

1.18 RECIPROCAL RECOGNITION OF OUT-OF-STATE RADIOACTIVE MATERIALS LICENSES

D Question: Will my out-of-state company be able to conduct activities in Maryland that are authorized in my out-of-state radioactive material license under reciprocal recognition?

Why do I need this approval?

As an Agreement State under the Atomic Energy Act, Maryland is obliged to recognize radioactive material licenses (see section 1.15) issued by the U.S. Nuclear Regulatory Commission (NRC) or any of the other 37 Agreement States to licensees with out-of-state facilities. The licensee must, however:

- Meet procedural requirements for working in Maryland;
- Obtain an authorization letter from the Department;
- Pay a reciprocity fee; and
- Notify the Department three days (72 hours) prior to working in the State.

What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Atomic Energy Act of 1954, as amended, §274b
STATE: Environment Article, Title 8; COMAR 26.12.01.01 Section C.90

What is the process to get this approval?

A licensee must file an [Application for Reciprocal Recognition of Out of State Radioactive Materials License](#). Contact Tishara Stewart for instructions on submittal of this application. This form requires information regarding your out-of-State radioactive materials license, and includes certifications you must make. You must submit a copy of your out-of-State license, as well as a copy of your Radiation Safety Program including documents incorporated into your Radioactive Materials License.

Are there any other requirements?

Reciprocal recognition requires written notification of a licensee's intent to work in Maryland. The Notification form must be completed for every new job in Maryland, and is found at https://mde.maryland.gov/programs/Air/RadiologicalHealth/Documents/www.mde.state.md.us/assets/document/air/rh_reciprocity.pdf. Contact Tishara Stewart for instructions on form submission and changes or extensions to existing job requests.

How long should I expect it to take to get this approval once I submit a complete application?

Up to 21 days

Once I get this approval, how long will it last?

Authorization to use radioactive materials under reciprocity shall not exceed 180 days in any twelve (12) consecutive month period. Prior to that time, a written request may be made that reciprocity remain in force.

How much will this approval cost?

\$538-\$17,000 per year depending on the complexity of the operation and the content of the license. This fee must be paid before any work will be authorized and is identical to the fee for in-State licenses. The fee schedule is found in COMAR 26.12.03.

Do I need to know any additional information?

Radioactive materials users approved to work in Maryland must have in their possession specific documents listed in the reciprocity letter, as well as a copy of COMAR 26.12.01.01, entitled "Regulations for Control of Ionizing Radiation (1994)", and copies of both the request for authorization and the Department's reciprocity letter. Section C.90 of the regulations refers to requirements for reciprocity.

The Department must be notified in the event of the following changes:

- 1) By 9 AM, if previously scheduled work is not to be performed;
- 2) By 4 PM, if work scheduled after regular hours is not to be performed;
- 3) Any time if personnel leave a work site before half of the scheduled work period has passed; and
- 4) Any time submitted work times are rescheduled or changed.

Any incident occurring in Maryland such as personnel overexposure, loss or theft of any device containing a sealed radiation source, leakage due to loss of source integrity, severe damage to the device causing or threatening to cause excessive radiation or loss of source integrity or any other event requiring notification of local civil authorities shall be immediately reported to the Department:

- After hours (866) 633-4686
- During work hours (410) 537-3300

Who do I contact with additional questions?

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