

**144.1205 RADIOACTIVE MATERIAL; SPECIAL NUCLEAR MATERIAL.**

Subdivision 1. **Application and license renewal fee.** When a license is required for radioactive material or source or special nuclear material by a rule adopted under section 144.1202, subdivision 2, an application fee according to subdivision 4 must be paid upon initial application for a license. The licensee must renew the license 60 days before the expiration date of the license. The expiration date of a license is the date specified by rule of the commissioner of health.

Subd. 2. **Annual fee.** A licensee must pay an annual fee at least 60 days before the anniversary date of the issuance of the license. The annual fee is as follows:

TYPE	ANNUAL FEE
Academic broad scope - type A	\$19,920
Academic broad scope - type B	19,920
Academic broad scope - type C	19,920
Medical broad scope - type A	19,920
Medical institution - diagnostic and therapeutic	3,680
Medical institution - diagnostic (no written directives)	3,680
Medical private practice - diagnostic and therapeutic	3,680
Medical private practice - diagnostic (no written directives)	3,680
Eye applicators	3,680
Nuclear medical vans	3,680
High dose rate afterloader	3,680
Mobile high dose rate afterloader	3,680
Medical therapy - other emerging technology	3,680
Teletherapy	8,960
Gamma knife	8,960
Veterinary medicine	2,000
In vitro testing lab	2,000
Nuclear pharmacy	8,800
Radiopharmaceutical distribution (10 CFR 32.72)	3,840
Radiopharmaceutical processing and distribution (10 CFR 32.72)	8,800
Medical sealed sources - distribution (10 CFR 32.74)	3,840
Medical sealed sources - processing and distribution (10 CFR 32.74)	8,800

Well logging - sealed sources	3,760
Measuring systems - fixed gauge	2,000
Measuring systems - portable gauge	2,000
X-ray fluorescent analyzer	1,520
Measuring systems - gas chromatograph	2,000
Measuring systems - other	2,000
Broad scope manufacturing and distribution - type A	19,920
Broad scope manufacturing and distribution - type B	17,600
Broad scope manufacturing and distribution - type C	17,600
Manufacturing and distribution - other	5,280
Nuclear laundry	18,640
Decontamination services	4,960
Leak test services only	2,000
Instrument calibration service only, less than 100 curies	2,000
Instrument calibration service only, 100 curies or more	2,000
Service, maintenance, installation, source changes, etc.	4,960
Waste disposal service, prepackaged only	6,000
Waste disposal	8,320
Distribution - general licensed devices (sealed sources)	1,760
Distribution - general licensed material (unsealed sources)	1,120
Industrial radiography - fixed location	9,840
Industrial radiography - temporary job sites	9,840
Irradiators, self-shielding, less than 10,000 curies	2,880
Irradiators, other, less than 10,000 curies	5,360
Irradiators, self-shielding, 10,000 curies or more	2,880
Research and development - type A broad scope	9,520
Research and development - type B broad scope	9,520
Research and development - type C broad scope	9,520
Research and development - other	4,480

Storage - no operations	2,000
Source material - shielding	584
Special nuclear material plutonium - neutron source in device	3,680
Pacemaker by-product and/or special nuclear material - medical (institution)	3,680
Pacemaker by-product and/or special nuclear material - manufacturing and distribution	5,280
Accelerator-produced radioactive material	3,840
Nonprofit educational institutions	300
General license registration	150

Subd. 3. **Fee categories; incorporation of federal licensing categories.** (a) Fee categories under this section are equivalent to the licensing categories used by the United States Nuclear Regulatory Commission under Code of Federal Regulations, title 10, parts 30 to 36, 39, 40, 70, 71, and 150, except as provided in paragraph (b).

(b) The category of "Academic, small" is the type of license required for the use of radioactive materials in a teaching institution. Radioactive materials are limited to ten radionuclides not to exceed a total activity amount of one curie.

Subd. 4. **Application fee.** A licensee must pay an application fee as follows:

TYPE	APPLICATION FEE
Academic broad scope - type A	\$ 5,920
Academic broad scope - type B	5,920
Academic broad scope - type C	5,920
Medical broad scope - type A	3,920
Medical institution - diagnostic and therapeutic	1,520
Medical institution - diagnostic (no written directives)	1,520
Medical private practice - diagnostic and therapeutic	1,520
Medical private practice - diagnostic (no written directives)	1,520
Eye applicators	1,520
Nuclear medical vans	1,520
High dose rate afterloader	1,520
Mobile high dose rate afterloader	1,520
Medical therapy - other emerging technology	1,520

Teletherapy	5,520
Gamma knife	5,520
Veterinary medicine	960
In vitro testing lab	960
Nuclear pharmacy	4,880
Radiopharmaceutical distribution (10 CFR 32.72)	2,160
Radiopharmaceutical processing and distribution (10 CFR 32.72)	4,880
Medical sealed sources - distribution (10 CFR 32.74)	2,160
Medical sealed sources - processing and distribution (10 CFR 32.74)	4,880
Well logging - sealed sources	1,600
Measuring systems - fixed gauge	960
Measuring systems - portable gauge	960
X-ray fluorescent analyzer	584
Measuring systems - gas chromatograph	960
Measuring systems - other	960
Broad scope manufacturing and distribution - type A	5,920
Broad scope manufacturing and distribution - type B	5,920
Broad scope manufacturing and distribution - type C	5,920
Manufacturing and distribution - other	2,320
Nuclear laundry	10,080
Decontamination services	2,640
Leak test services only	960
Instrument calibration service only, less than 100 curies	960
Instrument calibration service only, 100 curies or more	960
Service, maintenance, installation, source changes, etc.	2,640
Waste disposal service, prepackaged only	2,240
Waste disposal	1,520
Distribution - general licensed devices (sealed sources)	880
Distribution - general licensed material (unsealed sources)	520

Industrial radiography - fixed location	2,640
Industrial radiography - temporary job sites	2,640
Irradiators, self-shielding, less than 10,000 curies	1,440
Irradiators, other, less than 10,000 curies	2,960
Irradiators, self-shielding, 10,000 curies or more	1,440
Research and development - type A broad scope	4,960
Research and development - type B broad scope	4,960
Research and development - type C broad scope	4,960
Research and development - other	2,400
Storage - no operations	960
Source material - shielding	136
Special nuclear material plutonium - neutron source in device	1,200
Pacemaker by-product and/or special nuclear material - medical (institution)	1,200
Pacemaker by-product and/or special nuclear material - manufacturing and distribution	2,320
Accelerator-produced radioactive material	4,100
Nonprofit educational institutions	300
General license registration	0
Industrial radiographer certification	150

Subd. 5. **Penalty for late payment.** An annual fee or a license renewal fee submitted to the commissioner after the due date specified by rule must be accompanied by an additional amount equal to 25 percent of the fee due.

Subd. 6. **Inspections.** The commissioner of health shall make periodic safety inspections of the radioactive material and source and special nuclear material of a licensee. The commissioner shall prescribe the frequency of safety inspections by rule.

Subd. 7. **Recovery of reinspection cost.** If the commissioner finds serious violations of public health standards during an inspection under subdivision 6, the licensee must pay all costs associated with subsequent reinspection of the source. The costs shall be the actual costs incurred by the commissioner and include, but are not limited to, labor, transportation, per diem, materials, legal fees, testing, and monitoring costs.

Subd. 8. **Reciprocity fee.** A licensee submitting an application for reciprocal recognition of a materials license issued by another agreement state or the United States Nuclear Regulatory Commission for a period of 180 days or less during a calendar year must pay \$1,200. For a period of 181 days or more, the licensee must obtain a license under subdivision 4.

Subd. 9. **Fees for license amendments.** A licensee must pay a fee of \$300 to amend a license as follows:

(1) to amend a license requiring review including, but not limited to, addition of isotopes, procedure changes, new authorized users, or a new radiation safety officer; and

(2) to amend a license requiring review and a site visit including, but not limited to, facility move or addition of processes.

**History:** *1Sp2001 c 9 art 1 s 29; 2002 c 379 art 1 s 113; 2004 c 236 s 1-4; 2007 c 85 s 1*