**Section 330.325 Termination Requirements for Specific Licenses and Locations of Use**

a) To lawfully obtain termination of a specific license or a location of use, each licensee shall meet the requirements of this Section no later than the end of the expiration date on the specific license or on any applicable amendment to the specific license unless the licensee has filed an application for renewal in accordance with Section 330.320(a) of this Part prior to the expiration date.

AGENCY NOTE: If the licensee has filed a renewal application in accordance with Section 330.320(a) of this Part and the Agency subsequently denies the application, the Agency shall, in an order issued to the licensee in accordance with the Act, the Illinois Administrative Procedure Act [5 ILCS 100] and 32 Ill. Adm. Code 200, specify the time by which the licensee must meet the requirements of this Section.

b) Requirements for Obtaining Termination of a Specific License, Removal of a Site or Location of Use from a Specific License

 1) The licensee shall:

A) Cease use of radioactive material;

B) Remove radioactive contamination to levels considered acceptable for unrestricted use. A site will be considered acceptable for unrestricted use when:

1. Radioactive contamination is removed to levels outlined in 32 Ill. Adm. Code 340.Appendix A; or

ii) The residual radioactivity, excluding radon, thoron and their progeny, that is distinguishable from background radiation does not result in a total effective dose equivalent (TDE) to an average member of the critical group that exceeds 25 mrem (0.25 mSv) per year, including that from groundwater sources of drinking water, and the residual radioactivity has been reduced to levels that are as low as reasonably achievable (ALARA). Determination of the levels that are ALARA must take into account consideration of any detriments, such as deaths from transportation accidents, expected to potentially result from decontamination and waste disposal;

C) Properly transfer and/or dispose of radioactive material;

D) Submit a completed Agency Form KLM.007 (Certificate Termination and Disposition of Radioactive Material) or provide equivalent information;

E) For licensees authorized to possess sealed sources, submit evidence of transfer and/or disposal of all sealed sources authorized on the license and a copy of the most recent leak test; and

F) For licensees authorized to possess radioactive material in forms other than sealed sources, submit a radiation survey report to confirm the absence of radioactive materials or to establish the levels of residual radioactive contamination, unless the licensee demonstrates the absence of residual radioactive contamination in some other manner. The radiation survey report shall specify the date of the survey and the instrumentation used and shall certify that each instrument was properly calibrated and tested. The licensee shall, as applicable, report levels or quantities of:

i) Beta and gamma radiation at 1 centimeter from surfaces in units, multiples, or subunits of Sieverts or rem per hour;

ii) Gamma radiation at 1 meter from surfaces in units, multiples, or subunits of Sieverts or rem per hour;

iii) Removable radioactivity on surfaces in units, multiples, or subunits of Becquerels or Curies per 100 square centimeters of surface area, or in disintegrations (transformations) per minute per 100 square centimeters of surface area;

iv) Fixed radioactivity on surfaces in units, multiples, or subunits of Becquerels or Curies per 100 square centimeters of surface areas or in disintegrations (transformations) per minute per 100 square centimeters of surface area;

v) Radioactivity in contaminated liquids, such as water, oils or solvents, in units, multiples, or subunits of Becquerels or Curies per milliliter of volume; and

vi) Radioactivity in contaminated solids, such as soils or concrete, in units, multiples, or subunits of Becquerels or Curies per gram of solid.

2) If no residual radioactive contamination attributable to activities conducted under the license is detected, the licensee shall submit a certification that no detectable radioactive contamination was found.

3) If detectable levels or residual radioactive contamination attributable to activities conducted under the license are found, the licensee shall:

A) In addition to the information submitted under subsections (b)(1)(D) and (b)(1)(F) of this Section, submit for Agency approval a plan for reclaiming the facility, including decontamination and removal of residual radioactive contamination;

B) Limit actions involving radioactive material to those approved under the decontamination plan in subsection (b)(3)(A) of this Section;

C) Continue to control entry to restricted areas until they are suitable for release for unrestricted use; and

D) Implement and complete the plan approved under subsection (b)(3)(A) of this Section.

c) When a licensee ends activities authorized under a specific license and has met the termination requirements of subsection (b) of this Section, the licensee shall immediately notify the Agency in writing and request that the license be terminated. This notification and request for termination shall include the documents required by subsection (b) of this Section and shall otherwise substantiate that the licensee has met all of the requirements in subsection (b) of this Section.

d) After receiving a request for license termination pursuant to subsection (c) of this Section, the Agency shall confirm, through such inspections and record reviews as may be necessary, that the licensee has met the requirements of subsection (b) of this Section. Upon confirmation, the Agency shall issue an amendment to terminate the licensee. Until issued the termination amendment, the licensee shall maintain a valid specific license in accordance with Section 330.320 of this Part.

e) A licensee who fails to comply with the pertinent requirements of this Section shall be subject to such civil penalties and sanctions as may be appropriate in accordance with the Act and 32 Ill. Adm. Code 310. The passing of the expiration date shall not relieve the licensee of the duties and responsibilities of applying for and maintaining a valid specific license in accordance with Section 330.320 of this Part, decommissioning, reclaiming, and meeting the license termination requirements of this Section. Immediately upon the passing of the expiration date, a licensee that fails to comply with subsection (a) of this Section shall comply with the requirements of Section 330.320(c) of this Part.

(Source: Added at 30 Ill. Reg. 8928, effective April 28, 2006)