

DIVISION 103

FEES

333-103-0001 [PURPOSE AND SCOPE]

- (1) The rules in this division establish fees for sources of radiation and provide for their payment. Sources of radiation, as defined in OAR 333-100-0005(125), include, but are not limited to, radiation facilities, radiation producing machines, radiation producing devices, radioactive material in sealed and unsealed form (normal form and special form), and radioactive material uses.
- (2) Except as otherwise specifically provided, the rules in this division apply as follows:
 - (a) Radiation producing machines, radiation facility registration, radiation machine vendors and/or services, accredited hospital radiology inspectors, and non-ionizing sources of radiation are subject to OAR chapter 333, divisions [101](#),¹ [105](#),² [106](#),³ [108](#),⁴ [109](#),⁵ [112](#),⁶ [115](#),⁷ [119](#),⁸ or [122](#);⁹
 - (b) Radioactive materials pursuant to OAR chapter 333 divisions [102](#),¹⁰ [105](#),¹¹ [110](#),¹² [113](#),¹³ [115](#),¹⁴ [116](#),¹⁵ [117](#),¹⁶ or [121](#);¹⁷
 - (c) General licenses and registrations pursuant to divisions [101](#)¹⁸ and [102](#);¹⁹
 - (d) Microwave Oven Service Licensees;
 - (e) Radiological Analyses; and
 - (f) Tanning Device Registrations.

333-103-0003 [DEFINITIONS]

As used in this division, the following definitions apply:

- (1) *License (Acknowledgement of Validation, Validation Certificate, Certificate of Validation)* means the document issued that validates receipt of payment for a specific license or registration fee.
- (2) *Registration Fee* means:

¹ Registration of radiation machines, general license radioactive materials, licensing of radiation services, and accreditation of hospital radiology inspectors

² Radiation safety requirements for industrial radiographic operations

³ X-rays in the healing arts

⁴ Radiation safety requirements for analytical x-ray equipment

⁵ Radiation safety requirements for particle accelerators

⁶ Requirements for microwave oven use and service

⁷ Radiation safety requirements for x-ray and hybrid gauges

⁸ Registration of tanning facilities

⁹ Radiation safety requirements for industrial x-ray machine operations

¹⁰ Licensing of radioactive material

¹¹ Fees

¹² Radiation safety requirements for radioactive tailings and ponds

¹³ Radiation safety requirements for wireline service operations and sub-surface tracer studies

¹⁴ Radiation safety requirements for x-ray and hybrid gauges

¹⁵ Use of radionuclides in the healing arts

¹⁶ Regulation and licensing of naturally occurring radioactive materials (NORM)

¹⁷ Licensing and radiation safety requirements for irradiators

¹⁸ Registration of radiation machines, general license radioactive materials, licensing of radiation services, and accreditation of hospital radiology inspectors

¹⁹ Licensing of radioactive material

- (a) The fee paid to the Agency for a license (certificate of validation) or acknowledgement of validation for Radiation Producing Machines; or
 - (b) The fee paid to the Agency to validate a general license registration issued pursuant to OAR [333-102-0101](#),²⁰ [0103](#),²¹ [0115](#),²² [0130](#),²³ or [0340](#)²⁴
- (3) *Specific License Fee* means:
- (a) The annual fee payable July 1 of each year, to validate specific licenses for sources of radiation; or
 - (b) The fee paid upon application to the Agency for a Oregon Radioactive Materials License to license (validate) specific licensed sources of radiation pursuant to § [0010](#); or
 - (c) The fee paid to license additional sources of radiation pursuant to § [0010](#).

333-103-0005 [BIENNIAL FEE FOR RADIATION MACHINES]

- (1) For the purpose of this division, a radiation machine is defined under OAR [333-100-0005](#).
- (2) Each radiation machine shall be validated biennially by a radiation machine fee in the following amounts:
 - (a) Hospital, radiologist, chiropractic, osteopathic or medical X-ray machine, \$173;
 - (b) Hospital X-ray machine when X-ray machine inspection is performed by an accredited hospital radiology inspector rather than an Agency inspector, \$88;
 - (c) Industrial or podiatry x-ray machine, \$115;
 - (d) Dental, academic or veterinary X-ray machine, \$87.
- (3) The radiation machine fee shall be due and payable for each radiation machine on or before July 1 of each biennium.
- (4) A certificate of validation or acknowledgement of validation for the current biennium must be posted on or near the radiation machine by the registrant.
- (5) In any case in which a registrant has submitted the proper fee prior to the expiration of a validation certificate, such existing validation certificate shall not expire until the issuance of a new validation certificate for the current biennium.

333-103-0010 [ANNUAL FEE FOR SPECIFIC LICENSES]

- (1)
 - (a) Each specific license listed in § [0010\(2\)](#), as defined in [OAR 333-102-0203](#),²⁵ shall be licensed (validated) pursuant to § [0010\(2\)-\(6\)](#) by a specific license fee.
 - (b) Upon written request and approval by the agency, fees for new licenses or additional sources may be prorated on a quarterly basis for the current fiscal year.

²⁰ General licenses — source material

²¹ General licenses — depleted uranium in industrial products and devices

²² Certain measuring, gauging and controlling devices

²³ General license for use of radioactive material for certain in vitro clinical or laboratory testing

²⁴ Reciprocal recognition of licenses

²⁵ Definitions

(2) Each specific license type appearing in the following fee schedule shall be licensed (validated) separately with a specific license fee as indicated:

- (a) Analytical/Leak Test/Fixed X-Ray Fluorescence, \$458(F);
- (b) Basic License, \$812(F);
- (c) Brachytherapy, \$1,836(F);
- (d) Broad Scope A, \$3,000(F);
- (e) Broad Scope B, \$1,836(F);
- (f) Broad Scope C, \$916(F);
- (g) Distribution, \$916 (F);
- (h) Fixed Gauge, \$228(S);
- (i) High, medium and low dose rate brachytherapy, \$2,296(S);
- (j) Imaging and Localization, \$916(F);
- (k) In Vitro Laboratory, \$304(F);
- (l) Industrial Radiography:
 - (A) Fixed Facility, \$3,000(F);
 - (B) Field Use, \$3,000(F);
- (m) Instrument Calibration, \$688(S);
- (n) Investigational New Drug, \$1,376(F);
- (o) Irradiator Self-Shielded, \$916 (S);
- (p) Manufacturing/Compounding, \$2,448(F);
- (q) Mobile Nuclear Medicine, \$2,448(F);
- (r) NORM (no processing), \$612(F);
- (s) Nuclear Pharmacy, \$3,000(F);
- (t) Other Measuring Device, \$132(S);
- (u) Portable Gauge:
 - (A) X-Ray Fluorescence, \$458(S);
 - (B) All other portable gauges, \$612(S);
- (v) Radiopharmaceutical Therapy, \$1,376(F);
- (w) RAM/NOS Facility, \$3,000(F);
- (x) Research & Development, \$1,376(F);
- (y) Sealed Sources for Diagnosis, \$458(S);
- (z) Source Material, \$3,000(F);
- (aa) Special Nuclear Material (sealed), \$916(S);
- (bb) Special Nuclear Material (unsealed), \$2,296(F);
- (cc) Teletherapy (external beam), \$3,000(S);
- (dd) Unique, \$No Fee;
- (ee) Uptake and Dilution, \$612(F);
- (ff) Use of Xenon Gas, \$612(F);
- (gg) Waste Packaging, \$3,000(F);
- (hh) Well Logging, \$1,376(S).

[NOTE: (F) means facility; (S) means source].

(3) Each specific license validation fee shall be due and payable:

- (a) On or before July 1 of each year;
- (b) For each specific license source of radiation listed in § [0010\(2\)](#) for which application pursuant to OAR [333-102-0295](#) for an Oregon Radioactive Materials License has been made;

- (c) For each additional specific license source of radiation in an amendment to an existing Oregon Radioactive Materials License pursuant to OAR [333-102-0320](#).²⁶
- (4) A license (certificate of validation) or acknowledgement of validation for each specific license issued pursuant to § [0010\(3\)](#) for the then or current fiscal year shall be provided by the Agency. The certificate of validation for the then or current fiscal year shall be retained by the licensee and attached to the license pursuant to requirements in OAR [333-111-0005](#).²⁷
- (5) The specific license fee that validates specific sealed sources also validates possession of one additional sealed source during source exchange (one new source and one spent source) for a period not to exceed 10 working days.
- (6) Sealed sources manufactured and distributed as reference sources that do not exceed 100 times the quantity in 10 CFR 30.71, [Schedule B](#) are exempt from specific license fees and validation if used pursuant to a specific license listed in § [0010\(2\)](#). The license validation fee for reference sources that exceed 100 times the quantity in 10 CFR 30.71, [Schedule B](#) or reference sources authorized alone without additional licensed radioactive material shall be \$916, pursuant to § [0010\(2\)\(b\)](#).

333-103-0015 [ANNUAL REGISTRATION FEE FOR GENERAL LICENSES AND DEVICES]

- (1) Any general license granted by the Agency must be validated annually by the general license registration fee listed in § [0015\(2\)](#), unless otherwise exempted by § [0015\(2\)\(e\)](#). General License registration fees as defined in OAR [333-103-0003](#) shall:
 - (a) Validate each general licensed source of radiation due July 1 of each year for sources of radiation; and
 - (b) Validate each new application to register general license material pursuant to OAR [333-101-0007](#);²⁸ and
- (2) The general licenses appearing in the following fee schedule shall be registered on the appropriate Agency form and shall be validated annually by a general license registration fee:
 - (a) Each healing arts facility that uses radioactive material for In Vitro laboratory or clinical testing authorized by OAR [333-102-0130](#),²⁹ \$132;
 - (b) Each radiation source in a generally licensed measuring, gauging or controlling device authorized pursuant to OAR [333-102-0115\(1\)](#),³⁰ \$132;
 - (c) For radioactive material contained in devices designed and manufactured for the purpose of producing light, except tritium (H³) exit signs, or an ionized

²⁶ Amendment of licenses at request of licensee

²⁷ Posting of notices to workers

²⁸ Application for general license registration for radioactive materials gauges, in vitro testing, source material, reference and calibration sources, and reciprocal recognition of specific radioactive materials license

²⁹ General license for use of radioactive material for certain in vitro clinical or laboratory testing

³⁰ Certain measuring, gauging and controlling devices

atmosphere that exceed the limits in [333-102-0105](#),³¹ \$132 per device for the first six devices after which a Basic Specific License is required.

- (d) Each general licensee possessing or using depleted uranium for the purpose of providing a concentrated mass in a small volume of the product or device pursuant to OAR [333-102-0103](#),³² \$132;
 - (e) Each General Licensee possessing or using source material for research, development, educational, commercial or operational purposed pursuant to OAR [333-102-0101](#),³³ \$200;
 - (f) General licenses not specifically identified in § [0015\(2\)\(a\)-\(d\)](#) are exempt from the payment of an annual general license registration fee.
 - (g) Each out-of-state or NRC specific licensee granted a general license pursuant to OAR [333-102-0340](#)³⁴ to conduct activities within the state of Oregon for a period not to exceed 180 days in a calendar year must pay a registration validation fee as required by § [0030\(6\)](#).
 - (h) State and local government agencies are required to register each generally licensed device but are exempt from the fees required in this section.
- (3) Notwithstanding § [0015\(2\)\(g\)](#), the general license fee shall be due and payable on or before July 1 of each year.
 - (4) A certificate of validation for the then current fiscal year shall be provided by the Agency. The certificate for the then current fiscal year must be retained by the licensee and attached to the general license.

333-103-0020 [BIENNIAL FEE FOR MICROWAVE OVEN SERVICE LICENSEES]

- (1) Each specific license issued by the Agency for microwave oven service shall be subject to a biennial \$87 specific license fee.
- (2) The specific license fee shall be due and payable on or before July 1 of each biennium.
- (3) A certificate of validation or acknowledgement of validation for the then current fiscal year shall be provided by the Agency. The current certificate of validation must be retained by the licensee.
- (4) Unless validated by the annual fee, each specific license shall be deemed to expire on June 30 of each year.

333-103-0025 [ANNUAL FEE FOR TANNING DEVICES]

- (1) Each tanning device must be validated annually by a tanning device fee of \$76.
- (2) The tanning device fee shall be due and payable for each tanning device on or before January 1 of each year.
- (3) A certificate of validation or acknowledgement of validation for the then current fiscal year must be posted on or near the tanning device, by the registrant.

³¹ Certain devices and equipment

³² General licenses — depleted uranium in industrial products and devices

³³ General licenses — source material

³⁴ Reciprocal recognition of licenses

- (4) In any case in which a registrant has submitted the proper fee prior to the expiration of a validation certificate, such existing validation certificate shall not expire until the issuance of a new validation certificate for the then current fiscal year.

333-103-0030 [RECIPROCAL RECOGNITION FEE]

- (1) Any radiation machine or radioactive material source brought into the state for use under reciprocity must pay a fee equal to 100% of the appropriate license or registration validation fee, listed in § [0005](#) or § [0010](#), not to exceed \$3,000 in a year.
- (2) Reciprocal fees shall be due and payable prior to entry into the state.
- (3) An acknowledgement of fee payment, such as a certificate of validation, will be provided by the Agency. The acknowledgement of fee payment must be retained by the licensee or registrant and attached to the license or registration.
- (4) Reciprocal fees shall not be transferred or refunded.
- (5) Reciprocal fees shall expire 12 months from the issue date.
- (6) Any use of radioactive material in Oregon pursuant to OAR [333-102-0340](#)³⁵ exceeding 30 consecutive days or 180 calendar days shall require an application for an Oregon specific radioactive materials license pursuant to [OAR 333-102-0295](#).³⁶

333-103-0035 [FEES FOR RADIOLOGICAL ANALYSES]

- (1) An individual, agency, or company that requests that the Agency Radiation Laboratory perform radiological analyses on samples must pay a fee to the Agency in accordance with the schedule in § [0035\(2\)](#). The responsible individual submitting the sample(s) must first obtain a request form from the Agency. This form contains the fee schedule and the types of radiological analyses offered. That individual must then submit the completed form along with the sample and the appropriate fee to the Agency. The Agency will send the results by return mail in accordance with the estimated time as per § [0035\(3\)](#).
- (2) [FEE SCHEDULE] Water — Solid:
 - (a) Gamma Isotopic — \$206-\$236;
 - (b) Low-level Iodine — I¹³¹ - \$212;
 - (c) Tritium (H³) — \$92.

[NOTE: A \$100 surcharge shall be added to the fee for a one-day completion schedule for a Gamma Isotopic analysis].
- (3) The analyses results will be available in approximately five working days for Gamma Isotopic analyses. All other types of radiological analyses results will be available in approximately 15 working days.

[NOTE] If the Agency cannot complete the analyses according to the schedule in § 0035(3), the Agency will notify the customer as soon as possible.

³⁵ [Reciprocal recognition of licenses](#)

³⁶ [Requirements for license to manufacture and distribute industrial products containing depleted uranium for mass-volume application](#)

A \$100 surcharge shall be added to the fee for a one-day completion schedule for a Gamma Isotopic analysis.

333-103-0050 [FEES FOR ACCREDITED HOSPITAL RADIOLOGY INSPECTORS]

- (1) Each accreditation for a radiology inspector shall be subject to an accreditation fee of \$200.
- (2) Each accreditation issued by the Agency for a radiology inspector shall be subject to a biennial renewal fee of \$200.
- (3) Each accreditation shall expire in the second year on the last