

Pertaining to Reciprocity under a General License

Instructions – The information provided by the State of Wisconsin, Department of Health Services (DHS), Radiation Protection Section is a summary of *s. DHS 157.14*, to be used by the registrant in order to understand the requirements that pertain to Reciprocity under a General License.

s. DHS 157.14

Reciprocity

- (1) RECOGNITION OF LICENSES ISSUED BY THE NRC OR OTHER STATES. The department shall reciprocally recognize radioactive material licenses issued by the NRC or a state agency in another state under the conditions set forth in this section.
- (2) LICENSES OF BYPRODUCT, SOURCE AND SPECIAL NUCLEAR MATERIAL IN QUANTITIES NOT SUFFICIENT TO FORM A CRITICAL MASS.
 - (a) Subject to this chapter, any person who holds a specific license from the NRC or another agreement state, and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within this state for a period not in excess of 180 days in any year provided that all the following occur:
 1. The licensing document does not limit the activity authorized by the document to specified installations or locations.
 2. The out-of-state licensee notifies the department in writing at least 3 days prior to engaging in the activity. The notification shall indicate the location and period of use, names, documentation of training, in-state address of the individual performing the activity, radiation sources to be used within the state, operating and emergency procedures and shall be accompanied by a copy of the pertinent licensing document. The out-of-state licensee shall also notify the department of any changes in work location, schedule, radioactive material or work activities. If, for a specific case, the 3 day period would impose an undue hardship on the out-of-state licensee, the licensee may, upon written application to the department, obtain permission to proceed sooner.
 3. The out-of-state licensee complies with this chapter and with all the terms and conditions of the licensing document, except any terms and conditions which may be inconsistent with this chapter.
 4. The out-of-state licensee supplies any other information as required by the department.
 5. The out-of-state licensee does not transfer or dispose of radioactive material possessed or used under the general license granted under this paragraph except by transfer to a person who is either specifically licensed by the department or by the NRC to receive the material, or is exempt from the requirements for a license for the material under *s. DHS 157.09 (2) (a)*.
 6. The out-of-state licensee pays the fee prescribed in *s. DHS 157.10 (3)*.
 - (b) Notwithstanding the provisions of par. (a), any person who holds a specific license issued by the NRC or another agreement state authorizing the holder to manufacture, transfer, install or service a device described in *s. DHS 157.11 (2) (b)* within areas subject to the jurisdiction of the licensing body is granted a general license to install, transfer, demonstrate or service the device in this state provided that all the following occur:
 1. The person files a report with the department within 30 days after the end of each calendar quarter in which any device is transferred to or installed in this state. Each report shall identify each general licensee to whom the device is transferred by name and address, the type of device and model number transferred and the quantity and type of radioactive material contained in the device.
 2. The person provides assurance that any labels required to be affixed to the device under regulations of the authority that licensed manufacture of the device bears a statement that "Removal of this label is prohibited".

3. The holder of the specific license furnishes to each general licensee to whom the device is transferred or on whose premises the device is installed a copy of the general license contained in *s. DHS 157.11 (2) (b)* or in equivalent regulations of the agency having jurisdiction over the manufacture and distribution of the device.
- (c) The department may withdraw, limit or qualify its acceptance of any specific license or equivalent licensing document issued by the NRC or an agreement state or any product distributed under the licensing document upon determining that the action is necessary to prevent undue hazard to public health and safety or property.
- (3) LICENSES OF NATURALLY OCCURRING AND ACCELERATOR-PRODUCED RADIOACTIVE MATERIAL (NARM).
- (a) Subject to this chapter, any person who holds a specific license for NARM from a licensing state, and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is granted a general license to conduct the activities authorized within this state for a period not in excess of 180 days in any year provided that all the following occur:
1. The licensing document does not limit the authorized activity to specified installations or locations.
 2. The out-of-state licensee notifies the department in writing at least 3 days prior to engaging in such activity. The notification shall indicate the location, period and type of proposed possession and use within the state and shall be accompanied by a copy of the pertinent licensing document. If, for a specific case, the 3 day period would impose an undue hardship on the out-of-state licensee, the licensee may, upon written application to the department, obtain permission to proceed sooner.
 3. The out-of-state licensee complies with this chapter and with all the terms and conditions of the licensing document except any terms and conditions which may be inconsistent with this chapter.
 4. The out-of-state licensee supplies any other information as required by the department.
 5. The out-of-state licensee does not transfer or dispose of radioactive material possessed or used under the general license granted in this paragraph except by transfer to a person who is either specifically licensed by the department or by another licensing state to receive such material, or exempt from the requirements for a license for such material under *s. DHS 157.09 (1)*.
 6. The out-of-state licensee pays the fee prescribed in *s. DHS 157.10 (3)*.
- (b) Notwithstanding the provisions of par. (a), any person who holds a specific license issued a licensing state authorizing the holder to manufacture, transfer, install or service a device described in *s. DHS 157.11 (2) (b)* within areas subject to the jurisdiction of the licensing body is granted a general license to install, transfer, demonstrate or service the device in this state provided that all the following occur:
1. The person files a report with the department within 30 days after the end of each calendar quarter in which any device is transferred to or installed in this state. Each report shall identify each general licensee to whom the device is transferred by name and address, the type of device transferred and the quantity and type of radioactive material contained in the device.
 2. The device has been manufactured, labeled, installed and serviced under applicable provisions of the specific license issued to the person by a licensing state.
 3. The person assures that any labels required to be affixed to the device under regulations of the authority that licensed manufacture of the device bear a statement "Removal of this label is prohibited".
 4. The holder of the specific license furnishes to each general licensee to whom the holder transfers the device or on whose premises the holder installs the device a copy of the general license contained in *s. DHS 157.11 (2) (b)* or equivalent regulations of the agency having jurisdiction over the manufacture and distribution of the device.
- (c) The department may withdraw, limit or qualify its acceptance of any specific license or equivalent licensing document issued by a licensing state or any product distributed under the licensing document upon determining that the action is necessary to prevent undue hazard to public health and safety or property.

State of Wisconsin
Department of Health Services
Division of Public Health
Radiation Protection Section
1 West Wilson Street Room B157
P.O. Box 2659
Madison, WI 53701-2659
Phone: (608) 267-4797, Fax: (608) 267-3695
P-45057 (4/11)