

Specific Licenses

Sec. C.24 Filing Application for Specific Licenses.

- (a) Applications for specific licenses shall be filed on a form prescribed by the Agency.
- (b) The Agency may at any time after the filing of the original application, and before the expiration of the license, require further statements in order to enable the Agency to determine whether the application should be granted or denied or whether a license should be modified or revoked.
- (c) Each application shall be signed by the applicant or licensee or a person duly authorized to act for and on his behalf.
- (d) An application for a license may include a request for a license authorizing one or more activities.
- (e) In his application, the applicant may not incorporate by reference information contained in previous applications, statements, or reports filed with the Agency, but must resubmit the above information after the review, and updating as necessary, as part of the current application.
- (f) Applications and other documents are subject to public inspection and copying as provided at State Government Article, § 10-611 et seq. Annotated Code of Maryland.
- (g) An application for a specific license to use byproduct material in the form of a sealed source or in a device that contains the sealed source must identify the source or device by manufacturer and model number as registered with the NRC and must meet the requirements of Section C.37.

Sec. C.25 General Requirements for the Issuance of Specific Licenses.

- (a) A license application will be approved if the Agency determines that:
 - (1) the applicant is qualified by reason of training and experience to use the material in question for the purpose requested in accordance with these regulations in such a manner as to minimize danger to public health and safety or property;
 - (2) the applicant's proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property;
 - (3) the issuance of the license will not be inimical to the health and safety of the public;
 - (4) the applicant satisfies any applicable special requirements in C.26, C.27, C.28, Part E, Part G, or Part W of these regulations;
 - (5) the applicant maintains an office in Maryland
 - (i) which is open for business during normal business hours,
 - (ii) where records are immediately available for inspection,
 - (iii) and where the radioactive material equipment or device will be available for inspection
 - (a) at either the office location, or
 - (b) at a temporary job site convenient to the inspector;
 - (6) the applicant has met the requirements for financial assurance and recordkeeping for decommission specified in C.29;

- (7) the environmental report, if required by the Agency under C.25(b), is acceptable;
- (8) the radioactive material being licensed is not an isotope of Cesium for the use or storage in a liquid or water environment; and
- (9) the applicant has adequately described in the application how facility design and procedures for operation will, in accordance with Section D.1406, minimize, to the extent practicable, the introduction of residual radioactivity into the site, including the subsurface, facilitate eventual decommissioning, and minimize, to the extent practicable, the generation of radioactive waste.

(b) In the case of an application for a license or amendment to an existing license to receive and possess radioactive material for the conduct of any activity which the Agency determines will significantly affect the quality of the environment, the applicant shall prepare an environmental report. The report shall address the environmental, economic, technical and other benefits against environmental costs considering available alternatives, with any appropriate conditions to protect environmental values. Commencement of construction prior to such conclusion shall be grounds for denial of a license to receive and possess radioactive material in such plant or facility. As used in this paragraph the term "commencement of construction" means any clearing of land, excavation, or other substantial action that would adversely affect the environment of a site. The term does not mean site exploration, necessary roads for site exploration, borings to determine foundation conditions, or other preconstruction monitoring or testing to establish background information related to the suitability of the site or the protection of environmental values.

(c) Each specific license application shall contain a provision for an emergency plan as specified in C.23.

Sec. C.26 Special Requirements for Issuance of Certain Specific Licenses for Radioactive Material.

(a) - (b) Reserved.

(c) Specific License for Certain Measurement and Control Devices.

Effective October 1, 2013, a specific license shall be obtained from the Agency in accordance with Sections C.24 and C.25 for the possession and use of sealed source devices containing radioactive material which contain at least 370 MBq (10 mCi) of cesium-137, 3.7 MBq (0.1 mCi) of strontium-90, 37 MBq (1 mCi) of cobalt-60, 3.7 MBq (0.1 mCi) of radium-226, or 37 MBq (1 mCi) of americium-241 or any other transuranic element (i.e., element with atomic number greater than uranium (92), based on the activity indicated on the label).

(d) Specific License for Well Logging. An application for a specific license for the use of licensed material in industrial radiography will be approved if the applicant meets the following requirements:

- (1) The applicant satisfies the general requirements specified in Sec. C.25 for radioactive material, as appropriate, and any special requirements contained in this part.
- (2) The applicant shall develop a program for training logging supervisors and logging assistants and submit to the Agency a description of this program which specifies the:
 - (i) Initial training;
 - (ii) On-the-job training;
 - (iii) Annual safety reviews provided by the licensee;
 - (iv) Means the applicant will use to demonstrate the logging supervisor's knowledge and understanding of and ability to comply with the Agency's regulations and licensing requirements and the applicant's operating and emergency procedures; and
 - (v) Means the applicant will use to demonstrate the logging assistant's knowledge and understanding of and ability to comply with the applicant's operating and emergency procedures.
- (3) The applicant shall submit to the Agency written operating and emergency procedures as described in Sec.W.202 or an outline or summary of the procedures that includes the important radiation safety aspects of the procedures.
- (4) The applicant shall establish and submit to the Agency its program for annual inspections of the job performance of each logging supervisor to ensure that the Agency's regulations, license requirements, and the applicant's operating and emergency procedures are followed. Inspection records must be retained for 3 years after each annual internal inspection.