

By: Representative Holland

To: Public Health and Human Services

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 646

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

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

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

8 45-14-31. All initial application and registration fees and  
9 annual fees due under this section shall be paid directly to the  
10 agency for deposit into the Radiological Health Operations Fund in  
11 the State Treasury. The Mississippi State Board of Health shall  
12 submit its separate budget for carrying out the provisions of this  
13 chapter. The budget shall be subject to and shall comply with the  
14 requirements of the state budget law. In order to supplement  
15 state radiological health budget allocations authorized to carry  
16 out and enforce the provisions of this chapter, the agency  
17 is \* \* \* authorized to charge and collect fees in accordance with  
18 the following schedules:

19 **SCHEDULE OF FEES FOR RADIOACTIVE MATERIAL LICENSES**

20 Category	Application Fee	Annual Fee
21 I. Waste Disposal		
22 (a) Licenses specifically	\$350,000.00	\$350,000.00
23 authorizing the receipt of low-level		
24 waste radioactive material from		
25 other persons for the purpose of		
26 commercial disposal by land burial		
27 by the waste disposal licensee.		
28 (b) Licenses specifically	\$ 2,000.00	\$ 2,000.00

29 authorizing the receipt of waste  
30 radioactive material from other  
31 persons for the purpose of packaging  
32 the material. The licensee will  
33 dispose of the material by transfer  
34 to another person authorized to receive  
35 or dispose of the material.

36 (c) Licenses specifically \$ 1,000.00 \$ 1,000.00

37 authorizing the receipt of  
38 prepackaged waste radioactive  
39 material from other persons. The  
40 licensee will dispose of the  
41 material by transfer to another  
42 person authorized to receive or  
43 dispose of the material.

44 (d) Licenses specifically \$ 2,000.00 \$ 2,000.00

45 authorizing the receipt of waste  
46 radioactive material from other  
47 persons for the purpose of  
48 super-compaction (compaction of  
49 seven-fold or greater). The licensee  
50 will dispose of the material by  
51 transfer to another person authorized  
52 to receive or dispose of the material.

53 (e) Licenses specifically \$ 6,000.00 \$ 6,000.00

54 authorizing the receipt of waste  
55 radioactive material from other  
56 persons for the purpose of  
57 incineration. The licensee will  
58 dispose of radioactive ash by  
59 transfer to another person authorized  
60 to receive or dispose of this material.

61 II. Nuclear Laundries

62 Licenses for commercial \$ 4,000.00 \$ 4,000.00  
63 collection in laundries of items  
64 contaminated with radioactive material.

65 III. Distributors of  
66 Generally Licensed Devices or  
67 Specific Licensed Devices

68 Licenses issued to distribute \$ 3,000.00 \$ 3,000.00  
69 items containing radioactive  
70 material to persons generally  
71 licensed.

72 IV. Human Use

73 (a) Licenses issued for \$ 1,300.00 \$ 1,300.00  
74 human use of radioactive material  
75 in sealed sources contained in  
76 teletherapy devices.

77 (b) Licenses issued to \$ 1,100.00 \$ 1,100.00  
78 physicians or medical institutions  
79 for human use of radioactive material  
80 for diagnostic purposes only.

81 (c) Licenses issued to \$ 1,300.00 \$ 1,300.00  
82 physicians or medical institutions  
83 for human use of radioactive material  
84 for therapeutic purposes, except  
85 licenses in category IV(a).

86 (d) Licenses issued to \$ 600.00 \$ 600.00  
87 physicians or medical institutions  
88 for human use of radioactive material  
89 provided by a mobile nuclear medicine  
90 service.

91 (e) Licenses specifically \$ 2,000.00 \$ 2,000.00  
92 authorizing mobile nuclear medicine  
93 services to licensees in categories  
94 IV(b) or IV(d).

95                   (f) Licenses specifically       \$     500.00 \$     500.00  
96 authorizing the use of radioactive  
97 material contained in eye applicators  
98 or bone mineral analyzers.

99           V. Radiopharmacies

100           Licenses specifically                 \$    3,000.00 \$    3,000.00  
101 authorizing the processing or  
102 manufacturing and distribution  
103 or redistribution of  
104 radiopharmaceuticals, generators,  
105 reagent kits and/or sources and  
106 devices containing radioactive material.

107           VI. Industrial Radiography

108           Licenses issued for                   \$    3,000.00 \$    3,000.00  
109 industrial radiography operations.

110           VII. Well Logging Operations

111           (a) Licenses for possession         \$    2,500.00 \$    2,500.00  
112 and use of radioactive material for well  
113 logging and subsurface tracer studies.

114           (b) Licenses for possession         \$     400.00 \$     400.00  
115 and use of radioactive material in  
116 markers including radioactive collars  
117 and radioactive iron nails.

118           VIII. Irradiators

119           (a) Licenses for possession         \$     900.00 \$     900.00  
120 and use of radioactive material in  
121 sealed sources for irradiation of  
122 materials where the source is not  
123 removed from its shield  
124 (self-shielded units).

125           (b) Licenses for possession         \$    5,000.00 \$    5,000.00  
126 and use of radioactive material in  
127 sealed sources for irradiation of

128 materials where the source is  
129 exposed for irradiation purposes.

130 IX. Civil Defense

131 Licenses for possession and \$ 500.00 \$ 500.00  
132 use of radioactive material for  
133 Civil Defense activities.

134 X. Broad Scope Licenses

135 (a) Licenses of broad \$ 1,200.00 \$ 1,200.00  
136 scope for possession and use of  
137 radioactive material issued for  
138 educational research and development  
139 and instructional purposes.

140 (b) Licenses of broad \$ 2,000.00 \$ 2,000.00  
141 scope for possession and use of  
142 radioactive materials issued for human  
143 use, medical research and development  
144 and instructional purposes.

145 (c) Licenses of broad \$ 2,000.00 \$ 2,000.00  
146 scope for possession and use of  
147 radioactive material issued for  
148 industrial purposes.

149 XI. Research and Development

150 (a) Licenses for possession \$ 900.00 \$ 900.00  
151 and use of radioactive material for  
152 educational research and development  
153 and instructional purposes.

154 (b) Licenses for possession \$ 1,000.00 \$ 1,000.00  
155 and use of radioactive material for  
156 industrial research and development.

157 XII. Industrial Gauges

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

161	(b) Licenses for possession	\$	<u>1,000.00</u>	\$	<u>1,000.00</u>
162	and use of pipe wall thickness gauge(s)				
163	containing radioactive material.				
164	(c) Licenses for possession	\$	<u>1,000.00</u>	\$	<u>1,000.00</u>
165	and use of portable densitometer(s)				
166	containing radioactive material.				
167	(d) Licenses for possession	\$	<u>600.00</u>	\$	<u>600.00</u>
168	and use of portable industrial gauge(s)				
169	containing radioactive material except				
170	categories XII(b) and (c).				
171	XIII. Licenses for possession	\$	<u>1,500.00</u>	\$	<u>1,500.00</u>
172	and use of radioactive material for				
173	the performance of environmental				
174	tracer studies.				
175	XIV. Licenses authorizing	\$	<u>1,000.00</u>	\$	<u>1,000.00</u>
176	the installation, removal, repair				
177	and maintenance of gauge(s)				
178	containing radioactive material.				
179	XV. Licenses authorizing	\$	<u>300.00</u>	\$	<u>300.00</u>
180	the use of radioactive material				
181	contained in gas chromatographs.				
182	XVI. Licenses specifically	\$	<u>3,000.00</u>	\$	<u>3,000.00</u>
183	authorizing decommissioning,				
184	decontamination, reclamation,				
185	or site restoration activities.				
186	XVII. Licenses specifically	\$	<u>1,000.00</u>	\$	<u>1,000.00</u>
187	authorizing the removal of				
188	radioactive material from oil and/or				
189	gas tubing and equipment.				
190	XVIII. All other specific	\$	<u>600.00</u>	\$	<u>600.00</u>
191	licenses other than those				
192	specified above.				
193	XIX. Additional permanent sites	10% of		10% of	

194 where radioactive material is applicable applicable  
195 stored or used under same license. fee fee

196 **SCHEDULE OF FEES FOR GENERAL LICENSE DEVICES**

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

200 (a) Certain measuring, \$ 150.00 \$ 150.00  
201 gauging and controlling device(s).

202 (b) Generally licensed gas \$ 100.00 \$ 100.00  
203 chromatographs.

204 (c) Static elimination \$ 100.00 \$ 100.00  
205 device(s) and ion generating tube(s).

206 (d) Source material. \$ 100.00 \$ 100.00

207 (e) Depleted Uranium. \$ 100.00 \$ 100.00

208 (f) In vitro testing \$ 100.00 \$ 100.00  
209 and clinical labs.

210 (g) All other general \$ 100.00 \$ 100.00  
211 license registrations other than  
212 those specified above.

213 **SCHEDULE OF FEES FOR X-RAY TUBE**

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

216 X-RAY TUBES

217 I. Healing Arts and Veterinary Medicine \$ 60.00

218 II. Nonhealing Arts

219 (a) Industrial, other than \$ 100.00  
220 Industrial Radiography

221 (b) Educational \$ 75.00

222 **SCHEDULE OF FEES FOR INDUSTRIAL RADIOGRAPHY**

223 **X-RAY REGISTRATIONS**

224 Fees for the initial registration and annual fees for  
225 industrial radiography x-ray devices shall be Six Hundred Dollars  
226 (\$600.00).

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**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**



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

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