

641—38.8(136C) Fees.**38.8(1) Radiation machines.**

a. Each registrant shall, at the time of registration and the anniversary date thereafter, as long as the registrant owns the radiation machine, remit to the agency a nonrefundable fee sufficient to defray the cost of registering the equipment with the department. All fees shall be paid annually by credit card or by check or money order made payable to the Iowa Department of Public Health. The fees to be paid shall be in the amount computed by the following schedule:

ANNUAL FEE SCHEDULE		
Type of X-ray machine	Fee per tube	Maximum fee
1. Medical	\$120	\$3,000
2. Osteopathy	\$120	\$3,000
3. Chiropractic	\$120	\$3,000
4. Dentistry	\$60	\$1,550
5. Podiatry	\$75	\$2,000
6. Veterinary Medicine	\$60	--
7. (Industrial/Nonmedical Use)	\$100	--
8. Food Sterilization	\$500	--
9. Accelerators and Electronic Brachytherapy Units	\$275	--
10. Electron Microscope	\$40	--
11. Bone Densitometry	\$55	--

Fees for radiation machines not listed in the above schedule shall not be less than \$120 per unit/tube.

b. Each registrant shall, where appropriate, pay the following special inspections/interpretation fee at the written request of the department:

(1) Mammography unit inspections fees:

1. \$1,575 for the first unit and, if the facility has additional units at the address of the first unit, a fee of \$375 for each additional unit; or
2. \$1,575 per portable unit for each site; or
3. Dollar amount to be determined and justified by the department on a case-by-case basis for facilities which do not meet the above criteria; or
4. \$675 for the second facility follow-up visit to review or determine the corrective action taken to address noncompliances; or
5. \$1,575 for each stereotactic breast biopsy unit.

(2) Industrial and oncology accelerator registrants and electronic brachytherapy registrants shall pay for each inspection a fee of \$900 for the first unit and \$225 for each additional unit.

(3) Industrial radiography X-ray units/walk-in cabinet radiography X-ray unit registrants shall pay for each inspection a fee of \$450 for the first unit and \$130 for each additional unit.

c. Each person who is engaged in the business of installing or offering to furnish radiation machines or is engaged in the business of furnishing or offering to furnish radiation machine servicing or service in the state shall apply for registration of such service with the agency prior to furnishing or offering to furnish any such service. Application shall be on a form provided by the department and include an annual nonrefundable fee of \$200.

d. Each person engaged in providing health physics services in mammography in Iowa who meets the requirements of 641—paragraph 41.6(3)“c” and is deemed qualified by this agency must submit a \$100 annual listing fee to this agency.

e. All mammography facilities providing services in Iowa must submit a \$150 annual authorization certification fee.

38.8(2) Radioactive material fee schedule. Fees associated with the possession and use of radioactive materials in Iowa shall not exceed those specified in 10 CFR 170.31 and 10 CFR 171.16. The following fee schedule shall apply.

	Program Code	Category	Type	New License Fee	Inspection Priority	Annual Fee
(3.L.)	01100	AAB	Academic Type A Broad	\$5,400	1	\$14,600
(8.A.)	03710	CD	Civil Defense	\$2,500	5	\$2,000
(3.E.)	03510	I1	Irradiators, Self-Shielding <10,000 Curies	\$3,200	5	\$2,600
(3.O.)	03320	IR1	Industrial Radiography – Temporary Job Sites	\$3,100	1	\$8,000
(3.P.)	03120	FG	Measuring Systems – Fixed Gauge	\$3,400	5	\$2,000
(3.P.)	03121	PG	Measuring Systems – Portable Gauge	\$3,400	5	\$2,000
(3.P.)	02410	IVL	<i>In-Vitro</i> Testing Laboratory	\$3,400	5	\$2,000
(7.C.)	02230	HDR	High Dose Rate Afterloader	\$5,500	1	\$5,100
(7.C.)	02120	M1	Medical – Diagnostic & Therapy	\$5,500	3	\$4,000
(7.C.)	02121	M2	Medical – Diagnostic Only	\$5,500	4	\$3,600
(7.C.)	02240	MET	Medical – Diagnostic, Therapeutic, Emerging Technologies	\$5,500	2	\$4,500
(3.S.)	03210	PET	Accelerator-Produced RAM	\$7,500	1	\$5,375
(3.C.)	02500	NP	Nuclear Pharmacy	\$5,100	1	\$7,700
(7.C.)	02231	NV1	Nuclear Medical Van	\$4,140	2	\$4,000
(7.C.)	22160	PMM	Pacemaker – Byproduct and/or SNM	\$2,600	R	Note 5
(3.M.)	03620	RD2	Research & Development – Other	\$4,375	3	\$4,000
(2.C.)	11300	SM1	Source Material, Other, >150 Kilograms	\$2,600	3	\$4,000
(1.D.)	22120	SNM2	SNM Plutonium – Neutron Source	\$2,600	5	\$3,750
(3.P.)	03221	CAL	Calibration and W/L Tests	\$2,275	5	\$3,900
(3.P.)	03122	XRF	X-Ray Fluorescent Analyzer	\$2,275	5	\$1,860
(3.P.)	02400	VMT	Veterinary Medicine – Therapy	\$3,250	3	\$3,900
(3.B.)	03214	MD	Manufacturing/Distribution	\$3,500	3	\$3,980

Notes:

1. Reciprocity fee is \$1,800 annually (180 days).
2. Inspection priorities are based on NRC inspection manual chapter 2800. Priority “R” is a remote contact and is not considered an inspection.
3. License amendment fee for all categories is \$600.
4. Annual fees are due no later than September 1 of each year. A 10 percent late charge will be assessed per month for late payments. Licensees with more than two authorized locations of use will be charged an additional 10 percent of the annual fee per location.
5. Separate annual fees will not be assessed for pacemaker licenses issued to medical institutions that also hold nuclear medicine licenses with the agency.
6. General license registration fee is \$700 annually on registration anniversary.

38.8(3) Industrial radiography testing and certification.

a. A nonrefundable fee of \$275 shall be submitted with each application for taking an industrial radiography examination to become certified by the agency.

b. A nonrefundable fee of \$120 shall be submitted with each application, not associated with an agency-administered industrial radiography examination, for a trainee or trainer card issued to a radiographer’s assistant or an industrial radiographer.

38.8(4) *Owner-assessed expenses.* In cases in which the agency determines that the cost of regulating or inspecting registered radiation machine facilities or radioactive materials licensees significantly exceeds the fees charged to the facility, it may assess an additional fee to the owner or user of the source(s) of radiation to cover the actual expenses incurred by the agency.

38.8(5) *Environmental surveillance fee.* A fee may be levied against any licensee, registrant, corporation, company, business, or individual for environmental surveillance activities which are necessary to assess the radiological impact of activities conducted by the licensee, registrant, corporation, company, business, or individual. This fee shall be sufficient to defray actual costs incurred by the agency, including, but not limited to, salaries of agency employees, per diem, travel, and costs of laboratory analysis of samples, when required.

38.8(6) Reserved.

38.8(7) *Returned check and late fees.* Persons who fail to pay required fees to the agency are subject to the following penalties:

a. \$25 for each payment received by the agency in accordance with these rules, for which insufficient funds are available to fulfill the obligation of such payment to the agency.

b. \$25 for each month for failure to pay any fee administered by this agency starting 30 days after the due date of the original notice. This fee is added to the unpaid fee.

38.8(8) *Reciprocity.* Fees paid for reciprocal recognition of out-of-state persons wishing to utilize radiation machines or radioactive materials in Iowa shall allow the out-of-state person to operate for a total of 180 days during the 365-day reciprocity period starting the date the fee is received by the agency.

a. Radiation machines. Any out-of-state person who wishes to bring an X-ray machine or linear accelerators into the state to perform work or services shall pay a reciprocity fee of \$500.

b. Radioactive materials. Out-of-state persons wishing to bring sources of radioactive material into Iowa for business purposes may be subject to a reciprocity fee depending on the type of activity to be performed and the type of radioactive materials license possessed (refer to 641—subrule 39.4(90)). If a reciprocity fee is applicable, it shall be assessed at the rate for reciprocity specified in the radioactive materials fee schedule available through the agency for each 365-day reciprocity period.

38.8(9) and **38.8(10)** Reserved.

38.8(11) *Radioactive material transport fee schedule.*

a. All shippers shall pay the following fee(s) unless the department obtains sufficient funding from another source, which may include but is not limited to a federal agency or a contract with a shipper.

(1) \$1800 per highway cask for each truck shipment of spent nuclear fuel, high-level radioactive waste, transuranic waste, or highway route controlled quantity of radioactive materials or any material shipped in accordance with rule 641—37.77(136C) traversing the state or any portion thereof. Single cask truck shipments are subject to a surcharge of \$20 per mile for every mile over 250 miles traveled.

(2) \$1300 for the first cask and \$125 for each additional cask for each rail shipment of spent nuclear fuel, high-level radioactive waste, transuranic waste, or any material shipped in accordance with rule 641—37.77(136C) traversing the state or any portion thereof.

(3) \$175 for each shipment by truck or by rail paid by the shipper for low-level radioactive waste shipped in or across Iowa. The department may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment. This fee applies to waste shipped to a site authorized by a government agency to receive low-level radioactive waste or shipped to a storage site to be held for future disposal.

b. All fees must be paid by the shipper prior to shipment. Shippers must request an application for a permit to ship radioactive material from the Iowa Department of Transportation, Office of Motor Carrier Services. Assistance may be obtained by calling the Bureau of Radiological Health at (515)281-3478. Other methods of fee payment may be considered by the department on a case-by-case basis upon request of the shipper. A request for an alternative method of payment must be made to the department prior to shipment.

c. All fees received pursuant to this subrule shall be used for purposes related to transporting radioactive material, including enforcement and planning, developing, and maintaining a capability for emergency response.

38.8(12) *Fee waiver.* Any fee may be waived in exchange for services (low-level waste disposal, radiation detection instrument calibration, instrument repair, sample analysis, etc.) provided to the agency. The waiver may only occur as a result of a 28E agreement or memorandum of understanding between the parties.

[**ARC 8982B**, IAB 8/11/10, effective 9/15/10; **ARC 0577C**, IAB 2/6/13, effective 3/13/13; **ARC 1479C**, IAB 6/11/14, effective 7/16/14; **ARC 3746C**, IAB 4/11/18, effective 5/16/18; **ARC 4612C**, IAB 8/14/19, effective 9/18/19; **ARC 5059C**, IAB 6/17/20, effective 7/22/20; **ARC 6164C**, IAB 2/9/22, effective 3/16/22]