

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE V. RADIOLOGICAL HEALTH

CHAPTER 218. FEES

PAYMENT OF FEES

§ 218.11. Registration, renewal of registration and license fees.

(a) Annual registration fees for radiation-producing machines are the sum of an annual administrative fee and an annual fee for each X-ray tube or radiation generating device and shall be paid as follows:

<i>Type Facility</i>	<i>Annual Administrative Fee</i>	<i>Annual Fee per X-ray Tube or Radiation Generating Device</i>
Dentists, podiatrists, veterinarians, <u>chiropractors</u>	[\$100] <u>\$130</u>	[\$50] <u>\$65</u>
Hospitals	[\$725] <u>\$940</u>	[\$50] <u>\$65</u>
Other Facilities	[\$350] <u>\$455</u>	[\$50] <u>\$65</u>

(b) A registrant filing an initial registration under § 216.2 (relating to registration of radiation-producing machines) or an application for renewal of a certificate of registration under § 216.4 (relating to renewal of certificate of registration) shall remit the appropriate fee calculated by using the information on the registration or application form and the fee schedule in subsection (a). Fees for any initial registration under § 216.2 are payable upon the filing of the registration. Fees for the renewal of a certificate of registration are payable upon the submission of an application for a renewal of a certificate of registration. If the number of tubes increases after an initial registration or after an application for renewal has been filed with the Department, no additional fee is required until the time of the next registration. Likewise, if the number of tubes decreases during the year, no refund will be made for that year.

(c) Annual license fees for radioactive material shall be paid as set forth in Appendix A (relating to fees for radioactive material licenses).

(1) No refund will be made for termination of a license.

(2) If, by amendment or otherwise, a license changes to another fee category, the fee for the new category will take effect on the anniversary date of the license.

(d) Particle accelerators are licensed under Chapter 228 (relating to radiation safety requirements for particle accelerators). Annual fees are as follows:

(1) Accelerators, below 50 MeV, other than for ion implantation—~~[\$2,100]~~ \$2,730 for the first accelerator at the facility plus ~~[\$700]~~ \$910 for each additional unit at that facility.

(2) Accelerators used for ion implantation—~~[\$700]~~ \$910 plus ~~[\$70]~~ \$90 for each additional unit at the same facility.

(3) Accelerators 50 MeV and above—full cost of staff time to review license applications and conduct inspections as needed. (Hourly rate is ~~[\$150]~~ \$195 per hour). For the purpose of anticipating costs and compliance with subsections (e) and (f), a minimum annual fee of ~~[\$2,100]~~ \$2,730 for the first accelerator at the facility plus ~~[\$700]~~ \$910 for each additional unit is established. Additional invoices will be issued by the Department at regular intervals at least quarterly when net costs are incurred above the minimum annual fee.

(e) An initial application for a license or reciprocity shall be accompanied by a payment to the Department in accordance with the fee schedules in subsections (c) and (d). Thereafter, the Department will issue an annual fee invoice in accordance with the appropriate fee schedule at least 2 months prior to the license expiration. Fees shall be paid by the last day of the license expiration month as shown on the license fee invoice. This provision is not applicable to full cost recovery licenses specified in Appendix A.

(f) The Department will not accept an initial application for a license prior to payment of the fees required by subsections (c) and (d).

(g) If the registration involves more than one of the facilities in subsection (a), or if a license involves more than one of the categories in subsection (c), the highest applicable fee applies.

(h) The fee schedule in subsection (a) is not applicable to accelerators, emerging technology devices or electronic brachytherapy.

(i) Electronic brachytherapy devices are licensed under Chapter 221 (relating to X-rays in the healing arts). The annual fee is ~~[\$1,000]~~ \$1,300 for the first unit (controller) at the facility plus ~~[\$100]~~ \$130 for each additional unit at that facility.

(j) Emerging technology devices require Department safety review and approval prior to use. The registrant shall pay a fee equal to the full cost of Department staff time, as specified in Appendix A, for the review and approval process.

(k) A radiation-producing machine service provider shall pay an annual registration fee of ~~[\$140]~~ \$180.

(l) The Department will review the adequacy of the fees established in this section at least once every 3 years and provide a written report to the EQB. The report must identify any disparity between the amount of program income generated by the fees and the costs to administer these programs, and must contain recommendations to increase fees to eliminate the disparity, including recommendations for regulatory amendments to increase program fees.

APPENDIX A

Fees for Radioactive Material Licenses

<i>Fee Category</i> ^{5,6}	<i>Description</i>	<i>Annual Fee (\$)</i> ^{1,2,3,4,7}
1C	Special Nuclear Material Sealed Source Gauges (X-Ray Fluorescence)	[3,150] 3,465
1D	Special Nuclear Material—Other	[8,700] 9,570
2A(2)(c)	Source Material—Metal Extraction	[45,100] 49,610
2A5	Removal of Radioactive Contaminants from Drinking Water	[16,800] 18,480
2B	Source Material as Shielding	[1,125] 1,240
2C	Source Material—Other (not 11e2)	[20,100] 22,110
3A	Manufacturing & Distribution Commercial Broad Scope—10 CFR 30, 33	[43,650] 48,015
3B	Manufacturing, Refurbishing & Distribution Commercial Specific License— 10 CFR 30	[12,450] 13,695
3C	Manufacturing & Distribution Pharmaceuticals—10 CFR 32.72— 32.74	[17,850] 19,635
3D	Pharmaceuticals—Distribution Only—10 CFR 32.7x	[10,200] 11,220
3E	Irradiator—Shielded Source	[6,300] 6,930
3F	Irradiator—Unshielded < 10kCi	[11,700] 12,870
3G	Irradiator—Unshielded >= 10kCi	[46,800] 51,480
3I	Distribution As Exempt—No Review of Device	[16,050] 17,655
3J	Distribution—SSD Devices to Part 31 GLs	[3,750] 4,125
3K	Distribution—No Review-Exempt Sealed Source	[2,850] 3,135
3L	Research & Development Broad Scope	[22,650] 24,915
3M	Research & Development	[8,400] 9,240
3N	Services other than Leak Testing, Waste Disposal or Calibration	[12,750]

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		<u>14,025</u>
3O	Radiography	[21,150] <u>23,265</u>
3P	Other Byproduct Material	[4,050] <u>4,455</u>
3Q	Generally licensed devices under § 217.143 (relating to certain measuring, gauging or controlling devices)	[480] <u>530</u>
3R1	Greater than the General License Limits in 10 CFR 31.12(a)(3), (4) or (5) but not more than ten times those Limits	[3,150] <u>3,465</u>
3R2	Greater than ten times the General License Limits in 10 CFR 31.12(a)(3), (4) or (5)	[4,050] <u>4,455</u>
3S	Manufacturing & Distribution Pharmaceuticals—Accelerator Produced Only	[17,700] <u>19,470</u>
4A	Waste Storage, Processing or Disposal	Full Cost *
4B	Waste Packaging or Repackaging	[18,000] <u>19,800</u>
4C	Waste Receipt of Prepackaged for Disposal	[13,800] <u>15,180</u>
5A	Well Logging & Non Field Flood Tracers	[6,600] <u>7,260</u>
5B	Well Logging Field Flood Tracer Studies	Full Cost *
6A	Nuclear Laundry	[43,200] <u>47,520</u>
7A	Human Use—Teletherapy	[20,550] <u>22,605</u>
7B	Human Use—Broad Scope (except Teletherapy)	[36,250] <u>39,875</u>
7C	Human Use (except Teletherapy)	[7,350] <u>8,085</u>
8A	Specifically licensed sources used in static eliminators, nonexempt smoke detectors, fixed gauges, dew pointers, calibration sources, civil defense uses or in temporary (2 years or less) storage	[3,150] <u>3,465</u>
14	Decontamination, Decommissioning, Reclamation or Site Restoration	Full Cost *
16	Reciprocity (180 days/year)	[2,250] <u>2,475</u>
SB1 ⁵	Small Business— Category 1	[3,450] <u>3,795</u>

SB2 ⁶	Small Business— Category 2	[750] 825
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¹ A license may include as many as four noncontiguous sites at the base fee. Sites that are within 5 miles of the main radiation safety office where the license records are kept will be considered contiguous. An additional fee of 25% of the base fee will be added for each noncontiguous site above four.

² All fees will be effective upon publication of the final rules in the *Pennsylvania Bulletin*. Existing NARM licenses will be changed to the corresponding category of byproduct material license in Appendix A upon publication of the final rule.

³ Annual fees for categories of NRC licenses that are not included in this table will be calculated as follows: PA Fee = (NRC Annual Fee + 0.10 NRC Application or Renewal fee).

⁴ Annual fees charged to holders of transferred NRC licenses with multiple sites will not exceed the fees charged by the NRC for the same licenses that are in effect in the year of transfer, provided the number of noncontiguous sites does not increase.

⁵ Small Businesses Not Engaged in Manufacturing, and Small Not-For-Profit Organizations with Gross Annual Receipts of more than \$350,000 and less than \$5 million; Manufacturing Entities that have an average of 35—500 employees with Gross Annual Receipts of more than \$350,000 and less than \$5 million; Small Government Jurisdictions (including publicly supported, nonmedical educational institutions) with a population between 20,000 and 50,000; and nonmedical Educational Institutions that are not state or publicly supported and have 35—500 employees.

⁶ Small Businesses Not Engaged in Manufacturing, and Small Not-For-Profit Organizations with Gross Annual Receipts of less than \$350,000; Manufacturing Entities that have an average of less than 35 employees and less than \$350,000 in Gross Annual Receipts; Small Government Jurisdictions (including publicly supported nonmedical educational institutions) with a population less than 20,000; and nonmedical Educational Institutions that are not state or publicly supported and have less than 35 employees.

⁷ Full cost recovery licensees and licensees required to provide financial assurance for decommissioning are not eligible for reduced fees under category SB1 or SB2.

* Full cost recovery consists of a professional fee, to cover the activities and support of Department personnel, and any other additional incidental charges incurred, such as related contracted services or laboratory costs. The professional fee component (Hourly Rate) is **[\$225] \$275** per hour. Other costs are recovered at 100% of actual cost. Invoices shall be issued by the Department at regular intervals but at least quarterly when net costs are incurred.