacific Ocean Earthquake That Occurred on 11 March 2011 (Act No. 110 of 2011) or in the intensive contamination survey areas stipulated in paragraph 1, Article 32 of the Act (hereinafter referred to as “special decontamination areas, etc.”).
6. “Removed soil” in this Ordinance shall mean soil generated by the measures in the preceding paragraph (Limited to the radioactive materials discharged by the accident containing more than 10,000 Bq/Kg of cesium 134 and cesium 137 obtained by the methods specified by the Minister of Health, Labour and Welfare.).
7. “Work for collecting wastes, etc.” in this Ordinance shall mean works related to collection, transportation, or storage of wastes contaminated by removed soil or radioactive materials discharged by the accident in the special decontamination areas, etc. (Limited to the radioactive materials discharged by the accident containing more than 10,000 Bq/Kg of cesium 134 and cesium 137 obtained by the methods specified by the Minister of Health, Labour and Welfare. Hereinafter referred to as “contaminated wastes”).
8. “Decontamination works” in this Ordinance shall mean works of decontamination, etc. or works concerning collection of wastes, etc.

Chapter 2 Exposure dose limit and measurement

(Exposure dose limit for workers engaged in decontamination work)

Article 3 Employers shall ensure that the effective dose received by workers engaged in decontamination work do not exceed 100 mSv per five years and 50 mSv per year.

2. Regardless of the provisions in the preceding paragraph, employers shall ensure that the effective dose received by female workers engaged in decontamination work will not exceed 5 mSv per three month. This excludes infertile female workers and those described in the next paragraph.

Article 4 Employers shall ensure the dose received by female workers engaged in decontamination work do not exceed the dose specified in the items in the following categories, starting from the time they are diagnosed as pregnant until delivery (hereinafter referred to as “Pregnancy”):

- (i) Effective dose due to internal exposure: 1 mSv
- (ii) Equivalent dose received on abdomen surface: 2 mSv

(Dose measurement)

Article 5 Employers shall measure the dose due to external exposure received by workers who engage in decontamination works due to the works related to decontamination works in special decontamination areas, etc. (hereinafter referred to as “decontamination related works”).

2. In addition to dose monitoring pursuant to the provisions of the preceding paragraph, employers shall measure the dose received by workers who engage in decontamination works in the special decontamination areas (limited to the locations where average ambient dose rate obtained by the methods specified by the Minister of Health, Labour and Welfare (hereinafter referred to as “average ambient dose rate”) that exceeds 2.5 μ Sv/h. The same shall apply for the dose (paragraph 8 and Article 10) due to internal exposure during decontamination related works. The employers shall provide examinations pertaining to internal exposure according to the following items:

- (i) Workers engaged in decontamination at the locations where dust concentration exceeds 10 mg/m³ and handle contaminated soil, removed soil, or contaminated wastes, etc. (Limited to those containing the accident discharged radioactive materials that exceeds 500,000 (Bq/Kg) of cesium 134 and cesium 137 determined by the methods specified by the Minister of Health, Labour and Welfare. These will be referred to as “highly contaminated soil and wastes with radioactivity” in the next item) shall be measured for the committed dose once every three month, and every month for female workers who are likely to receive effective dose of 1.7 mSv or more (excluding infertile female workers), and once per month for pregnant workers.

- (ii) Workers engaged in decontamination work described in (a) or (b) shall be provided with examinations for internal exposure with the methods specified by the Minister of Health, Labour and Welfare.
 - (a) Work involving handling highly contaminated soil and wastes with radioactivity at the locations where the dust concentration is 10 mg/m³ or less.
 - (b) Work involving handling of contaminated soil and wastes, removed soil, or contaminated wastes other than highly contaminated soil and wastes with radioactivity at the locations where the dust concentration exceeds 10 mg/m³.
- 3. When the committed dose exceeds the standards specified by the Minister of Health, Labour and Welfare in the results of examinations received by workers engaged in decontamination work in accordance with the provisions of item (ii) in the preceding paragraph, employers shall measure the committed dose of workers engaged in decontamination work with the method specified in item (i) of the same paragraph.
- 4. The measurement of the external exposure dose pursuant to the provision of Paragraph 1 shall be conducted by the 1 cm dose equivalent rate.
- 5. The measurement of the external exposure dose pursuant to the provision of Paragraph 1 shall be conducted with radiation monitors on the chest for male workers and infertile female workers and on the abdomen for fertile female workers.
- 6. Regardless of the provisions in the two preceding paragraphs, employers may measure the external exposure dose specified in Paragraph 1 received by workers engaged in decontamination work in the special decontamination areas etc. during decontamination work (Limited to the locations of 2.5 µSv/h or less) with the methods specified by the Minister of Health, Labour and Welfare.
- 7. The internal exposure dose pursuant to the provisions of Paragraph 2 shall be measured with the methods specified by the Minister of Health, Labour and Welfare.
- 8. Workers engaged in decontamination work shall wear radiation monitors in the special decontamination areas, etc. where decontamination work is implemented.

(Measuring and recording of dose monitoring results, etc.)

Article 6 When workers engaged in decontamination are likely to receive external exposure dose exceeding 1 mSv by 1 cm dose equivalent rate per day, the measurement results of the external exposure dose pursuant to the provisions of Paragraph 1 in the preceding Article shall be measured every day.

- 2. Based on the results of the measurement or calculation pursuant to the provisions of paragraph 5 to paragraph 7 in the preceding Article, employers shall calculate the dose received by workers who engage in decontamination works listed in the following items by the methods specified by

the Minister of Health, Labour and Welfare and keep the records for thirty years. However, this shall not apply when such records are transferred to the agency designated by the Minister of Health, Labour and Welfare, after five years of preservation.

- (i) A total effective dose for three month, one year, and five year periods for each male worker and infertile female worker (a total effective dose for three month and one year periods for workers whose effective dose has never exceeded 20 mSv per year for five years).
 - (ii) A total effective dose for one month, three month and one year periods for each female worker (excluding those who are diagnosed as infertile) (a total effective dose for three month and one year periods for workers whose effective dose is not likely to exceed 1.7 mSv per month).
 - (iii) A total effective dose due to internal exposure and equivalent dose received on the abdomen surface for every month and during the period of pregnancy for pregnant female workers.
3. Based on the records under the provisions of the preceding paragraph employers shall notify the dose results listed in each item without delay to the workers engaged in decontamination work.

Chapter 3 Measures for Implementation of Decontamination Work

(Preliminary survey)

Article 7 When conducting decontamination works, employers shall conduct a survey of the site where such decontamination related works will be performed in advance about the matters listed in the following items and keep the records.

- (i) Conditions of the decontamination work sites
 - (ii) Average ambient dose rates of the decontamination related work sites
 - (iii) Concentrations of cesium 134 and cesium 137 determined by the methods specified by the Minister of Health, Labour and Welfare of the accident discharged radioactive materials contained in contaminated soil and wastes, removed soil, or contaminated wastes collected during decontamination related work.
- 2 When they have their workers engage in decontamination works, employers shall specify the completion date of the survey described in paragraph 1 and the summary of the methods and the results thereof to the workers in advance.

(Work plan)

Article 8 When employers intend to perform decontamination works, they shall establish work plan and perform the decontamination related works according to the work plan.

2. The work plan in the preceding paragraph shall address the following matters:
 - (i) Conditions of the sites and methods of the decontamination related work.

(ii) The measurement methods of the doses received by workers who engage in decontamination works.

(iii) Measures to minimize the exposure dose to decontamination workers.

(iv) Type and performance of the machineries, tools, and other gears to be used for decontamination related work (“Machinery” in Item (ii) of the next Article, Paragraph 1 of Article 19).

(v) Emergency measures in case of industrial accidents.

3. When the work plan in Paragraph 1 has been devised, employers shall inform relevant workers concerning the matters described in the provisions of the preceding paragraph.

(Operation leader)

Article 9 Employers shall appoint an operation leader for the decontamination related work from workers who have the competence and leadership in directing decontamination related work. The employers shall have the appointed leader lead the decontamination related work in accordance with the work plan described in Paragraph 1 of the preceding Article and have him/her implement all of the following matters:

(i) Define the procedures of the decontamination related work and allocate responsibilities to workers who will engage in decontamination work.

(ii) Inspect machineries to be used for the decontamination related work and eliminate defects.

(iii) Supervise the usage of radiation monitors and protective gears.

(iv) Keep the unauthorized personnel off the decontamination related work areas

(Work notice)

Article 10 When employers (limited to primary contractors specified in Article 15 (1) of Industrial Safety and Health Act (hereinafter referred to as “The law”) intend to perform decontamination related works within the special decontamination areas, etc., employers shall submit the notification with Form 1 to the head of the Labour Standards Inspection Offices which have the jurisdiction over the sites of the workplace (hereinafter referred to as “relevant head of the Labour Standards Inspection Office” in paragraph 2 of the next Article and Article 24).

(Medical examinations etc.)

Article 11 Employers shall ensure that their decontamination workers who fall under any of the following items promptly receive medical examinations or treatments by medical doctors.

(i) When the worker has received effective dose exceeding the limit specified in Paragraph 1 of Article 3.

- (ii) When the worker has mistakenly inhaled or ingested radioactive materials discharged by the accident.
 - (iii) When the worker is not able to reduce their levels of contamination to 40 Bq/cm² or less by washing themselves.
 - (iv) When the wound has been contaminated.
2. Employers shall report to the Head of the Labour Standards Inspection Office when any of their decontamination workers fall under the items in the previous paragraph.

Chapter 4 Prevention of Contamination

(Measures to control dust dispersion)

Article 12 When employers have workers who engage in decontamination works perform decontamination related works concerning items specified in paragraph 2 of Article 5, employers shall take measures to control dust dispersion such as maintaining contaminated soil and wastes, removed soil, or contaminated wastes in a wet condition.

(Usage of containers for collecting wastes, etc.)

Article 13 When employers conduct work for collecting wastes, etc., they shall use containers to prevent spread of contamination. However, this rule shall not apply to the case in which storing wastes in the containers is especially difficult, or necessary measures have already been taken for prevention of removed soil or contaminated wastes from scattering and leaking .

2. Employers shall use the aforementioned containers that have the structures with the following specifications appropriate for respective category of work for collecting wastes, etc. :
- (i) The containers with no fear of scattering or leaking of removed soil or contaminated wastes shall be used for work pertaining to collection or storage of removed soil or contaminated wastes.
 - (ii) The containers with no fear risk of scattering or leaking of removed soil or contaminated wastes, and with the capability of 1 cm dose equivalent rate at 1 m from the surface of the container of the package, which does not exceed 0.1 mSv, shall be used for work pertaining to collection or storage of removed soil or contaminated wastes. However, exceptions are approved in cases in which measures for shielding of radiation are necessary when transporting containers with special carriers. The necessary measures to shield block radiation shall be taken when the maximum 1 cm dose equivalent rate at 1 m from front, rear, and both sides of the vehicle (from the vertical plane connected to outer rim of the vehicle if it is an open type vehicle) does not exceed 0.1 mSv.

3. Employers shall indicate the containers for removed soil or contaminated wastes used in Paragraph 1 with labels.
4. When storing removed soil or contaminated wastes employers shall use the aforementioned containers in Paragraph 1 or take the following measures in addition to the measures in the proviso in the same paragraph:
 - (i) Indicate the containers in which removed soil or contaminated wastes are stored with labels.
 - (ii) Prevent unauthorized personnel from entering the site by blocking the site with enclosures.

(Contamination screening of workers leaving the site for the day)

Article 14 Employers shall establish a radiation contamination screening station at or near the site, where decontamination work is implemented and inspect the levels of contamination in decontamination workers' bodies, clothing, shoes, protective equipment, and other equipment (hereinafter in this article referred to as "Equipment") that came in contact with their bodies before they leave their work sites for the day.

2. Employers shall not allow the decontamination workers to leave their work site when the levels of contamination in their bodies or the Equipment exceed 40 Bq/cm^2 , when assessed in accordance with the provision in the preceding paragraph, until the following measures are taken at the contamination screening station:
 - (i) If workers' bodies are contaminated, they need to reduce their levels of contamination to 40 Bq/cm^2 or less.
 - (ii) If the equipment attached to the workers are contaminated, the workers need to take off or remove the contaminated Equipment.
3. Workers engaged in decontamination work shall wash their bodies, take off or remove the Equipment as instructed by the employers pursuant to the provisions of the preceding paragraph.

(Contamination screening of items to be removed)

Article 15 Employers shall survey contamination of the items to be taken out from the site where decontamination work is conducted at the contamination screening station established in accordance with the requirements in Paragraph 1 of the preceding Article. This shall not apply when the containers in the main Paragraph 1 of Article 13 are used or measures in the proviso in the same paragraph are taken to transport them to the other sites where decontamination work is conducted.

2. Employers and workers shall not remove the items if they are determined to be contaminated above 40 Bq/cm^2 during surveying in the preceding paragraph. This shall not apply when the containers in the main Paragraph 1 of Article 13 are used, or measures in the proviso in the same

paragraph are taken to transport them to the decontamination facilities, storage facilities, disposal facilities, or other sites where decontamination work is conducted.

(Protective equipment)

Article 16 Before decontamination workers start their work specified in the items in Paragraph 2 of Article 5, employers shall prepare effective respiratory protective equipment such as dust masks, protective clothing effective against contamination, gloves, or footwear and ensure the appropriate use of these protection by the decontamination workers when they conduct decontamination work, according to the classification of the decontamination work specified by the Minister of Health, Labour and Welfare.

2. Workers engaged in decontamination work shall use the protective Equipment in the preceding paragraph when implementing work in the same paragraph.

(Decontamination of protective equipment)

Article 17 Employers shall ensure workers engaged in decontamination work do not use protective equipment when the levels of contamination specified in the preceding paragraph is determined to exceed 40 Bq/cm^2 unless such equipment is decontaminated in advance by washing, etc. to the levels of 40 Bq/cm^2 or less.

(Prohibition of smoking, etc.)

Article 18 Employers shall prohibit workers from smoking, eating, or drinking at the sites where they are likely to inhale or ingest radioactive materials discharged by the accident and inform their workers about the risk associated with such activities in advance.

2. Workers shall not smoke, eat, or drink at the sites described in the preceding paragraph.

Chapter5 Special Education

(Special education regarding decontamination work)

Article 19 Employers shall provide special education to the workers regarding the following topics:

- (i) Effects of ionizing radiation on organisms, and the methods for controlling exposure doses.
- (ii) Methods and procedures of the decontamination and other related work.
- (iii) How machineries and other tools used for decontamination and other related work is structured and how to use them.
- (iv) Relevant laws and regulations
- (v) Methods and procedures concerning decontamination and other related work including how to

use machineries and other tools.

- 2 Necessary matters for implementing the special education program shall be provided by the Minister of Health, Labour and Welfare, in addition to the matters specified in Article 37, Article 38, and the preceding paragraph of Ordinance on Industrial Safety and Health (Ordinance of the Ministry of Health, Labour and Welfare No. 32 of 1972).

Chapter 6 Medical Examinations

(Medical examinations)

Article 20 Employers shall provide workers who are regularly engaged in decontamination work with medical examinations by medical doctors when they assign workers to decontamination work, regarding the matters listed in the following items at the time of employment and periodically once every six months thereafter and at the time of reallocation:

- (i) Investigation and evaluation of the exposure history (If the workers had the exposure history, confirm the location, nature of work, duration, and other details concerning radiation exposure, in addition to existence of subjective symptoms)
 - (ii) Examinations of leukocyte count and classifications
 - (iii) Examinations of red blood cell count and hemoglobin contents or hematocrit values
 - (iv) Examinations of eyes for cataract
 - (v) Skin examinations
2. Regardless of the provisions of the preceding paragraph, the requirements described in (ii) through (v) in the preceding paragraph can be exempted if medical doctors determine those examinations are unnecessary for the workers whose effective doses did not exceed 5 mSv in the year before the medical examinations (limited to periodical examinations. The same shall apply to the present item), and their effective doses are not likely to exceed 5 mSv in the year the medical examinations will be conducted.

(Recording the results of medical examinations)

Article 21 Based on the results of the medical examinations (including medical examinations provided to the workers who engage in decontamination works in cases of proviso in paragraph 5, Article 66 of the law. Hereinafter referred to as “Ionizing radiation medical examinations for decontamination”) described in paragraph 1 of the preceding Article, employers shall make individual ionizing radiation medical examination cards for decontamination (Form 2) and preserve them for thirty years. However, this shall not apply when such records are transferred to

the agency designated by the Minister of Health, Labour and Welfare, after five years of preservation.

(Seeking advice from medical doctors about the results of the medical examinations)

Article 22 The advice from the medical doctors based on the results of Ionizing radiation medical examinations for decontamination pursuant to the provisions in paragraph 4, Article 66 of the law shall be received in accordance with the prescriptions of the following items:

- (i) Within three month from the day of the ionizing radiation medical examinations for decontamination (from the day the written proof of the ionizing radiation medical examination for decontamination results is submitted by the workers who engage in decontamination works, in cases of the proviso in paragraph 5 of Article 66 of the law).
- (ii) The advice from the medical doctors shall be recorded in the ionizing radiation medical examination for decontamination cards for individual workers.

(Notification of the medical examination results)

Article 23 Employers shall notify their workers engaged in the decontamination and other related work about the results of their ionizing radiation medical examinations without delay.

(Reporting the results of medical examinations)

Article 24 Employers shall (limited to periodical examinations)submit the report of ionizing radiation medical examination results (Form No. 3) to the head of the Labour Standards Inspection Office without delay.

(Measures based on the medical examinations, etc.)

Article 25 Based on the results of the ionizing radiation medical examinations, the employers shall take needed measures to protect the health of their workers who have or may have developed a radiation related disorder. For example, employers may need to transfer the workers to the alternative positions or locations, or change hours or work procedures until complete remission.

Chapter 7 Miscellaneous Provisions

(Providing radiation measurement instruments)

Article 26 Employers shall provide radiation measurement instruments to the workers necessary to fulfill the duties specified herein. However, this provision shall not apply if arrangements have already been made to make radiation measurement instruments available anytime.

(Transferring records and other information)

Article 27 Employers, who kept records described in paragraph 2 of Article 6 and preserved them, shall transfer such records to the agency designated by the Minister of Health, Labour and Welfare when they discontinue their businesses.

2. When the workers who engage in decontamination works are retiring or when employers discontinue their businesses, employers who prepared and kept the records described in paragraph 2 of Article 6 shall issue a copy of such records to the workers who engage in decontamination works.

Article 28 Employers, who issue ionizing radiation medical examination cards for individuals and store them, shall transfer ionizing radiation medical examination cards to the organization designated by the Minister of Health, Labour and Welfare, when closing their businesses.

2. Employers, who issue ionizing radiation medical examination cards for individual workers and store, shall issue copies of the ionizing radiation medical examination cards to workers engaged in decontamination work when workers terminated their employment or when the employers close their businesses.

(Adjustment)

Article 29 When following workers who engage in decontamination works engage in radiation works described in paragraph 3, Article 2 of the Ionizing Radiation Ordinance; in emergency work described in paragraph 1, Article 7 of the Ionizing Radiation Ordinance; or enter controlled areas temporarily described in paragraph 1, Article 3 of the Ionizing Radiation Ordinance as radiation workers, emergency workers, or workers who temporarily enter; the dose received or has been received is regarded as the dose received due to decontamination work in the special decontamination areas, etc. Radiation workers described in paragraph 1, Article 4 of the Ionizing Radiation Ordinance or those who were radiation workers described in the same paragraph; radiation workers who engage in emergency work described in paragraph 1, Article 7 of the Ionizing Radiation Ordinance; workers who engage in emergency work described in paragraph 3 of the same Article (including the cases where applied mutatis mutandis pursuant to the provisions of Article 62 of the Ionizing Radiation Ordinance) (hereafter in this Article, these workers are referred to as “emergency workers”); those who were emergency workers; workers who temporarily enter the controlled areas described in paragraph 1, Article 8 of the Ionizing Radiation Ordinance (including the cases where applied mutatis mutandis pursuant to the provisions of Article 62 of the Ionizing Radiation Ordinance) (hereafter in this Article, these workers are

referred to as “workers who temporarily enter”); or those who were workers who temporarily enter.

Supplementary Provisions

(Effective Date)

Article 1 This Ordinance shall be enforced from 1 January 2012.

(Partial revision of Ordinance on Industrial Safety and Health Law)

Article 2 A part of the Ordinance on Industrial Safety and Health Law (Ministry of Labour Ordinance No. 32, 1972) shall be revised as follows:

The term “Hereafter referred to as ‘Ionizing Radiation Ordinance’” shall be added after the term in item 2, paragraph 28, Article 36, “Ministry of Labour Ordinance No. 41, 1972,” and the following provision shall be added as an additional paragraph.

38 Decontamination works defined in paragraph 8, Article 2 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works (Ministry of Labour, Health and Welfare Ordinance No. 152, 2011. Hereafter referred to as “Ordinance for Decontamination.”

In Article 100, the term “Ordinance on Prevention of Ionizing Radiation Hazards (ordinance of Ministry of Labour No. 41, 1972. Hereafter referred to as “Ionizing Radiation Ordinance.”)” and the term “Form 3 of the Asbestos Ordinance” shall be revised to “Ionizing Radiation Ordinance” and “Form 3 of the Asbestos Ordinance and Form 3 of the Ionizing Radiation Ordinance for Decontamination,” respectively.

(Partial revision of Ordinance on Prevention of Ionizing Radiation Hazards)

Article 3 A part of the Ordinance on Prevention of Ionizing Radiation Hazards (Ministry of Labour Ordinance No. 41, 1972) shall be revised as follows:

After the term “listed works” in the paragraph 3, Article 2, the term “excluding works for decontamination, etc. defined in paragraph 5, Article 2 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works (Ministry of Health, Labour and Welfare Ordinance No. 152, 2011, hereafter referred to as “Ordinance for Decontamination” in Article 61-3) and the work for collecting wastes, etc. defined in paragraph 7 of the article, for works other than radiation works defined in paragraph 2, Article 59” shall be added.

The following article shall be added after the Article 61-2.

(Adjustment)

Article 61-3 The dose received or has been received by radiation workers who used to be engaged or have been engaged in decontamination works described in paragraph 2, Article 2 of the Ordinance for Decontamination provided by paragraph 1, Article 5 of the Ordinance for Decontamination is regarded as the dose received due to radiation works.

(Transitional Measures Associated with Partial Revision of the Ordinance on Prevention of Ionizing Radiation Hazards)

Article 4 When the provisions of preceding Article are enforced, radiation works stated in paragraph 3, Article 2 of the Ordinance on Prevention of Ionizing Radiation Hazards before revision pursuant to the provisions of preceding Article, which are currently operated in controlled areas specified in paragraph 1, Article 3 of the Ordinance on Prevention of Ionizing Radiation Hazards shall still conform to previous items despite the provisions of paragraph 3, Article 2 of the Revised Ordinance on Prevention of Ionizing Radiation Hazards pursuant to the provisions of preceding Article.

(Partial revision of Ministerial Ordinance on Registration and Designation pursuant to the Ordinance on Industrial Safety and Health Law and its Order)

Article 5 The Ministerial Ordinance on Registration and Designation (Ordinance of Ministry of Labour No. 44, 1972) pursuant to the Ordinance on Industrial Safety and Health Law and its Order shall be partly revised as follows.

In the list of content, the term

“Chapter 10 Designated Record Preserving Organization (Article 96 to 109)” shall be revised as

“Chapter 10 Designated Record Preserving Organization (Article 96 to 109)

Chapter 11 Designated Decontamination Works Record Preserving Organization (Article 110 to 123).”

After the term “Here after” in paragraph 1 and Article 96, the term “in this Chapter” shall be added.

“Following one chapter” shall be added after Chapter 10.

Chapter 11 Designated Organizations for Preservation of Decontamination Work Records

(Designation)

Article 110 Designation described in paragraph 2 of Article 6, Article 21, paragraph 1 of Article 27, and paragraph 1 of Article 28 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works (Ministry of Health, Labour and Welfare Ordinance No. 152, 2011, hereinafter referred to as “Ordinance for Decontamination”) (hereafter in this Chapter referred to as “designation”) shall be performed in accordance with applications from employers who plan to operate the works of the records described in paragraph 2, Article 6 of the Ordinance for Decontamination (hereafter in this Chapter referred to as “records”) and the works involving the preservation of the individual ionizing radiation medical examination cards for decontamination described in the Article 21 of the Ordinance for Decontamination (hereinafter referred to as “individual ionizing radiation medical examination cards for decontamination”) (hereafter in this Chapter referred to as “records preservation work”).

2. Persons who intend to be designated shall submit an application describing following matters to the Minister of Health, Labour and Welfare.
 - (i) The name and address
 - (ii) The name and address of the office for the record preservation
 - (iii) The starting date of the record preservation
3. The application described in the preceding provision shall be accompanied by the following documents:
 - (i) Article of incorporation and the certificate of registered matters
 - (ii) List of asset and balance sheets for the current and preceding business year including the submission date of the application
 - (iii) The business plan and income and expenditure budgets of the current and preceding business year including the submission date of the application
 - (iv) The names and the profiles of the executive officers
 - (v) The proof of compliance with requirements listed in each item of paragraph 1 of the next Article.

(Designation criteria)

Article 111 The Minister of Health, Labour and Welfare shall not designate the entity unless no one else had been designated and the application prescribed in the preceding Article meets the requirements shown in each item below.

- (i) Staffs, systems, methods to implement the preservation of records and other matters are

appropriate to ensure proper implementation of the record preservation work.

(ii) Financial and technical resources are sufficient to ensure proper implementation of the record preservation work.

2. The Minister of Health, Labour and Welfare shall not designate the organization or the individual for record preservation work if the application prescribed in the preceding Article corresponds to any of the following descriptions:

(i) An applicant is neither a member of the General Incorporated Association nor the General Incorporated Foundation.

(ii) The applicant may not be able to implement the record preservation work in a fair manner due to applicant's involvement in businesses other than the record preservation work.

(iii) The applicant is the person who has been sentenced to punishment in violation of the Act or the order of the provision based on the Act and the two years have not passed from the completion date of the execution.

(iv) The applicant is not a person whose designation was revoked pursuant to Article 118 and the two years have not passed from the revocation date.

(v) Any one of the executive officers of the applicant corresponds to Item 3.

(Obligation of Implementation)

Article 112 When employers transfer the records and individual ionizing radiation medical examination cards for decontamination (hereafter in the next paragraph and Article 119 referred to as "records, etc.") to designees (hereafter in this Chapter referred to as "agency for preserving designated decontamination work records") pursuant to the provisions of paragraph 2 of Article 6, Article 21, paragraph 1 of Article 27, or paragraph 1 of Article 28 of the Ordinance for Decontamination, the designee shall accept those without delay except in the presence of a good reason.

2. The agency for preserving designated decontamination work records shall promptly respond to any inquiry from the relevant employer or individual concerning the records, etc. transferred from the employers pursuant to the provision in the preceding item unless there is a justifiable ground.

(Notification of change)

Article 113 When the agency for preserving designated decontamination work records intend to change its name or address, or name or address of the office where the record preservation work has been implemented, it shall submit a notification with the following details to the Minister of Health, Labour and Welfare.

(i) The name or address of the agency for preserving designated decontamination work records or the name or address of the office where the record preservation work has been

implemented after the change.

- (ii) Intended date of change
- (iii) Reasons for the change

(Operational rule)

Article 114 The agency for preserving designated decontamination work records shall establish the operational rules for implementation of the record preservation work (referred to as “record preservation rule” in the next paragraph) and notify the Minister of Health, Labour and Welfare before commencing the record preservation work. The same rules shall apply when the agency intend to change its work.

- (i) Matters concerning implementation of the record preservation work
 - (ii) Matters concerning preservation of books and documents related to the record preservation work
 - (iii) Matters required for the record preservation work in addition to matters listed in the preceding items.
2. When the agency for preserving designated decontamination work records intend to notify the change pursuant to the latter provision in the preceding paragraph, it shall submit a notification with the following details with the changed record preservation rules to the Minister of Health, Labour and Welfare.
- (i) Intended details of change
 - (ii) Intended date of change
 - (iii) Reasons for the change

(Submission of business report)

Article 115 The agency for preserving designated decontamination work records shall prepare business reports and the settlement of accounts for the fiscal year within three months from the end of every fiscal year and submit the report to the Minister of Health, Labour and Welfare.

(Recommendation)

Article 116 The Minister of Health, Labour and Welfare may provide a recommendation to the agency for preserving designated decontamination work records to take required actions for the record preservation work if he or she deems that the recommendation is necessary for proper and reliable implementation of the record preservation work.

(Suspension or termination of services)

Article 117 The agency for preserving designated decontamination work records shall submit an

application describing the following matters to the Minister of Health, Labour and Welfare before six months from the date of the suspension or abolishment when the agency intends to suspend or abolish the part of or the entire operation of the record preservation work.

- (i) Intended scope of the record preservation work to be suspended or abolished
- (ii) Intended date when the record preservation work will be partially or entirely suspended or abolished.
- (iii) Duration of the suspension during the time when the record preservation work will be entirely or partially suspended.
- (iv) The reason for the entire or partial suspension or abolishment.

(Revocation of designation)

Article 118 The Minister of Health, Labour and Welfare shall revoke the designation when the agency for preserving designated decontamination work records corresponds to the item 3 or 5, paragraph 2 of Article 111.

2. When the agency for preserving records of designated decontamination works corresponds to any of the following items, the Minister of Health, Labour and Welfare may revoke the designation or order to suspend the part of or the entire record preservation work of the agency for a fixed period of time.
 - (i) When the agency violated provisions in Article 112, Article 114, Article 115 or preceding Article.
 - (ii) When it was found that the agency has not taken the actions in the recommendation pursuant to the provision in Article 116
 - (iii) When the agency violated the conditions in paragraph 1, Article 121.

(Books)

Article 119 When the records, etc. were transferred from the employers pursuant to the provisions of paragraph 2 of Article 6, Article 21, paragraph 1 of Article 27, or paragraph 1 of Article 28 of the Ordinance for Decontamination, the agency for preserving designated decontamination work records shall prepare books describing following matters and preserve the books until discontinuing the record preservation work (including revocation of the designation).

- (i) The name of the designation, address, and contact information of the person who transferred the records, etc. to the agency for preserving designated decontamination work records
- (ii) The date when the records, etc. were transferred.
- (iii) The place where the records, etc. are preserved

(Collection of the report)

Article 120 The Minister of Health, Labour and Welfare shall order the agency for preserving designated decontamination work records to report required matters to the Ministry if he or she deems it necessary for proper and reliable implementation of the record preservation work..

(Designation conditions)

Article 121 Conditions may be attached to the designation and they may be modified.

2 The conditions set forth in the preceding paragraph shall be limited to the minimum necessity for ensuring the proper and reliable implementation of the matters pertaining to the designation, and the conditions shall not impose unreasonable duties on the designated person.

(Implementation of the record preservation work by the Minister of Health, Labour and Welfare)

Article 122 The Minister of Health, Labour and Welfare shall implement the entire or part of the record preservation work in case no one was designated, the agency for preserving designated decontamination work records suspended or abolished the entire or part of the record preservation work pursuant to the provision of Article 117, designation was revoked pursuant to the provision of Article 118, he/she ordered the agency for preserving designated decontamination work records to suspend the entire or part of the record preservation work, or implementation of the entire or part of the record preservation work became difficult for the record preservation agency for designated decontamination works due to natural hazards.

2. The agency for preserving designated decontamination work records shall conduct following matters when encountering the case prescribed in the preceding paragraph.
 - (i) Take the books and documents pertaining to the record preservation work to the Minister of Health, Labour and Welfare
 - (ii) Other matters that the Minister of Health, Labour and Welfare deems necessary

(Public notice)

Article 123 The Minister of Health, Labour and Welfare shall publicly notify the matters listed in the right column in the case listed in the left column of the following table.

When the designation was made	(i) The name and address of the office of the agency for preserving designated decontamination work records (ii) The date of the designation
When notification was made pursuant to the provision of Article 117	(i) The name and address of the office of the agency for preserving designated decontamination work records that have been entirely or partially suspended or abolished. (ii) Scope of the record preservation work to be suspended or

	<p>abolished</p> <p>(iii) The date when the record preservation work is partially or entirely suspended or abolished.</p> <p>(iv) Duration for the period of suspension, when the record preservation work is entirely or partially suspended.</p>
When the designation was revoked pursuant to the provision of paragraph 1, Article 118	<p>(i) The name and address of the office of the agency for preserving designated decontamination work records</p> <p>(ii) The date of the revocation</p>
When the designation was revoked or the suspension of the entire or part of the record preservation work was ordered pursuant to the provision of paragraph 2, Article 118	<p>(i) The name and address of the office of the agency for preserving designated decontamination work records</p> <p>(ii) The date when the designation was descended or the record preservation work was entirely or partially suspended or abolishment was ordered.</p> <p>(iii) Scope and duration of the suspension, when the record preservation work is entirely or partially suspended</p>
When the Minister of Health, Labour and Welfare implements the entire or part of the record preservation work pursuant to the provision of paragraph 1, Article 122	<p>(i) The date when the implementation of the entire or part of the record preservation work was determined.</p> <p>(ii) Scope of the record preservation work to be implemented and its duration</p>
When the decision was made that the entire or part of the record preservation work that had been implemented by the Minister of Health, Labour and Welfare pursuant to the provision of paragraph 1, Article 122 will not be implemented	<p>(i) The date when the decision was made that the entire or part of the record preservation work will not be implemented.</p> <p>(ii) Scope of the record preservation work decided not to be implemented.</p>

(Partial revision of Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers)

Article 6 Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker

Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Ordinance of the Ministry of Labour No. 20, 1986) shall be partially revised as follows.

In Article 40, the term “Form 2 of the Ordinance on Prevention of Health Impairment due to Asbestos (Ordinance of the Ministry of Health, Labour and Welfare No. 21, 2005)” in paragraph 6, shall be revised to the term “Form 2 of the Ordinance on Prevention of Health Impairment due to Asbestos (Ordinance of the Ministry of Health, Labour and Welfare No. 21, 2005) or Form 2 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works (Ordinance of the Ministry of Health, Labour and Welfare No. 52, 2011), and the term “limited to”) or in paragraph 7 of the same Article shall be revised to the term “limited to”) and the term “or in the case it is by the Form 2 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works (except for the case when the records are transferred to the agency in the Act according to the example shown in the provision of exceptional clause in Article 21 of the same Order) ” shall be added after the term “shall be excluded,” and the term “Form 2 of the Ordinance on Prevention of Health Impairment due to Asbestos” in paragraph 8, shall be revised to “Form 2 of the Ordinance on Prevention of Health Impairment due to Asbestos or Form 2 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works.”

In paragraph 3, Article 43, the term “provision of the Ordinance on Prevention of Health Impairment due to Asbestos” shall be revised to the term “provisions of the Ordinance on Prevention of Health Impairment due to Asbestos and the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works” and the term “paragraph 1, Article 40 of the Ordinance on Prevention of Health Impairment due to Asbestos ” shall be revised to the term “paragraph 1, Article 40 of the Ordinance on Prevention of Health Impairment due to Asbestos” and “paragraph 1, Article 20 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works” and the term “when leaving the job” in the paragraph 2, Article 27 and paragraph 2, Article 28 of the Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works shall be revised to “when leaving the job (for dispatched workers defined in

the paragraph 1, Article 44 of the Act for Securing the Proper Operation of Worker Dispatch Services and Improved Working Conditions for Dispatched Workers, the time when ending such worker dispatch services prescribed paragraph 1, Article 2 of the Act to be applied to dispatched workers” and shall be added after the term “including.”).

(Partial revision of Ordinance for Use of Information and Communication Technologies in the Course of Retaining, etc. Documents Conducted by Private Entities, etc Based on Acts Under the Jurisdiction of Ministry of Health, Labour and Welfare)

Article 7 Ordinance for Use of Information and Communication Technologies in the Course of Retaining, etc. Documents Conducted by Private Entities, etc Based on Acts Under the Jurisdiction of Ministry of Health, Labour and Welfare (Ministry of Health, Labour and Welfare Ordinance No. 44, 2005) shall be partially revised as follows.

The following revisions shall be added to the Table 1 of the Appended Table 1.

Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works (Ordinance of the Ministry of Health, Labour and Welfare No. 52, 2011)	Preservation of records pursuant to the provision of paragraph 2, Article 6
	Preservation of records pursuant to the provision of Article 7
	Preservation of the Ionizing radiation medical examination cards for the individuals pursuant to the provision of Article 21

The following revisions shall be added to the Appended Table 2.

Ordinance on Prevention of Ionizing Radiation Hazards at Works to Decontaminate Soil and Wastes Contaminated by Radioactive Materials Resulting from the Great East Japan Earthquake and Related Works	Records pursuant to the provision of paragraph 2, Article 6
	Records pursuant to the provision of Article 7
	Preparation of the Ionizing radiation medical examination cards for the individuals pursuant to the provision of Article 21