

4731.0760 SPECIFIC LICENSE; APPLICATION.**Subpart 1. Application generally.**

A. An application for a specific license must be filed on an application for radioactive material license form prescribed by the commissioner.

B. An applicant may incorporate by reference information contained in previous applications, statements, or reports filed with the commissioner, provided the reference is clear and specific.

C. Applications and statements must be signed by the applicant or licensee or a person duly authorized to act for and on behalf of the applicant or licensee.

D. The commissioner may at any time after the filing of the original application, and before the expiration of the license, require further statements to enable the commissioner to determine whether the application should be granted or denied or whether a license should be modified or revoked.

E. An application for a license under parts 4731.0700 to 4731.0840 shall be considered also as an application for licenses authorizing other activities for which licenses are required by the commissioner, provided that the application specifies the additional activities for which licenses are requested and complies with requirements for applications for such licenses.

F. An application for a source material license must be accompanied by the fee prescribed under Minnesota Statutes, section 144.1205.

Subp. 2. **Decommissioning requirements.** As provided under part 4731.0780, certain applications for specific licenses filed under this part must contain a proposed decommissioning funding plan or a certification of financial assurance for decommissioning.

Subp. 3. Additional requirements; uranium hexafluoride.

A. An application to possess uranium hexafluoride in excess of 50 kilograms in a single container or 1,000 kilograms total must contain:

(1) an evaluation showing that the maximum intake of uranium by a member of the public due to release would not exceed two milligrams; or

(2) an emergency plan for responding to the radiological hazards of an accidental release of source material and to any associated chemical hazards directly incident thereto.

B. One or more of the following factors may be used to support an evaluation submitted under item A, subitem (1):

(1) all or part of the radioactive material is not subject to release during an accident because of the way it is stored or packaged;

(2) facility design or engineered safety features in the facility would reduce the amount of the release; or

(3) other factors appropriate for the specific facility.

C. An emergency plan submitted under item A, subitem (2), must include:

(1) a brief description of the licensee's facility and area near the site;

(2) identification of each type of accident for which protective actions may be needed;

(3) a classification system for classifying accidents as alert or site area emergencies;

(4) identification of the means of detecting each type of accident in a timely manner;

(5) a brief description of the means and equipment for mitigating the consequences of each type of accident, including those provided to protect workers on-site, and a description of the program for maintaining the equipment;

(6) a brief description of the methods and equipment to assess releases of radioactive materials;

(7) a brief description of the responsibilities of licensee personnel should an accident occur, including identification of personnel responsible for promptly notifying off-site response organizations and the commissioner, and the responsibilities for developing, maintaining, and updating the plan;

(8) a commitment to and a brief description of the means to promptly notify the commissioner and off-site response personnel and request assistance, including medical assistance for the treatment of contaminated injured on-site workers when appropriate. A control point must be established. The notification and coordination must be planned so that unavailability of some personnel, parts of the facility, and equipment does not prevent notification and coordination. The licensee must also commit to notifying the commissioner immediately after the licensee has notified the off-site response organizations and not later than one hour after the licensee declares an emergency;

(9) a brief description of the types of information on facility status, radioactive releases, and recommended protective actions, if necessary, to be given to off-site response organizations and to the commissioner;

(10) a brief description of the frequency, performance objectives, and plans for the training that the licensee will provide workers on how to respond to an emergency, including any special instructions and orientation tours the licensee would offer to fire, police, medical, and other emergency personnel. The training must:

- (a) familiarize personnel with site-specific emergency procedures;
- (b) prepare site personnel for their responsibilities in the event of an accident; and
- (c) use team training for accident scenarios postulated as the most probable accidents for the specific site;

(11) a brief description of the means of restoring the facility to a safe condition after an accident;

(12) provisions for conducting quarterly communications checks with off-site response organizations and biennial on-site exercises to test response to simulated emergencies. A quarterly communications check with off-site response organizations must include checking and updating all necessary telephone numbers. The licensee must invite off-site response organizations to participate in the biennial exercises. Participation of off-site response organizations in biennial exercises, although recommended, is not required. Exercises must use accident scenarios postulated as most probable for the specific site and the scenarios must not be known to most exercise participants. The licensee must critique each exercise using individuals not having direct implementation responsibility for the plan. Critiques of exercises must evaluate the appropriateness of the plan, emergency procedures, facilities, equipment, training of personnel, and overall effectiveness of the response. Deficiencies found by the critiques must be corrected; and

(13) a certification that the applicant has met its responsibilities under the Emergency Planning and Community Right-to-Know Act of 1986, title III, Public Law 99-499, if applicable to the applicant's activities at the proposed place of use of the source material.

Subp. 4. **Comments.** A licensee must:

A. allow the off-site response organizations expected to respond in case of an accident 60 days to comment on the licensee's emergency plan before submitting it to the commissioner; and

B. provide any comments received within the 60 days to the commissioner along with the emergency plan.

Statutory Authority: *MS s 144.1202; 144.1203*

History: *29 SR 755*

Published Electronically: *March 12, 2009*