

FINAL ACTION ON REGULATIONS

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Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 15 DISPOSAL OF CONTROLLED HAZARDOUS SUBSTANCES — RADIOACTIVE HAZARDOUS SUBSTANCES

Authority: Environment Article, Title 7, Subtitle 2,
Annotated Code of Maryland

Notice of Final Action

[99-098-F]

On May 28, 1999, amendments to Regulation .02 under COMAR 26.15.01 Radioactive Hazardous Substances Management and Regulation .05 under COMAR 26.15.03 Standards Applicable to Generators of RHS were adopted by the Secretary of the Environment. This action, which was proposed for adoption in 26:8 Md. R. 635 — 636 (April 9, 1999), has been adopted as proposed.

Effective Date: June 28, 1999.

JANE T. NISHIDA
Secretary of the Environment

PROPOSED ACTION ON REGULATIONS

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.01 Definition.

"Applicant" means, for the purpose of administering Transportation Article, §21-1005, Annotated Code of Maryland, an individual who has a physical disability.

[.01].02 Application.

A. The application form shall be distributed upon request by the Administration. [to any prospective applicant or, for a minor applicant, to the parent or guardian of the applicant.]

B. (text unchanged)

C. An application not signed by the physically disabled applicant, or the parent or guardian of a minor applicant, will be rejected.

[C.] D. — [E.] F. (text unchanged)

[.02].03 Medical Certification.

A. A signed or certified statement from a licensed physician is required for an application for a permit. This statement shall certify that the applicant has a permanent physical disability that:

(1) [Applicant's permanent physical disability requires that] Requires the applicant to use a wheelchair to move about; or

(2) [Permanent physical disability is] Is so severe that the applicant would endure a hardship or be subject to a risk of injury if the applicant should enter or leave a vehicle at a less convenient location.

B. The Administration, at its discretion, may:

(1) Allow the physically disabled applicant to submit the statement from a licensed physician with the application; or

(2) (text unchanged)

[.03].04 Parking Permits.

A. — C. (text unchanged)

D. Permits may only be used on household vehicles.

[.04].05 (text unchanged)**[.05].06 Parking Space.**

A. — B. (text unchanged)

C. A reserved parking space may not be authorized to [an] the applicant whose property has adequate and accessible off-street parking available.

D. — G. (text unchanged)

[H. Permits may not be approved for applicants whose residences are located on nonpublic roadways or within private communities where parking is provided by an association or by a property management firm.]

[.06].07 — [.09].10 (text unchanged)

ANNE S. FERRO

Administrator

Motor Vehicle Administration

Title 26 DEPARTMENT OF THE ENVIRONMENT—

Subtitle 15 DISPOSAL OF CONTROLLED HAZARDOUS SUBSTANCES — RADIOACTIVE HAZARDOUS SUBSTANCES

Authority: Environment Article, Title 7, Subtitle 2.
Annotated Code of Maryland

Notice of Proposed Action

[99-098-P]

The Secretary of the Environment proposes to amend Regulation .02 under COMAR 26.15.01 Radioactive Hazardous Substances Management and to amend Regulation .05 under COMAR 26.15.03 Standards Applicable to Generators of RHS.

Statement of Purpose

The purpose of the action amending COMAR 26.15.01.02 is to change the definition of person to be consistent with the definition of person referenced in COMAR 26.12.01.01. The purpose of the action amending COMAR 26.15.03.05 is to change the citation to the federal standard. The current citation no longer exists in the Federal Code. The requirements have been recodified to the amended citation.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed regulation, but the proposed regulation is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Opportunity for Public Comment

The Department of the Environment will hold a hearing concerning these actions on May 11, 1999 at 9:30 a.m. in the 300 W. Preston Street Auditorium, Baltimore, Maryland 21201. All interested persons are invited to attend and give their views.

Any hearing impaired person may request an interpreter to be present at the hearing by giving 5 working days notice to Gail Castleman, Regulations Coordinator, at (410) 631-3441.

Written comments may be sent to Gail Castleman, Department of the Environment, 2500 Broening Highway, Baltimore, Maryland 21224. Written comments will be accepted until the close of business on May 11, 1999.

26.15.01 Radioactive Hazardous Substances Management

Authority: Environment Article, Title 7, Subtitle 2.
Annotated Code of Maryland

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (14) (text unchanged)

PROPOSED ACTION ON REGULATIONS

(15) "Person" means:

(a) — (d) (text unchanged)

(e) A federal agency, to the extent authorized by federal law;

(f) — (m) (text unchanged)

(16) — (23) (text unchanged)

(24) "RHS manifest" means the national uniform low-level radioactive waste manifest appropriately completed and signed by the RHS generator which contains the information required by COMAR 26.15.03.05[A] and by [10 CFR §20.311(1991)] 10 CFR §20.2006.

(25) — (29) (text unchanged)

26.15.03 Standards Applicable to Generators of RHS

Authority: Environment Article, Title 7, Subtitle 2,
Annotated Code of Maryland

.05 RHS Manifest.

RHS generators, facility owners or operators, and transporters who ship RHS for transfer and disposal shall comply with the manifest requirements of [10 CFR §20.311 (1991)] 10 CFR §20.2006.

JANE T. NISHIDA
Secretary of the Environment

Title 29

DEPARTMENT OF STATE POLICE

Subtitle 06 FIRE PREVENTION COMMISSION

29.06.05 Fire Sprinkler Contractor Licensing Regulations

Authority: Article 38A, §3,
Annotated Code of Maryland

Notice of Proposed Action

[89-105-P]

The Secretary of State Police proposes to adopt new Regulations .01 — .09 under a new chapter, COMAR 29.06.05 Fire Sprinkler Contractor Licensing Regulations.

Statement of Purpose

The purpose of this action is to establish a program to license and regulate persons who install fire sprinkler systems, including persons who are engaged in the design, installation, inspection, testing, repair, or modification of a fire sprinkler system in any residential or commercial building in the State.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed regulation.

Estimate of Economic Impact

I. Summary of Economic Impact. These regulations will require the Office of the State Fire Marshal, on behalf of the State Fire Prevention Commission, to collect a fee for licensing contractors who install fire sprinkler systems or provide certain fire sprinkler contractor services. This fee should recover, but not exceed, the direct and indirect costs associated with the issuance of the licenses. There are approximately 100 fire sprinkler installation businesses in the State and approximately 3,000 State licensed

master plumbers that may perform fire sprinkler system installation. If all 3,100 contractors become licensed under these regulations, revenues paid to the Office of the State Fire Marshal will increase by \$310,000 biannually. Direct costs for the Office (printing, postage, salaries) will increase by \$139,097 biannually when initial licenses are issued, and by \$124,155 biannually when renewal licenses are processed. Indirect costs for the Office (fringe benefits, office space, utilities, etc.) have not been computed. Any revenues that exceed the costs of issuing licenses will revert to the State General Fund.

Fire sprinkler contractors will pay a \$100 fee for a 2-year initial license and for 2-year license renewals. Contractors without an employee who has National Institute for the Certification in Engineering Technologies (NICET) certification will pay \$90 to take the NICET examination. Some may have to retake the examination at an additional cost of \$90.

The regulations require fire sprinkler contractors to secure and maintain a minimum of \$1,000,000 of combined single limit bodily injury or death and property damage liability insurance. New contractors will have to obtain this insurance. However, established companies that already carry this insurance should not have to pay additional premiums to comply with this provision.

II. Types of Economic Impacts.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency; Department of State Police, Maryland State Fire Marshal		
(1) Fees	(R+)	\$310,000/ biannually
(2) Direct costs:		
Initial licenses	(E-)	\$139,097/ biannually
Renewal licenses	(E-)	\$124,155/ biannually
(3) Indirect costs	(E-)	Indeterminate
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
(1) License fees:		
Fire sprinkler contractors	(-)	\$10,000/ biannually
Plumbers	(-)	\$300,000/ biannually
Total		\$310,000/ biannually
(2) NICET certification:		
Fire sprinkler contractors	(-)	\$9,000 one time fee
Plumbers	(-)	\$270,000 one time fee
Total		\$279,000 one time fee
(3) Liability insurance	(-)	Indeterminate
E. On other industries or trade groups:	NONE	
Insurance companies — premiums	(+)	Indeterminate
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A.(1). The regulations require a nonrefundable licensee fee of \$100 per contractor at the time of application for a license. The license must be renewed every 2 years. It is estimated that 100 contractors are engaged in the fire sprinkler contracting business on a full-time basis, performing sprinkler system design, installation,