

MISSISSIPPI LEGISLATURE

2006 Regular Session

To: Public Health and Human Services

By: Representative Holland

House Bill 646

(As Sent to Governor)

AN ACT TO AMEND SECTION 45-14-31, MISSISSIPPI CODE OF 1972, TO INCREASE THE SCHEDULE OF FEES CHARGED BY THE STATE DEPARTMENT OF HEALTH FOR THE REGULATION OF RADIOACTIVE MATERIALS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 45-14-31, Mississippi Code of 1972, is amended as follows:

45-14-31. All initial application and registration fees and annual fees due under this section shall be paid directly to the agency for deposit into the Radiological Health Operations Fund in the State Treasury. The Mississippi State Board of Health shall submit its separate budget for carrying out the provisions of this chapter. The budget shall be subject to and shall comply with the requirements of the state budget law. In order to supplement state radiological health budget allocations authorized to carry out and enforce the provisions of this chapter, the agency is * * * authorized to charge and collect fees in accordance with the following schedules:

SCHEDULE OF FEES FOR RADIOACTIVE MATERIAL LICENSES

Category	Application Fee	Annual Fee
I. Waste Disposal		
(a) Licenses specifically authorizing the receipt of low-level waste radioactive material from other persons for the purpose of commercial disposal by land burial by the waste disposal licensee.	<u>\$350,000.00</u>	<u>\$350,000.00</u>
(b) Licenses specifically authorizing the receipt of waste	<u>\$ 2,000.00</u>	<u>\$2,000.00</u>

radioactive material from other persons for the purpose of packaging the material. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.

(c) Licenses specifically	<u>\$ 1,000.00</u>	<u>\$ 1,000.00</u>
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authorizing the receipt of prepackaged waste radioactive material from other persons. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.

(d) Licenses specifically	<u>\$ 2,000.00</u>	<u>\$ 2,000.00</u>
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authorizing the receipt of waste radioactive material from other persons for the purpose of super-compaction (compaction of seven-fold or greater). The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.

(e) Licenses specifically	<u>\$ 6,000.00</u>	<u>\$ 6,000.00</u>
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authorizing the receipt of waste

radioactive material from other persons for the purpose of incineration. The licensee will dispose of radioactive ash by transfer to another person authorized to receive or dispose of this material.

II. Nuclear Laundries

Licenses for commercial collection in laundries of items contaminated with radioactive material.	<u>\$ 4,000.00</u>	<u>\$ 4,000.00</u>
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III. Distributors of

Generally Licensed Devices or Specific Licensed Devices

Licenses issued to distribute items containing radioactive material to persons generally licensed.	<u>\$ 3,000.00</u>	<u>\$ 3,000.00</u>
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IV. Human Use

(a) Licenses issued for human use of radioactive material in sealed sources contained in teletherapy devices.	<u>\$ 1,300.00</u>	<u>\$ 1,300.00</u>
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(b) Licenses issued to physicians or medical institutions for human use of radioactive material	<u>\$ 1,100.00</u>	<u>\$ 1,100.00</u>
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for diagnostic purposes only.

(c) Licenses issued to	<u>\$ 1,300.00</u>	<u>\$ 1,300.00</u>
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physicians or medical institutions
for human use of radioactive material
for therapeutic purposes, except
licenses in category IV(a).

(d) Licenses issued to	<u>\$ 600.00</u>	<u>\$ 600.00</u>
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physicians or medical institutions
for human use of radioactive material
provided by a mobile nuclear medicine
service.

(e) Licenses specifically	<u>\$ 2,000.00</u>	<u>\$ 2,000.00</u>
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authorizing mobile nuclear medicine
services to licensees in categories
IV(b) or IV(d).

(f) Licenses specifically	<u>\$ 500.00</u>	<u>\$ 500.00</u>
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authorizing the use of radioactive
material contained in eye applicators
or bone mineral analyzers.

V. Radiopharmacies

Licenses specifically	<u>\$3,000.00</u>	<u>\$ 3,000.00</u>
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authorizing the processing or
manufacturing and distribution
or redistribution of
radiopharmaceuticals, generators,

reagent kits and/or sources and
 devices containing radioactive material.

VI. Industrial Radiography

Licenses issued for	<u>\$ 3,000.00</u>	<u>\$ 3,000.00</u>
industrial radiography operations.		

VII. Well Logging Operations

(a) Licenses for possession	<u>\$ 2,500.00</u>	<u>\$ 2,500.00</u>
and use of radioactive material for well logging and subsurface tracer studies.		

(b) Licenses for possession	<u>\$ 400.00</u>	<u>\$ 400.00</u>
and use of radioactive material in markers including radioactive collars and radioactive iron nails.		

VIII. Irradiators

(a) Licenses for possession	<u>\$ 900.00</u>	<u>\$ 900.00</u>
and use of radioactive material in sealed sources for irradiation of materials where the source is not removed from its shield (self-shielded units).		

(b) Licenses for possession	<u>\$ 5,000.00</u>	<u>\$5,000.00</u>
and use of radioactive material in sealed sources for irradiation of materials where the source is exposed for irradiation purposes.		

IX. Civil Defense

Licenses for possession and use of radioactive material for Civil Defense activities.	<u>\$ 500.00</u>	<u>\$ 500.00</u>
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X. Broad Scope Licenses

(a) Licenses of broad scope for possession and use of radioactive material issued for educational research and development and instructional purposes.	<u>\$ 1,200.00</u>	<u>\$ 1,200.00</u>
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(b) Licenses of broad scope for possession and use of radioactive materials issued for human use, medical research and development and instructional purposes.	<u>\$ 2,000.00</u>	<u>\$ 2,000.00</u>
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(c) Licenses of broad scope for possession and use of radioactive material issued for industrial purposes.	<u>\$ 2,000.00</u>	<u>\$ 2,000.00</u>
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XI. Research and Development

(a) Licenses for possession and use of radioactive material for educational research and development and instructional purposes.	<u>\$ 900.00</u>	<u>\$ 900.00</u>
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(b) Licenses for possession	<u>\$ 1,000.00</u>	<u>\$ 1,000.00</u>
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and use of radioactive material for
 industrial research and development.

XII. Industrial Gauges

(a) Licenses for possession \$ 1,000.00 \$ 1,000.00
 and use of fixed in-plant gauge(s)
 containing radioactive material.

(b) Licenses for possession \$ 1,000.00 \$1,000.00
 and use of pipe wall thickness gauge(s)
 containing radioactive material.

(c) Licenses for possession \$ 1,000.00 \$ 1,000.00
 and use of portable densitometer(s)
 containing radioactive material.

(d) Licenses for possession \$ 600.00 \$ 600.00
 and use of portable industrial gauge(s)
 containing radioactive material except
 categories XII(b) and (c).

XIII. Licenses for possession \$ 1,500.00 \$ 1,500.00
 and use of radioactive material for
 the performance of environmental
 tracer studies.

XIV. Licenses authorizing \$ 1,000.00 \$ 1,000.00
 the installation, removal, repair
 and maintenance of gauge(s)
 containing radioactive material.

XV. Licenses authorizing \$ 300.00 \$ 300.00

the use of radioactive material

contained in gas chromatographs.

XVI. Licenses specifically	<u>\$3,000.00</u>	<u>\$3,000.00</u>
authorizing decommissioning, decontamination, reclamation, or site restoration activities.		
XVII. Licenses specifically	\$ 1,000.00	\$1,000.00
authorizing the removal of radioactive material from oil and/or gas tubing and equipment.		
XVIII. All other specific	<u>\$600.00</u>	<u>\$600.00</u>
licenses other than those specified above.		
XIX. Additional permanent sites	10% of	10% of
where radioactive material is	applicable	applicable
stored or used under same license.	fee	fee

SCHEDULE OF FEES FOR GENERAL LICENSE DEVICES

Initial registration and annual fees for the receipt, possession or use of radioactive material under a general license shall be per registration as follows:

(a) Certain measuring, gauging and controlling device(s).	\$150.00	\$150.00
(b) Generally licensed gas chromatographs.	\$100.00	\$100.00
(c) Static elimination device(s) and ion generating tube(s).	\$100.00	\$100.00

(d) Source material.	\$ 100.00	\$ 100.00
(e) Depleted Uranium.	\$ 100.00	\$ 100.00
(t) In vitro testing and clinical labs.	\$ 100.00	\$ 100.00
(g) All other general license registrations other than those specified above.	\$ 100.00	\$ 100.00

SCHEDULE OF FEES FOR X-RAY TUBE

Fees for the initial registration and annual renewal fees of each x-ray tube shall be as follows:

X-RAY TUBES

I. Healing Arts and Veterinary Medicine \$ 60.00

II. Nonhealing Arts

(a) Industrial, other than \$ 100.00

Industrial Radiography

(b) Educational \$ 75.00

SCHEDULE OF FEES FOR INDUSTRIAL RADIOGRAPHY

X-RAY REGISTRATIONS

Fees for the initial registration and annual fees for industrial radiography x-ray devices shall be Six Hundred Dollars (\$600.00).

SERVICES

Each person who assembles, installs or services radiation machines within the State of Mississippi shall pay an annual registration fee of Three Hundred Dollars (\$.300.00).

SCHEDULE OF FEES FOR ACCELERATORS

Fees for the initial registration and annual fees of each accelerator shall be Seven Hundred Fifty Dollars (\$750.00).

SCHEDULE OF FEES FOR NEUTRON GENERATOR REGISTRATIONS

Fees for initial registration and annual fees for neutron generators shall be Six Hundred Dollars (\$600.00).

SCHEDULE OF FEES FOR NUCLEAR REACTORS

A person possessing a Nuclear Regulatory Commission license or permit authorizing a nuclear reactor in the State of Mississippi for commercial production of electrical energy utilizing special nuclear material sufficient to form a critical mass, shall pay an annual fee of Twenty-five Dollars (\$25.00) per megawatt (thermal) rating for each such reactor so licensed or permitted. When more than one (1) reactor is on the same site, the fee or sum of each additional reactor after the first shall be Five Dollars (\$5.00) per megawatt (thermal).

**SCHEDULE OF FEES FOR OUT-OF-STATE LICENSES,
REGISTRANTS AND PERMITTEES**

An out-of-state person possessing:

- (a) A license from the United States Nuclear Regulatory Commission;
- (b) A license or registration from an Agreement State or Licensing State; or

(c) A registration or permit from a state radiological health program; and who enters the State of Mississippi to conduct the activities authorized in such license, registration or permit shall pay an annual fee in accordance with the above fee schedules.

SCHEDULE OF FEES FOR TANNING EQUIPMENT

Fees for the initial registration and annual renewal of each unit of tanning equipment shall be Thirty-five Dollars (\$35.00).

SECTION 2. This act shall take effect and be in force from and after July 1, 2006.