

OREGON ADMINISTRATIVE RULES  
DEPARTMENT OF HUMAN SERVICES, PUBLIC HEALTH DIVISION  
CHAPTER 333

**DIVISION 103**

**FEES**

**333-103-0003**

**Definitions**

As used in this division, the following definitions apply:

(1) "License" ("Acknowledgment 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:

(a) The fee paid to the Department for a license for Radiation Producing Machines; or

(b) The fee paid to the Department to validate a general license registration issued pursuant to OAR 333-102-0101, 333-102-0103, 333-102-0115, 333-102-0130, or 333-102-0340

(3) "Specific License Fee" means:

(a) The annual fee payable October 1 of each year, to validate specific licenses for sources of radiation; or

(b) The fee paid upon application to the Department for a Oregon Radioactive Materials License to license specific licensed sources of radiation pursuant to OAR 333-103-0010; or

(c) The fee paid to license additional sources of radiation pursuant to OAR 333-103-0010.

Stat. Auth.: ORS 453.757

Stats. Implemented: ORS 453.757

**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, \$228;

(b) Hospital X-ray machine when x-ray machine inspection is performed by an accredited hospital radiology inspector rather than a Department inspector, \$116;

(c) Industrial or podiatry X-ray machine, \$152;

(d) Dental, academic or veterinary X-ray machine, \$112.

(3) The radiation machine fee shall be due and payable for each radiation machine on or before October 1 of each biennium.

(4) A certificate of validation or acknowledgment 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.

(6) Upon written request and approval by the Department, fees for new licenses or additional machines may be prorated on a biennial quarterly basis for the current biennium.

Stat. Auth.: ORS 453.757, ORS 453.761

Stats. Implemented: ORS 453.757, ORS 453.761

### **333-103-0010**

#### **Annual Fee for Specific Licenses**

(1)(a) Each specific license listed in section (2) of this rule, as defined in OAR 333-102-0203, shall be licensed pursuant to sections (2), (3), (4), (5), and (6) of this rule by a specific license fee.

(b) Upon written request and approval by the Department, fees for new licenses or additional sources may be prorated on a quarterly basis for the current fiscal year.

(2) Each specific license type appearing in the following fee schedule shall be licensed 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 October 1 of each year;
  - (b) For each specific license source of radiation listed in section (2) of this rule for which application pursuant to OAR 333-102-0190 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.
- (4) A license for each specific license issued pursuant to section (3) of this rule for the then or current fiscal year shall be provided by the Department. 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.
- (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 ten working days.
- (6) Sealed sources manufactured and distributed as reference sources that do not exceed 100 times the quantity in 30.71 Schedule B of 10 CFR Part 30 are exempt from specific license fees and validation if used pursuant to a specific license listed in section (2) of this rule. The license validation fee for reference sources that exceed 100 times the quantity in 30.71 Schedule B of 10 CFR Part 30 or reference sources authorized alone without additional licensed radioactive material shall be \$916, pursuant to subsection (2)(b) of this rule.

Stat. Auth.: ORS 453.757

Stats. Implemented: ORS 453.757

### **333-103-0015**

#### **Annual Registration Fee for General Licenses and Devices**

(1) Any general license granted by the Department must be validated annually by the general license registration fee listed in section (2) of this rule, unless otherwise exempted by subsection (2)(e) of this rule. Validation must be confirmed by verifying, correcting, and/or adding to the information provided in a request for registration received from the Department. General License registration fees as defined in OAR 333-103-0003 shall:

- (a) Validate each general licensed source of radiation due October 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; and
- (c) Registration
- (2) The general licenses appearing in the following fee schedule shall be registered on the appropriate Department 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, \$132;
- (b) Each radiation source in a generally licensed measuring, gauging or controlling device authorized pursuant to OAR 333-102-0115(1), \$132;
- (c) For radioactive material contained in devices designed and manufactured for the purpose of producing light, except Tritium exit signs, or an ionized atmosphere that exceed the limits in OAR 333-102-0105, \$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, \$132;
- (e) Each General Licensee possessing or using source material for research, development, educational, commercial or operational purposed pursuant to OAR 333-102-0101, \$200;
- (f) General licenses not specifically identified in subsections (2)(a), (2)(b), (2)(c) and (2)(d) of this rule 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 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 OAR 333-103-0030(6).
- (h) State and local government agencies are required to register each generally licensed device but are exempt from the fees required in this rule.
- (3) Notwithstanding subsection (2)(g) of this rule, the general license fee shall be due and payable on or before October 1 of each year.
- (4) A certificate of validation for the then current fiscal year shall be provided by the Department. The certificate for the then current fiscal year must be retained by the licensee and attached to the general license.
- (5) Upon written request and approval by the Department, fees for new licenses or additional sources may be prorated on a quarterly basis for the fiscal year.
- Stat. Auth.: ORS 453.757  
Stats. Implemented: ORS 453.757

### **333-103-0020**

#### **Biennial Fee for Microwave Oven Service Licensees**

- (1) Each license issued by the Department for microwave oven service shall be subject to a biennial \$112 specific license fee.
- (2) The license fee shall be due and payable on or before October 1 of each biennium.
- (3) A certificate of validation or acknowledgement of validation for the then current fiscal biennium shall be provided by the Department. The current certificate of validation must be retained by the licensee.

(4) Unless validated by the biennial fee, each license shall be deemed to expire on September 30 of each biennium.

(5) Upon written request and approval by the Department, fees for new licenses may be prorated on a biennial quarterly basis for the current biennium.

Stat. Auth.: ORS 453.757, ORS 453.761

Stats. Implemented: ORS 453.757, ORS 453.761

### **333-103-0025**

#### **Annual Fee for Tanning Devices**

(1) Each tanning device must be validated annually by a tanning device fee of \$100.

(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 acknowledgment of validation for the then current fiscal year must be posted on or near the tanning device, by the registrant.

(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.

(5) Upon written request and approval by the Department, fees for new licenses or additional tanning devices may be prorated on a quarterly basis for the current fiscal year.

Stat. Auth.: ORS 453.757

Stats. Implemented: ORS 453.757

### **333-103-0050**

#### **Fees for Accredited Hospital Radiology Inspectors**

(1) Each accreditation for a radiology inspector shall be subject to an accreditation fee of \$264.

(2) Each accreditation issued by the Department for a radiology inspector shall be subject to a biennial renewal fee of \$264.

(3) Each accreditation shall expire in the second year on the last day of the month of issuance unless renewed.

Stat. Auth.: ORS 453.757

Stats. Implemented: ORS 453.757