

# SUMMARY OF THE PROCESS FOR LEGAL TERMINATION OF A MARYLAND RADIOACTIVE MATERIAL LICENSE

**Please note: All licensed activities including termination are subject to compliance with the regulations in COMAR 26.12.01.01, Sections C, D, and T, and this summary is not a substitute for those regulations. The licensee is urged to read the sections cited, and to note that other sections may apply.**

**Failure to legally terminate a radioactive material license may be subject to enforcement actions, including but not limited to the following:**

- (a) An administrative penalty of up to \$1000 per violation, not exceeding, \$50,000. Each day a violation occurs is a separate violation (Annotated Code of Maryland, Environment Article, Section 8-510);**
- (b) A civil penalty of up to \$10,000 per violation, to be collected in a civil action in Circuit Court. Each day a violation occurs is a separated violation (Annotated Code of Maryland, Environment Article, and Section 8-509 (b)).**

## **PROCESS**

1. **Notify** the Maryland Department of the Environment Radiological Health Program in writing, signed by an executive, of intent to terminate. This may be done any time in advance, but should be at least 30 days prior to when termination is requested. (COMAR 26.12.01.01 D.1301). If an invoice for the annual fee has been received, the licensee must submit the intent to terminate document prior to the initial due date of the invoice to avoid being liable to pay the annual fee.
2. **Dispose** of all radioactive material (RAM) in the following manner: (COMAR 26.12.01.10 C.40,C.38)

**For licensees with BOTH sealed and unsealed RAM, such as Nuclear Medical licenses, R&D Laboratories:**

- Remove all unsealed material and unsealed material waste from the premises by methods stated and approved in the license application.
- Perform, or have a consultant perform, a contamination survey by taking wipe samples from multiple areas of the restricted areas. If contamination is found, decontaminate until no removable contamination is present. Document all wipe assays. Note: Submit model and type of detectors used for surveys and wipes with their calibration dates as well as a sketch of the area showing where wipes were taken. Wipe results must be in dpm (disintegrations per minute) or microcuries.
- R&D Laboratories under decommissioning funding plans at subject to Sec C.32 as well, with appropriate documentation submitted the MDE/RHP.
- Insure that there are copies of the most recent leak tests of the sealed sources that are being transferred or disposed of and include in termination request.

- Transfer or dispose of all sealed sources to *an entity licensed to receive and possess the same specified radioactive material*, such as the original manufacturer, another specific licensee, or a licensed RAM waste broker. Obtain proof of transfer or disposal from the final recipient of the RAM.
- Submit results of the contamination surveys and the proof of transfer of sealed material to the Maryland Department of the Environment Radiological Health Program, with a request for termination, signed by an executive of the company.
- For licensees under “increased controls,” all termination activities are ALSO subject to compliance with COMAR 26.12.01.01, Sections C.41 through C.43, the National Source Tracking System., with records under Section C.38.
- Wait for notification from MDE/RHP before releasing any restricted areas. MDE/RHP will evaluate the closeout information submitted for adequacy, and may schedule a confirmatory survey performed by MDE/RHP inspection staff. When all closeout information confirms that no contamination from radioactive material remains, an amendment stating that the license has been terminated will be sent to the licensee. The licensee should furnish an address to where the termination amendment is to be sent in case mail delivery to the address on the license has been suspended.

**For licensees with ONLY sealed sources containing RAM, e.g. Portable Moisture/Density Gauge licensees, Fixed Gauge Licensees, Lead Paint Analyzers, and others:**

- Insure that there are copies of the most recent leak tests of the sealed sources sent to MDE/RHP.
  - Transfer or dispose of the devices/sources by returning to the manufacturer or to another entity licensed to receive such sources, or if disposing, to a licensed waste broker. Obtain proof of transfer/disposal from the receiver of the RAM.
  - Submit the proof of transfer of sealed material and concomitant leak tests to the Maryland Department of the Environment Radiological Health Program, with a request for termination signed by an executive of the company.
3. **Wait for notification from MDE/RHP before releasing any restricted areas.** MDE/RHP will evaluate the closeout information submitted for adequacy. When the closeout information is determined to be adequate to confirm that no contamination from radioactive material remains, an amendment stating that the license has been terminated will be sent to the licensee. The licensee should furnish an address to where the termination amendment is to be sent in case mail delivery to the address on the license has been suspended.