



News Release

PO Box 360, Trenton, N.J. 08625-0360

Heather Howard,
Commissioner

For Release:
June 1, 2009

For Further Information, Contact
S. Patricia Cabrera
(609) 984-7160

DHSS Proposes Amendments at N.J.A.C. 8:28, Tanning Facilities

The Consumer and Environmental Health Services of the Division of Epidemiology, Environmental and Occupational Health of the Public Health Services Branch of the Department of Health and Senior Services (Department) is proposing amendments at N.J.A.C. 8:28 Appendices A through C, setting forth required forms. The notice of proposal appears in the June 1, 2009 issue of the *New Jersey Register*. LexisNexis® provides free on-line public access to the New Jersey Administrative Code and the New Jersey Register at <http://lexisnexis.com/njoal>.

N.J.A.C. 8:28 implements the Tanning Facilities Act (Act), P.L. 1989, c. 234, amended and supplemented by P.L. 2006, c. 48, and codified at N.J.S.A. 26:2D-81 et seq. The rules at N.J.A.C. 8:28 are a preventive measure to protect the public's health and safety in the use of indoor tanning facilities that have ultraviolet sunlamp products. N.J.A.C. 8:28 includes requirements for safety, sanitation, recordkeeping, training of tanning facility operators, and posting of warning signs, which are necessary for the operation of indoor tanning facilities. N.J.A.C. 8:28 also includes standards for registration, associated fees, and inspection and establishes enforcement authority in local and State health officials.

The Department proposes the following amendments to the "Department of Health and Senior Services Application for Tanning Facility Registration" form at Appendix A: the addition of a "For State Use Only" box; the removal of the "Check only one" requirement under the box for registration status since an applicant could potentially renew the registration and change the registration information at the same time; and the addition of a box for "Facility's Permanent ID Number" under the facility information. The Department also proposes an amendment to the form at Appendix A to add the form number, PHSS-1.

The Department proposes an amendment to the "Department of Health and Senior Services Tanning Facility Inspection Checklist" form at Appendix B to add the form number, PHSS-3 and to the "Department of Health and Senior Services Warning Statement and Tanning Authorization" form at Appendix C to add the form number, PHSS-2.

The public has until July 31, 2009 to comment on the notice of proposal. Persons wishing to comment on the proposal must submit their comments in writing to Ruth Charbonneau, Director, Office of Legal and Regulatory Affairs, Office of the Commissioner, Department of Health and Senior Services, PO Box 360, Trenton, NJ 08625-0360. Written comments on the proposal must be postmarked on or before July 31, 2009, which is the close of the 60-day public comment period.

###