

F. The maximum fee for the renewal of all certificates held by an individual shall be [200] \$100 if the certificates are renewed at the same time. This does not include any late renewal fees, reinstatement fee, computer-based examination fees charged by the testing facility, or examination fees that may be applicable. The maximum late renewal fee assessed for an operator with multiple certificates shall be [200] \$100.
 G. (text unchanged)

BENJAMIN H. GRUMBLES
 Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.02 Permits, Approvals, and Registration

Authority: Environment Article, §§1-404, 2-103, 2-301—2-303, 2-401—2-404, Annotated Code of Maryland

Notice of Proposed Action
 [16-164-P]

The Secretary of the Environment proposes to amend Regulation .17 under **COMAR 26.11.02 Permits, Approvals, and Registration**.

Statement of Purpose

The purpose of this action is to reduce the permit to construct application fee for charbroilers and pit barbecues. This action also reduces the permit to construct application fee for small fuel burning equipment with a rated heat input capacity of less than 10 million Btu per hour (10 MMBtu/hr).

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action reduces permit to construct application fees for charbroilers, pit barbecues, and small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr. Currently, businesses that apply for a permit to construct charbroilers or pit barbecues must pay \$200. This regulatory action reduces the fee to \$100. Currently, businesses that apply for a permit to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr must pay \$500. This regulatory action reduces the fee to \$400.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	Minimal
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	(+)	Minimal
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. In CY2015, 51 businesses applied for a permit to construct a charbroiler or pit barbecue and 91 businesses applied for a permit to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr. Based on these current numbers, the Department will experience an annual decrease in revenue of approximately \$5,100 for permits to construct charbroilers or pit barbecues and an annual decrease in revenue of approximately \$9,100 for permits to construct small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr, for a total of \$14,200.

D. The reduction of the permit to construct application fee for charbroilers and pit barbecues will provide a one-time economic benefit to the business of \$100. The reduction of the permit to construct application fee for small fuel burning equipment with a rated heat input capacity of less than 10 MMBtu/hr will provide a one-time economic benefit to the business of \$100.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on July 25, 2016 at 10 a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Mr. Randy Mosier, Chief of the Regulation Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to randy.mosier@maryland.gov. Comments must be received not later than 5 p.m. on July 25, 2016, or be submitted at the hearing. For more information, call Randy Mosier at (410) 537-4488.

Copies of the proposed action and supporting documents are available for review at the following locations:

- The Department of the Environment’s website at: <http://www.mde.state.md.us/programs/regulations/air/Pages/reqcomments.aspx>
- The Air and Radiation Management Administration Office in Baltimore; and
- The regional offices of the Department in Cumberland and Salisbury. Anyone needing special accommodations at the public hearing should contact the Department’s Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

.17 Fee Schedule: Permit to Construct.

A. A person who submits an application for a permit to construct shall pay one of the following:

- (1) *A fee of \$100 for charbroilers and pit barbecues;*
 - [(1)] (2) A fee of \$200 for tank farms at motor vehicle or off-road vehicle refueling facilities;[, charbroilers, and pit barbecues; or]
 - (3) *A fee of \$400 for fuel-burning equipment with a rated heat input capacity of less than 10 million Btu per hour; or*
 - [(2)] (4) A base fee of \$500 for all other sources, plus any applicable additional fees listed in §B of this regulation.
- B. (text unchanged)

BENJAMIN H. GRUMBLES
Secretary of the Environment

**Subtitle 12 RADIATION
MANAGEMENT**

26.12.03 State Radiation Control Fund

Authority: Environment Article, §§8-301, 8-304, and 8-306, Annotated Code of Maryland

Notice of Proposed Action
[16-165-P]

The Secretary of the Environment proposes to amend Regulations .02—.04 under **COMAR 26.12.03 State Radiation Control Fund.**

Statement of Purpose

The purpose of this action is to amend the regulations to include reductions in the annual fee for general radioactive material licenses, veterinary dental radiation machines and portable lead paint analyzers. There is also a fee exemption for temporary pro bono dental clinics.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action will result in reductions in annual fees for certain radiation machines and certain radioactive materials.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	Minimal
B. On other State agencies:	NONE	
C. On local governments:	NONE	

	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	(+)	Minimal
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. Revenues to the Department of the Environment will be decreased as a result of certain annual fee reductions and a fee exemption for pro bono temporary dental clinics. The expected annual lost revenue is approximately \$38,000.

D. Expenditures by certain stakeholders will decrease as a result of decreased annual fees. Based on current calculations for CY 2016, the total economic benefit for all businesses is approximately \$38,000.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael Kurman, Regulations Coordinator, Radiological Health Program, Department of the Environment, 1800 Washington Boulevard, Baltimore, Maryland 21230-1720, or call 410-537-3208, or email to michael.kurman@maryland.gov, or fax to 410-537-3198. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

.02 Fee Required.

A. Exemptions. This regulation does not apply to persons using the following sources of radiation:

- (1) (text unchanged)
- (2) Radioactive materials that are not subject to licensing by Part C of Regulations for the Control of Ionizing Radiation (1994), which is incorporated by reference in COMAR 26.12.01.01; [and]
- (3) Radiation machines located at a school of dentistry accredited by the Commission on Dental Accreditation of the American Dental Association[.]; and
- (4) *Temporary dental clinics that:*
 - (a) *Hold a permit under Health Occupations Article, Title 4, Annotated Code of Maryland;*
 - (b) *Provide all services on a pro bono basis; and*
 - (c) *Operate fewer than 100 hours per year.*

B.—I. (text unchanged)

J. Annual General License Fees. Each person as defined in §A.2 of the Regulations for the Control of Ionizing Radiation who possesses radioactive material under the provisions of a general license in §C.22(a), (d), and (e) of [the Regulations for the Control of Ionizing Radiation] *COMAR 26.12.01.01* shall pay a calendar year [2011] *2016* base annual fee of [\$100] *\$50* as adjusted each *calendar* year in accordance with the Consumer Price Index as provided in Regulation .04 of this chapter.

.03 Fee Schedule.

A. Table I — Past Due Fees for Unregistered Facilities.

Machine Type	Past Due Fee CY 2011 Base (Per Tube, Per Year Without Registration*)
Group 1** or Group 2 (Accelerator)—Group 6 (text unchanged)	
Group 7 (Veterinary Stationary)	1,000
Group 8 (Mammography) (text unchanged)	
Group 9 (Veterinary Dental)	80

*—** (text unchanged)