

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2489

"TO ENSURE THE LICENSING AND REGISTRATION OF RADIOACTIVE MATERIALS
AND DEVICES CONTAINING RADIOACTIVE MATERIAL IN ARKANSAS."

Amendment No. 1 to House Bill No. 2489.

Amend House Bill No. 2489 as originally introduced:

Page 1, delete the title and substitute the following

"AN ACT TO ENSURE THE LICENSING AND REGISTRATION OF RADIOACTIVE MATERIALS AND DEVICES CONTAINING RADIOACTIVE MATERIAL IN ARKANSAS; TO OFF-SET COSTS TO THE DEPARTMENT OF HEALTH; TO AMEND ARKANSAS CODE § 20-21-213; TO AMEND ARKANSAS CODE § 20-21-213; TO AMEND ARKANSAS CODE § 20-21-217; TO AMEND ARKANSAS CODE § 20-21-217; TO AMEND ARKANSAS CODE § 20-21-217; AND FOR OTHER PURPOSES."

AND

Page 1, delete the subtitle and substitute the following:

"TO ENSURE THE LICENSING AND REGISTRATION OF RADIOACTIVE MATERIALS AND DEVICES CONTAINING RADIOACTIVE MATERIAL IN ARKANSAS."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 20-21-213(a), concerning the licensing and registration of radioactive materials, is amended to read as follows:

(a) The agency shall provide by rule or regulation for general or specific licensing of accelerator-produced material, by-product material, source material, special nuclear material, or devices or equipment utilizing such material.

SECTION 2. Arkansas Code § 20-21-213(c)(8), concerning the licensing and registration of radioactive materials, is amended to read as follows:

(8) Licenses issued by the agency:

(A) Shall be nontransferable;

(B) Shall be renewed every five (5) ~~years~~ to ten (10) years based on risk factors as determined by the agency; and

(C) Shall expire ~~five (5) years after issuance or~~ at a



time specified by the agency; and

SECTION 3. Arkansas Code § 20-21-213(c)(9), concerning the licensing and registration of radioactive materials, is amended to read as follows:

(9) Registrations issued:

(A) Shall be nontransferable;

(B) Shall be renewed ~~annually~~ at a time specified by the Agency; and

(C) Shall expire one (1) year after issuance or at a time specified by the agency.

SECTION 4. Arkansas Code § 20-21-217(a), concerning the licensing and registration of radioactive materials, is amended to read as follows:

(a) In licensing and regulation of radioactive material as defined in § ~~20-21-203(19)~~ 20-21-217 or of any activity which results in the production of radioactive materials as so defined, the agency shall require compliance with applicable standards promulgated by the agency which are equivalent to or more stringent than standards adopted and enforced by the United States Nuclear Regulatory Commission for the same purpose, including requirements and standards promulgated by the United States Environmental Protection Agency.

SECTION 5. Arkansas Code § 20-21-217(b), concerning the licensing and registration of radioactive materials, is amended to read as follows:

(b) The agency is hereby authorized to charge and collect the following annual fees associated with licensing and registration of sources of ionizing radiation:

(1) Hospitals or medical centers:

- (A) Category I-A \$900.00
- (B) Category I-B 700.00
- (C) Category II-A 650.00
- (D) Category II-B 450.00
- (E) Category III 200.00

(2) X ray registrations:

- (A) Physicians' units \$60.00 per tube up to a \$180.00 maximum
- (B) Dental radiographic units 50.00 per tube up to a 150.00 maximum
- (C) Chiropractors' units 60.00 per tube up to a 180.00 maximum
- (D) Veterinarians' units 50.00 per tube up to a 150.00 maximum
- (E) Podiatrists' units 50.00 per tube up to a 150.00 maximum
- (F) Colleges' and universities' units 50.00 per tube up to a 200.00 maximum
- (G) Industrial units 80.00 per tube up to a 240.00 maximum
- (H) Others 50.00 per tube up to a 150.00 maximum

(3) Radioactive material licenses:

- (A) Private practice, other than teletherapy units or particle accelerators \$100.00
- (B) Radiography:

- (i) In plant 350.00 for first bay
..... 500.00 for two (2) or more bays
- (ii) Field 1,000.00
- (C) Wireline service operation ..300.00 for 1 to 3 sources
..... 500.00 for 4 or more sources
- (D) Academic:
 - (i) Broad 500.00
 - (ii) Other 200.00
- (E) Gas chromatograph devices and ~~Co-57~~ lead analyzers
..... 100.00
- (F) Nuclear gauges 300.00 for 1 to 5 gauges
..... 500.00 for 6 or more gauges
- (G) Particle accelerators, nonmedical 200.00
- (H) In vitro laboratory testing 25.00
- (I) Irradiators 1,000.00
- (J) Nuclear pharmacy 1,000.00
- (K) Mobile nuclear medicine service 1,200.00
- (L) Consultants 250.00

(4) General licensed devices - Initial registration and annual fees for the receipt, possession, or use of radioactive material under a general license, as defined by the agency, shall be as follows:

- (A) Certain measuring, gauging, and controlling devices
.....\$300.00
- (B) Generally licensed gas chromatographs
.....200.00
- (C) Static elimination devices.....100.00
- (D) Source material devices500.00
- (E) Devices containing depleted uranium500.00
- (F) Barium devices50.00
- (G) All other general license registrations other than those specified above.....150.00

~~(4)~~ (5) Other:

- (A) Medical, Therapy, nonhospital unit
..... 250.00 for first unit
..... 175.00 for each additional unit
- (B) Particle Accelerator medical, nonhospital unit
..... 450.00 for first unit
..... 300.00 for each additional unit
- (C) "Arkansas State Board of Health Rules and Regulations for Control of Sources of Ionizing Radiation" 0.00 for first copy
..... 30.00 for each additional copy
- (D) Naturally Occurring Radioactive Material License
..... 2,500.00
- (E) Amendment to existing license ~~0.00 for first amendment~~
.....50.00 per amendment
~~Additional amendments 50.00 per year~~
- ~~(F) Sealed Source and Device Evaluations 2,500.00~~

~~(5)~~ (6) Reciprocity:

- (A) Naturally Occurring Radioactive Material
..... 2,500.00
- (B) Radiography, Field 1,000.00
- (C) Wireline 500.00

- (D) Nuclear Gauge 500.00
- (E) Consultant 100.00

~~(6)~~ (7) Late Fees: A late fee equal to ten percent (10%) of the applicable fee shall be charged for fees not received within sixty (60) days of the invoiced due date and for every sixty (60) days thereafter.

SECTION 6. Arkansas Code § 20-21-217(e), concerning the licensing and registration of radioactive materials, is amended to read as follows:

(e) No annual fees shall be required for those applicants, licensees, registrants, or other applicable persons whose use of sources of radiation is certified as financed solely by the General Revenue Fund of the State of Arkansas.”

The Amendment was read _____
 By: Representative Childers
 LDH/MHF - 031420031153
 MHF388 _____ Chief Clerk