

MHLW Notification No. 0618-2

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Prof. Yoshio Higuchi

Chairperson

Labor Policy Council

We would like to have your opinion on the attached “Outline of the Draft Ministerial Ordinance for Partial Revision of the Ordinance on Prevention of Ionizing Radiation Hazards”.

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Minister

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Outline of the Draft Ministerial Ordinance for Partial Revision of the Ordinance on Prevention of Ionizing Radiation Hazards

Section 1 Partial Revision of the Ordinance on Prevention of Ionizing Radiation Hazards

1. Setting of exceptional emergency dose limit

- (1) Taking the situation of the accident concerning the emergency works and other circumstances into consideration, the Minister of Health, Labour and Welfare may separately set a dose limit (hereafter referred to as “exceptional emergency dose limit”) or change it within the range not exceeding 250 mSv when it is acknowledged that it is difficult to observe the dose limits during the emergency works.
 - (2) In situations as described in Paragraph (1), when one of the following conditions should arise, the Minister of Health, Labour and Welfare shall immediately define the exceptional emergency dose limit as 250 mSv:
 - (i) when one of the events that the Minister of Health, Labour and Welfare defines in the nuclear emergency situation, as provided in the Ministerial ordinance specified in Article 10 of the Act on Special Measures Concerning Nuclear Emergency Preparedness, has arisen;
 - (ii) when a situation as described in each item of Paragraph 1, Article 15 of the Act on Special Measures Concerning Nuclear Emergency Preparedness has arisen.
- (Note) Events that the Minister of Health, Labour and Welfare defines as described in the preceding subsection (i) will be designated by the notice from the Minister of Health, Labour and Welfare from among events specified in each item of Paragraph 4, Article 4 of the Order for Enforcement of the Act on Special Measures Concerning Nuclear Emergency Preparedness, and will include those events that show detection or a sign of increase of radiation or release of radioactive materials, and are likely to immediately lead to nuclear emergencies, and are assumed to require works under high radiation environment to protect their expansion.
- (3) The Minister of Health, Labour and Welfare, when he/she sets an exceptional emergency dose limit separately, shall lift the exceptional emergency dose limit as early as possible by taking into consideration the radiation dose of the workers who are engaged in the work concerned with the exceptional dose limit (hereafter referred to the workers as “exceptional emergency workers” and the works as “exceptional emergency works”), and works required to terminate the accident and other conditions.
 - (4) The Minister of Health, Labour and Welfare, when he/she defines the exceptional dose limit separately, shall issue a public notice to that effect. The same shall apply when he/she

changes or lifts it.

- (5) Employers, when an exceptional emergency dose limit is defined, may assign their employees having a radiation dose higher than the dose limit for the emergency works. In this case, the employers shall control the worker's exposure dose during the exceptional works concerned so as not to exceed the exceptional dose limit.
- (6) Employers shall select exceptional emergency workers from among the nuclear disaster prevention workers specified in Paragraph 3, Article 8 of the Act on Special Measures Concerning Nuclear Emergency Preparedness.
- (7) Employers shall make efforts, depending on the circumstances of the accident, to minimize the risk that exceptional emergency workers are exposed to ionizing radiation.

2. Measurement of exposure dose and confirmation of the results, and recording, etc.

- (1) Employers shall conduct internal exposure measurement of emergency workers in controlled areas once within one month for workers who may enter the place within these controlled areas where he/she could inhale or ingest radioactive materials.
- (2) Based on the measured radiation dose described in the above (1), employers shall calculate and record the sum of their effective doses monthly, annually and in every 5 years without delay, and preserve these records for 30 years. However, this shall not be applied to the case whereby, after 5 years' preservation, the records are delivered to an organization that the Minister of Health, Labour and Welfare has designated for preservation of such records.

3. Special education for exceptional emergency works

When assigning workers to the exceptional emergency works, employers shall provide those workers with the special education in lectures for knowledge on the methods of exceptional emergency works and knowledge on the structures and handling methods of the facilities and equipment to use in the exceptional emergency works, and practices for methods of the exceptional emergency works, etc.

4. Emergency ionizing radiation medical examination

- (1) Employers shall provide medical examinations for the existence of subjective symptoms and objective symptoms, white blood cell count and differential count, thyroid stimulating hormone, free triiodothyronine and free thyroxine, etc. by a medical doctor once within one month for radiation workers engaged in emergency works when they are transferred to the emergency works as well as when the workers are transferred from the emergency works to other works or at the time of termination of their employment. In that case, the employers should declare the exposure dose, etc. that the said worker had received after the preceding

medical check to the doctor.

- (2) Employers can omit the medical examinations for all or part of the items in the above (1), other than the existence of subjective symptoms and objective symptoms, when those examinations are conducted periodically and are recognized unnecessary by a medical doctor.
- (3) Employers shall conduct recording of the results of the medical examination described in the above (1), hearing of opinions from a medical doctor, notifying workers of the results and reporting said workers' results to the Labour Standards Inspection Office having jurisdiction, and taking appropriate measures as required to preserve the health of the workers.

5. Submission of records etc. of exceptional emergency workers

- (1) Employers shall submit a copy to the Minister of Health, Labour and Welfare without delay of the results of the medical examination received during engagement for the workers who are engaged in or had been engaged in the exceptional emergency works.
- (2) Employers shall prepare a status report on radiation dose control, etc. of the workers who are engaged in the exceptional emergency works that includes the necessary items such as dose records of the said workers, and submit it to the Minister of Health, Labour and Welfare at the end of every month, in writing, during the period when the workers are engaged in the exceptional emergency works.

6. Reporting of status of emergency works

Employers (limited to owners who directly conduct emergency works and the principal contractor in the case when this provision may apply to the said principal contractor) shall prepare the following reports, in writing at the specified date described below, and submit them to the Minister of Health, Labour and Welfare on the day specified in the following provisions.

- (1) A status report of emergency works that includes the number of workers who fall under every classification of dose for workers whose exposure dose by external exposure during the emergency works exceeds 50 mSv per a year among workers engaged in emergency works (including employees of the principal contractor in the case of a report prepared by the said principal contractor, the same shall be applied hereafter): On the day when 15 days have elapsed from the day when the employer assigned the emergency worker to the emergency works and on every subsequent 10 days (limited to the period when the workers are engaged in the emergency works).
- (2) A status report of emergency works that includes the number of workers that fall under every classification of effective dose, etc. to the Minister of Health, Labour and Welfare or the emergency workers: At the end of every month (limited to the period when the workers

are engaged in the emergency works; except the month when the accident had happened).

7. Delivery of records, etc.

Employers who prepare and preserve records as specified in item (2) of Paragraph 2 or Item (3) of Paragraph 4 shall deliver the said records to the organization designated by the Minister of Health, Labour and Welfare when they intend to terminate their business activities.

8. Other necessary provisions shall be put in place.

Section 2 Partial Revision of relevant ministerial ordinances

Provisions required in relevant ministerial ordinance shall be put in place.

Section 3 Enforcement date, etc.

This ministerial ordinance shall be enforced on 1 April 2016.

Transitional measures required for enforcement of the ministerial ordinance shall be set up.