

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. **Initial and annual fee.** (a) A licensee must pay an initial fee that is equivalent to the annual fee upon issuance of the initial license.

(b) 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	LICENSE FEE
Academic broad scope - type A, B, or C	\$25,896
Academic broad scope - type A, B, or C (4-8 locations)	\$31,075
Academic broad scope - type A, B, or C (9 or more locations)	\$36,254
Medical broad scope - type A	\$25,896
Medical broad scope - type A (4-8 locations)	\$31,075
Medical broad scope - type A (9 or more locations)	\$36,254
Medical - diagnostic, diagnostic and therapeutic, mobile nuclear medicine, eye applicators, high dose rate afterloaders, and medical therapy emerging technologies	\$4,784
Medical - diagnostic, diagnostic and therapeutic, mobile nuclear medicine, eye applicators, high dose rate afterloaders, and medical therapy emerging technologies (4-8 locations)	\$5,740
Medical - diagnostic, diagnostic and therapeutic, mobile nuclear medicine, eye applicators, high dose rate afterloaders, and medical therapy emerging technologies (9 or more locations)	\$6,697
Teletherapy	\$11,648
Gamma knife	\$11,648
Veterinary medicine	\$2,600
In vitro testing lab	\$2,600
Nuclear pharmacy	\$11,440
Nuclear pharmacy (5 or more locations)	\$13,728
Radiopharmaceutical distribution (10 CFR 32.72)	\$4,992
Radiopharmaceutical processing and distribution (10 CFR 32.72)	\$11,440

Radiopharmaceutical processing and distribution (10 CFR 32.72) (5 or more locations)	\$13,728
Medical sealed sources - distribution (10 CFR 32.74)	\$4,992
Medical sealed sources - processing and distribution (10 CFR 32.74)	\$11,440
Medical sealed sources - processing and distribution (10 CFR 32.74) (5 or more locations)	\$13,728
Well logging - sealed sources	\$4,888
Measuring systems - (fixed gauge, portable gauge, gas chromatograph, other)	\$2,600
Measuring systems - (fixed gauge, portable gauge, gas chromatograph, other) (4-8 locations)	\$3,120
Measuring systems - (fixed gauge, portable gauge, gas chromatograph, other) (9 or more locations)	\$3,640
X-ray fluorescent analyzer	\$1,976
Manufacturing and distribution - type A broad scope	\$25,896
Manufacturing and distribution - type A broad scope (4-8 locations)	\$31,075
Manufacturing and distribution - type A broad scope (9 or more locations)	\$36,254
Manufacturing and distribution - type B or C broad scope	\$22,880
Manufacturing and distribution - type B or C broad scope (4-8 locations)	\$27,456
Manufacturing and distribution - type B or C broad scope (9 or more locations)	\$32,032
Manufacturing and distribution - other	\$6,864
Manufacturing and distribution - other (4-8 locations)	\$8,236
Manufacturing and distribution - other (9 or more locations)	\$9,609
Nuclear laundry	\$24,232
Decontamination services	\$6,448
Leak test services only	\$2,600
Instrument calibration service only	\$2,600
Service, maintenance, installation, source changes, etc.	\$6,448
Waste disposal service, prepackaged only	\$7,800
Waste disposal	\$10,816

Distribution - general licensed devices (sealed sources)	\$2,288
Distribution - general licensed material (unsealed sources)	\$1,456
Industrial radiography - fixed or temporary location	\$12,792
Industrial radiography - fixed or temporary location (5 or more locations)	\$16,629
Irradiators, self-shielding	\$3,744
Irradiators, other, less than 10,000 curies	\$6,968
Research and development - type A, B, or C broad scope	\$12,376
Research and development - type A, B, or C broad scope (4-8 locations)	\$14,851
Research and development - type A, B, or C broad scope (9 or more locations)	\$17,326
Research and development - other	\$5,824
Storage - no operations	\$2,600
Source material - shielding	\$759
Special nuclear material plutonium - neutron source in device	\$4,784
Pacemaker by-product and/or special nuclear material - medical (institution)	\$4,784
Pacemaker by-product and/or special nuclear material - manufacturing and distribution	\$6,864
Accelerator-produced radioactive material	\$4,992
Nonprofit educational institutions	\$500

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. **Initial and renewal application fee.** A licensee must pay an initial and a renewal application fee according to this subdivision.

TYPE	APPLICATION FEE
Academic broad scope - type A, B, or C	\$6,808
Medical broad scope - type A	\$4,508

Medical - diagnostic, diagnostic and therapeutic, mobile nuclear medicine, eye applicators, high dose rate afterloaders, and medical therapy emerging technologies	\$1,748
Teletherapy	\$6,348
Gamma knife	\$6,348
Veterinary medicine	\$1,104
In vitro testing lab	\$1,104
Nuclear pharmacy	\$5,612
Radiopharmaceutical distribution (10 CFR 32.72)	\$2,484
Radiopharmaceutical processing and distribution (10 CFR 32.72)	\$5,612
Medical sealed sources - distribution (10 CFR 32.74)	\$2,484
Medical sealed sources - processing and distribution (10 CFR 32.74)	\$5,612
Well logging - sealed sources	\$1,840
Measuring systems - (fixed gauge, portable gauge, gas chromatograph, other)	\$1,104
X-ray fluorescent analyzer	\$671
Manufacturing and distribution - type A, B, and C broad scope	\$6,854
Manufacturing and distribution - other	\$2,668
Nuclear laundry	\$11,592
Decontamination services	\$3,036
Leak test services only	\$1,104
Instrument calibration service only	\$1,104
Service, maintenance, installation, source changes, etc.	\$3,036
Waste disposal service, prepackaged only	\$2,576
Waste disposal	\$1,748
Distribution - general licensed devices (sealed sources)	\$1,012
Distribution - general licensed material (unsealed sources)	\$598
Industrial radiography - fixed or temporary location	\$3,036
Irradiators, self-shielding	\$1,656
Irradiators, other, less than 10,000 curies	\$3,404

Research and development - type A, B, or C broad scope	\$5,704
Research and development - other	\$2,760
Storage - no operations	\$1,104
Source material - shielding	\$156
Special nuclear material plutonium - neutron source in device	\$1,380
Pacemaker by-product and/or special nuclear material - medical (institution)	\$1,380
Pacemaker by-product and/or special nuclear material - manufacturing and distribution	\$2,668
Accelerator-produced radioactive material	\$4,715
Nonprofit educational institutions	\$345

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 \$2,400. 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 \$600 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; or

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

Subd. 10. **Fees for general license registrations.** A person required to register generally licensed devices according to Minnesota Rules, part 4731.3215, must pay an annual registration fee of \$450.

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; 2021 c 30 art 3 s 11-15*