

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 in the form of a 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	\$51	\$1500
2. Osteopathy	\$51	\$1500
3. Chiropractic	\$51	\$1500
4. Dentistry	\$39	\$1000
5. Podiatry	\$39	\$1000
6. Veterinary Medicine	\$25	—
7. (Industrial/Nonmedical Use)	\$50	—
8. Food Sterilization	\$1000	—
9. Accelerators	\$100	—
10. Electron Microscope	\$20	—
11. Bone Densitometry	\$25	—

Fees for radiation machines not listed in the above schedule shall not be less than \$50 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:

- \$900 for the first unit and, if the facility has additional units at the address of the first unit, a fee of \$325 for each additional unit; or
- \$900 per portable unit for each site where the unit is off-loaded and used and where the processing and patient films are stored; or
- 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
- \$450 for the second facility follow-up visit to review or determine the corrective action taken to address noncompliances; or
- \$900 for each stereotactic breast biopsy unit.

(2) Mammography interpretation fees of \$100 per mammography examination provided to the department for the purpose of determining film diagnostic quality.

(3) Industrial and oncology accelerator registrants shall pay for each inspection a fee of \$400 for the first and \$100 for each additional unit.

(4) Industrial radiography X-ray units/walk-in cabinet radiography X-ray unit registrants shall pay for each inspection a fee of \$250 for the first unit and \$75 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 \$100.

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 \$40 annual listing fee to this agency.

e. All mammography facilities providing services in Iowa must submit a \$50 annual authorization certification fee.

f. All Iowa-accredited facilities providing mammography services in Iowa must submit a \$200 accreditation fee for initial accreditation and each reaccreditation.

38.8(2) Radioactive material licensing, inspection and registration fee.

a. Licensing.

(1) Fees associated with licensing of the possession and use of radioactive materials in Iowa shall not exceed those specified in 10 CFR 170.31. The radioactive materials fee schedule is available through the agency.

(2) All required fees for new radioactive materials licenses, amendments to licenses, or renewal of licenses shall accompany the application for the requested action.

b. Inspections.

(1) After completion of an inspection, an inspection fee shall be assessed to a facility based on the fees for inspection, which shall not exceed those found in 10 CFR 170.32 entitled “Schedule of Fees for Health and Safety, and Safeguards Inspections for Materials Licenses.” The radioactive materials fee schedule is available through the agency.

(2) All required fees for inspections conducted by the agency shall be paid within 30 days after receipt of the agency notification following the inspection.

c. Registration. Each person having generally licensed radioactive materials shall annually register with the department and pay a nonrefundable annual fee of \$200.

38.8(3) Industrial radiography testing and certification.

a. A nonrefundable fee of \$175 shall be submitted with each application for taking an industrial radiography examination to become certified by the agency.

b. A fee of \$25 shall be submitted in order to replace lost identification cards issued to industrial radiographers by the agency pursuant to 641—subrule 45.1(10).

c. A nonrefundable fee of \$75 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) Certification fees. Diagnostic radiographers, radiologist assistants, radiation therapists, and nuclear medicine technologists (as defined in 641—Chapter 42), other than licensed practitioners of the healing arts, are required to pay fees sufficient to defray the cost of administering 641—Chapter 42. For podiatry assistant fees, see 641—42.7(136C). Fees are as follows:

a. Annual fee. Each individual must submit a \$60 initial fee for the first year and \$50 annually. These fees are nonrefundable.

b. Examination fee. Each individual making application to take an examination given by the agency as a limited or general nuclear medicine technologist, limited or general radiation therapist, or limited or general diagnostic radiographer as defined in 641—Chapter 42 must pay a nonrefundable fee of \$110 each time the individual takes the examination required by 641—Chapter 42.

c. Recertification fees. Once certification has been terminated for failure to complete continuing education requirements, any individual who requests permission to reestablish certification within six months of the initial continuing education due date must meet the training and testing requirements

of 641—Chapter 42, submit proof of continuing education hours and shall submit a late fee of \$30 in addition to the annual fee in order to obtain reinstatement of certification.

d. Continuing education late fee. Any individual who will not complete the required continuing education before the continuing education due date and wishes to submit a plan of correction as set forth in 641—subparagraph 42.2(3)“g”(2) shall submit a nonrefundable fee of \$25 along with the written plan of correction.

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 \$100 for each source of radiation.

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. In addition, if the agency performs an inspection of the out-of-state person’s activities while in Iowa, the appropriate inspection fee as specified in the radioactive materials fee schedule will be assessed.

c. Industrial radiographers wishing to operate in Iowa under an identification card from a jurisdiction recognized by Iowa that charges Iowa card holders a fee will be assessed and must pay a \$100 fee prior to conducting industrial radiography in Iowa.

38.8(9) Radon certification. Rescinded IAB 4/3/02, effective 5/8/02.

38.8(10) Radon mitigation credentialing. Rescinded IAB 4/3/02, effective 5/8/02.

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 641—subrule 40.54(5) 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 highway route controlled quantity of radioactive materials or any material shipped in accordance with 641—subrule 40.54(5) 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 received by the department prior to shipment. Fees must be in the form of a check or money order made payable to the Iowa Department of Public Health and sent to the Iowa Bureau of Radiological Health, Lucas State Office Building, 5th Floor, Des Moines, Iowa 50319. 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 between the parties.