

1. Give written notification to the Department on forms available from the Department within 30 days of such sale, relocation or disposal;
2. Include the New Jersey registration number, manufacturer, model and serial number of each component;
3. Include the name and address of the new owner(s); and
4. Include the address of the relocated machine, or details of the final disposition of the machine; and
5. Be responsible for all fees until the written notification is received by the Department.

**7:28-3.10 Denial of an application for registration, and suspension, modification, or revocation of registration of ionizing radiation-producing machines, radioactive by-product material, source material or special nuclear material**

(a) The Department, in addition to any penalties authorized by the Act, may deny an application for registration or suspend, modify or revoke a registration of ionizing radiation-producing machines, radioactive by-product material, source material or special nuclear material by reason of amendments to the Act, adoption of rules, orders issued by the Department pursuant to said Act or if the applicant or registrant:

1. Fails to comply with any provisions of the Act or any rules promulgated pursuant thereto including the timely payment of registration fees;
2. Falsifies or makes misleading statements in the application for registration;
3. Falsifies or makes misleading statements in any documents which were utilized to obtain a registration;
4. Alters registration documents;
5. Falsifies required records;
6. Aids, abets, combines with, or conspires with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules promulgated pursuant thereto; or
7. Allows a registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules promulgated pursuant thereto.

(b) Except as provided in N.J.S.A. 26:2D-12 in cases of emergency, no registration shall be denied, modified, suspended or revoked prior to a hearing conducted by the Office of Administrative Law pursuant to N.J.S.A. 52:14B-1 et seq., the Administrative Procedure Act, and N.J.A.C. 1:1-1 et seq., the Uniform Administrative Practice Rules, on the basis of a Notice of Intent filed by the Department stating the grounds for denial, suspension, modification or revocation of a registration.

(c) The Department may terminate a registration upon request submitted by the registrant to the Department in writing.

**7:28-3.11 Table of radioactive materials and quantities exempt from registration**

(a) The following radioactive materials, in quantities less than or equal to those specified below, are exempt from registration:

Radioactive Material	Column A Not as a sealed source (microcuries)	Column B As a sealed source (microcuries)
Antimony (Sb 124)	1	10
Arsenic 76 (As 76)	10	10
Arsenic 77 (As 77)	10	10
Barium 140 + Lanthanum 140 (Ba 140 + La 140)	1	10
Beryllium (Be 7)	50	50
Cadmium 109 + Silver 109 (Cd 109 + Ag 109)	10	10
Calcium 45 (Ca 45)	10	10
Carbon 14 (C 14)	50	50
Cerium 144 + Praseodymium 144 (Ce 144 + Pr 144)	1	10
Cesium 137 + Barium 137 (Ce 137 + Ba 137)	1	10
Chlorine 36 (Cl 36)	1	10
Chromium 51 (Cr 51)	50	50
Cobalt 60 (Co 60)	1	10
Copper 64 (Cu 64)	50	50
Europium 154 (Eu 154)	1	10
Fluorine 18 (F 18)	50	50
Gallium 72 (Ga 72)	10	10
Germanium 71 (Ge 71)	50	50
Gold 198 (Au 198)	10	10
Gold 199 (Au 199)	10	10
Hydrogen 3 (Tritium H 3)	250	250
Indium 114 (In 114)	1	10
Iodine 131 (I 131)	10	10
Iridium 192 (Ir 192)	10	10
Iron 55 (Fe 55)	50	50
Iron 59 (Fe 59)	1	10
Lanthanum 140 (La 140)	10	10
Manganese 52 (Mn 52)	1	10
Manganese 56 (Mn 56)	50	50
Molybdenum 99 (Mo 99)	10	10
Nickel 59 (Ni 59)	1	10
Nickel 63 (Ni 63)	1	10
Niobium 95 (Nb 95)	10	10
Palladium 109 (Pd 109)	10	10
Palladium 103 + Rhodium 103 (Pd 103 + Rh 103)	50	50
Phosphorus 32 (P 32)	10	10
Polonium 210 (Po 210)	0.1	1
Potassium 42 (K 42)	10	10
Praseodymium 143 (Pr 143)	10	10
Promethium 147 (Pm 147)	10	10
Rhenium 186 (Re 186)	10	10
Rhodium 105 (Rh 105)	10	10
Rubidium 86 (Rb 86)	10	10
Ruthenium 106 + Rhodium 106 (Ru 106 + Rh 106)	1	10
Samarium 153 (Sm 153)	10	10

Radioactive Material	Column A Not as a sealed source (microcuries)	Column B As a sealed source (microcuries)
Scandium 46 (Sc 46)	1	10
Silver 105 (Ag 105)	1	10
Silver 111 (Ag 111)	10	10
Sodium 22 (Na 22)	10	10
Sodium 24 (Na 24)	10	10
Strontium 89 (Sr 89)	1	10
Strontium 90 + Yttrium 90 (Sr 90 + Y 90)	0.1	1
Sulfur 35 (S 35)	50	50
Tantalum 182 (Ta 182)	10	10
Technetium 96 (Tc 96)	1	10
Technitium 99 (Tc 99)	1	10
Tellurium 127 (Te 127)	10	10
Tellurium 129 (Te 129)	1	10
Thallium 204 (Tl 204)	50	50
Tin 113 (Sn 113)	10	10
Tungsten 185 (W 185)	10	10
Vanadium 48 (V 48)	1	10
Yttrium 90 (Y 90)	1	10
Yttrium 91 (Y 91)	1	10
Zinc 65 (Zn 65)	10	10
Beta and/or Gamma emitting radioactive material not listed above	1	10

**7:28-3.12 Application and annual registration renewal fees for ionizing radiation-producing machines**

(a) On initial registration of each x-ray tube, each registrant shall pay an application fee of \$40.00 plus the prorated portion of the applicable annual registration renewal fee set forth in (b), (c), (d) or (e) below for the remainder of the first year of registration.

(b) Each registrant of an ionizing-radiation-producing machine used in a dental facility shall pay:

1. The initial application and registration fees for each x-ray tube pursuant to (a) above, and
2. In each year after the expiration of the first year of registration established pursuant to (f) below, the annual registration renewal fee per x-ray tube as follows:

**DENTAL FACILITIES**

Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01D Dental Machine	\$92

(c) Each registrant of an ionizing-radiation-producing machine used in a hospital facility shall pay:

1. The initial application and registration fees for each x-ray tube pursuant to (a) above, and
2. In each year after the expiration of the first year of registration established pursuant to (f) below, the annual registration renewal fee per x-ray tube follows:

**HOSPITAL FACILITIES**

Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01H Dental Machine	\$140.00
02H Fixed Medical Radiographic Machine	208.00
03H Mobile Medical Radiographic Machine	208.00
31H Portable Medical Radiographic Machine (hand carried)	208.00
06H Motor Vehicle Mounted Medical Radiographic Machine	208.00
04H Fixed Medical Fluoroscopic Machine	163.00
05H Mobile Medical Fluoroscopic Machine	163.00
32H Portable Medical Fluoroscopic Machine (hand carried)	163.00
33H Motor Vehicle Mounted Medical Fluoroscopic Machine	163.00
07H Fixed Medical Radiographic Fluoroscopic Machine	253.00
08H Mobile Medical Radiographic Fluoroscopic Machine	253.00
34H Portable Medical Radiographic Fluoroscopic Machine (hand carried)	253.00
35H Motor Vehicle Mounted Medical Radiographic Fluoroscopic Machine	253.00
09H CT Scan Machine	163.00
10H Mammography Machine	298.00
36H Motor Vehicle Mounted Mammography Machine	298.00
37H Mobile Mammography Machine	298.00
11H Medical Therapeutic Machine 60 kVp	253.00
12H Medical Therapeutic Machine 61 kVp to 999 kVp	253.00
14H Medical Therapeutic Machine 1 MeV and above	343.00
30H Radiation Therapy Simulator Machine	208.00
38H Biomedical (non-human) Research Machine	140.00
21H Electron Microscope Machine	140.00
22H Cabinet X-ray Machine	140.00
28H Bone Densitometer Machine	118.00

(d) Each registrant of an ionizing-radiation-producing machine used in a non-hospital facility (including, but not limited to, doctors' offices, medical facilities, industrial facilities, schools, and government facilities) shall pay:

1. The initial application and registration fees for each X-ray tube pursuant to (a) above, and
2. In each year after the expiration of the first year of registration established pursuant to (f) below, the annual registration renewal fee per X-ray tube as follows:

NON-HOSPITAL FACILITIES

Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube	Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01N Dental Machine	\$106.00	41N Machine not specifically listed above, ≤50 kVp	118.00
02N Fixed Medical Radiographic Machine	140.00	42N Machine not specifically listed above, 51 kVp to 999 kVp	118.00
03N Mobile Medical Radiographic Machine	140.00	43N Machine not specifically listed above, 1 MeV and above	140.00
31N Portable Medical Radiographic Machine (hand carried)	140.00		
06N Motor Vehicle Mounted Medical Radiographic Machine	140.00		
04N Fixed Medical Fluoroscopic Machine	118.00		
05N Mobile Medical Fluoroscopic Machine	118.00		
32N Portable Medical Fluoroscopic Machine (hand carried)	118.00		
33N Motor Vehicle Mounted Medical Fluoroscopic Machine	118.00		
07N Fixed Medical Radiographic Fluoroscopic Machine	163.00		
08N Mobile Medical Radiographic Fluoroscopic Machine	163.00		
34N Portable Medical Radiographic Fluoroscopic Machine (hand carried)	163.00		
35N Motor Vehicle Mounted Medical Radiographic Fluoroscopic Machine	163.00		
09N CT Scan Machine	118.00		
10N Mammography Machine	298.00		
36N Motor Vehicle Mounted Mammography Machine	298.00		
37N Mobile Mammography Machine	298.00		
11N Medical Therapeutic Machine ≤60 kVp	118.00		
12N Medical Therapeutic Machine >61 kVp to 999 kVp	253.00		
14N Medical Therapeutic Machine 1 MeV and above	343.00		
30N Radiation Therapy Simulator Machine	208.00		
38N Biomedical (non-Human) Research Machine	140.00		
17N Industrial/Research Radiography Machine	151.00		
39N Portable Industrial Radiography Machine	151.00		
40N Shielded Room Radiography Machine	151.00		
18N Electron Beam Welder/Furnace Machine	129.00		
19N Analytical X-ray Machine ≤16 kVp	118.00		
20N Analytical X-ray Machine >16 kVp	118.00		
21N Electron Microscope Machine	106.00		
22N Cabinet X-ray Machine	106.00		
23N X-ray Baggage Machine	106.00		
24N Particle Accelerator Machine (non-medical use) ≤30 kVp	196.00		
25N Particle Accelerator Machine (non-medical use) >30 kVp	185.00		
28N Bone Densitometer Machine	95.00		

(e) Each registrant of an ionizing-radiation-producing machine used in a veterinary facility shall pay:

1. The initial application and registration fees for each X-ray tube pursuant to (a) above, and

2. In each year after the expiration of the first year of registration established pursuant to (f) below, the annual registration renewal fee per X-ray tube as follows:

VETERINARY FACILITIES

Machine Source Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01V Dental Machine	\$ 86.00
02V Fixed Medical Radiographic Machine	100.00
03V Mobile Medical Radiographic Machine	100.00
31V Portable Medical Radiographic Machine (hand carried)	100.00
04V Fixed Medical Fluoroscopic Machine	91.00
05V Mobile Medical Fluoroscopic Machine	91.00
32V Portable Medical Fluoroscopic Machine (hand carried)	91.00
07V Fixed medical Radiographic Fluoroscopic Machine	109.00
08V Mobile Medical Radiographic Fluoroscopic Machine	109.00

(f) The expiration date of each year of registration shall be specified by the Department on the billing invoice sent to each registrant. The registration expiration date shall be based on the first letter of the registrant name as follows:

1. For a registrant whose name begins with A through F, the registration expiration date shall be August 31 of each calendar year;

2. For a registrant whose name begins with G through L, the registration expiration date shall be September 30 of each calendar year;

3. For a registrant whose name begins with M through R, the registration expiration date shall be October 31 of each calendar year; and

4. For a registrant whose name begins with S through Z, the registration expiration date shall be November 30 of each calendar year.

(g) Each registrant shall pay the initial registration application fee and annual registration renewal fee within 60

days of the date of the invoice billing issued by the Department. Any fee payment postmarked or handcarried to the Department after the invoice due date will be subject to a \$25.00 per month late charge. If necessary, the Department will issue a second invoice. Late charges must be paid within 30 days of the second invoice. If a registrant fails to pay a fee by the original invoice due date, the registration of the ionizing-radiation-producing machine shall be deemed expired.

(h) When two or more X-ray tubes are operated from the same generator, the registrant shall pay an application fee and an annual registration renewal fee for each tube.

(i) Each registrant shall make payment only by check or money order made payable to "Treasurer, State of New Jersey." Each payment shall be accompanied by the invoice issued by the Department and shall be submitted to the address specified on the invoice: Bureau of Revenue, CN 417, Trenton, New Jersey 08625-0417.

(j) An application fee will not be charged for any machine registered pursuant to the Radiation Protection Code prior to November 16, 1987. However, the registrant shall pay the applicable annual registration renewal fee for any such machine.

Amended by R.1990 d.400, effective August 6, 1990.  
See: 22 N.J.R. 1653(a), 22 N.J.R. 2302(a), 22 N.J.R. 2830(a).

Fees increased.  
Repeal and New Rule, R.1995 d.49, effective January 17, 1995.  
See: 26 N.J.R. 3797(a), 27 N.J.R. 336(a).

Formerly "Fees for initial registration application and annual registration of ionizing radiation-producing machines".

### **7:28-3.13 Fees for registration of radioactive by-product material, source material and special nuclear material**

(a) Fees for initial registration, annual registration renewal and each registration amendment for possession of radioactive by-product material, source material and special nuclear material as provided below shall be paid in full by the applicant/registrant.

1. Initial Registration Fee: \$150.00;
2. Annual Registration Renewal: \$100.00;
3. Each Amendment to Registration: \$100.00.

(b) Payment for each initial registration shall be made only by check or money order payable to "Treasurer, State of New Jersey" and shall be submitted with each initial registration application to the Department.

(c) Annual registration renewal fees payable to "Treasurer, State of New Jersey" shall be submitted to the Department annually no later than August 1 of each year.

(d) In the event that registration renewal fees are paid later than 30 days after August 1, a delinquency fee equal to one-half of the annual license fee will be imposed. Failure to pay a registration renewal fee, including any accrued delinquency fees for longer than 90 days after/August 1 shall constitute grounds for suspension or revocation & of the registration pursuant to N.J.A.C. 7:28-3.10.

(e) Registration amendment fees shall be submitted with the amended registration.

(f) The initial registration fee, the annual renewal fee and registration amendment fee shall be mailed to:

State of New Jersey  
Department of Environmental Protection  
Bureau of Revenue  
428 East State Street  
Trenton, New Jersey 08625-0402

(g) The registration year shall be July 1 of each year to June 30 of the following year.

New Rule, R.1991 d.417, effective August 5, 1991.  
See: 23 N.J.R. 3300(a), 23 N.J.R. 2362(a).

## **SUBCHAPTER 4. LICENSING OF NATURALLY OCCURRING AND ACCELERATOR PRODUCED RADIOACTIVE MATERIALS**

### **7:28-4.1 License required for production, transfer, receipt, acquisition, ownership, possession or use of all naturally occurring and accelerator produced radioactive materials**

(a) This subchapter shall apply to persons who produce, transfer, receive, acquire, own, possess or use any naturally occurring or accelerator produced radioactive materials in this State.

(b) No person shall produce, transfer, receive, acquire, own, possess or use any radioactive substance obtained from naturally occurring materials or produced by an accelerator unless authorized by a specific State license issued by the Department, a general State license as provided in N.J.A.C. 7:28-4.5, or an exemption as provided in N.J.A.C. 7:28-4.3. Excepted from this provision are byproduct source materials and special nuclear materials.

### **7:28-4.2 Recognition of licenses from other jurisdictions**

(a) Any person who possesses a specific license or equivalent licensing document issued by a Federal agency or any other state may, pursuant to such document, transport, receive, possess, or use the radioactive materials specified in such license within this State for a period not in excess of 20 days in any period of 12 consecutive months without obtaining a specific license from the Department provided that: