**Section 330.250 General Requirements for the Issuance of Specific Licenses**

a) A license application or a request for an amendment to an existing license will be approved only if the Agency determines that:

1) The applicant's Radiation Safety Officer and authorized users are qualified by reason of training and experience to use the material in question for the purpose requested in such a manner as to minimize danger to health and safety or property;

2) The applicant's proposed equipment, facilities and procedures are adequate to minimize danger to health and safety or property;

3) The issuance of the license will not be inimical to the health and safety of the public; and

4) The applicant satisfies any applicable special requirements in 32 Ill. Adm. Code: Chapter II, Subchapters b and d.

b) Environmental Report, Commencement of Construction

1) In the case of an application for a license to receive and possess radioactive material for commercial waste disposal by land burial, or for the conduct of any other activity the Agency determines will significantly affect the quality of the environment, a license application shall be reviewed and approved by the Agency before commencement of construction of the plant or facility in which the activity will be conducted. If the Agency, after considering the environmental, economic, technical and other benefits in comparison with the environmental costs and available alternatives, concludes that the action called for is the issuance of the proposed license, with any appropriate conditions to protect environmental values, it shall issue the license;

2) Commencement of construction prior to the Agency reaching the conclusion required by subsection (b)(1) shall be grounds for denial of a license to receive and possess radioactive material in the plant or facility. As used in this subsection (b), "commencement of construction" is defined in 32 Ill. Adm. Code 310.20.

c) Licensees must satisfy applicable financial assurance requirements specified in 32 Ill. Adm. Code 326.

d) Long-Term Care Requirements

1) A license application will be approved only if the Agency determines that a long-term care fund for monitoring and maintenance has been established by the waste handling applicant prior to the issuance of the license; or

2) The waste handling applicants may choose, at the time of the licensure, to provide a financial surety arrangement in lieu of a long-term care fund.

AGENCY NOTE: Long-term care funding may also be required for former U.S. Atomic Energy Commission or U.S. Nuclear Regulatory Commission licensed facilities, or persons whose activities cause situations that significantly affect health and safety, or the environment by reason of exposure to radiation or radioactive materials.

e) Emergency Plan

1) Except as exempted by subsection (e)(2), each application to possess radioactive materials in excess of the quantities in Appendix C in unsealed form or sealed in glass or on foils or plated sources shall contain either:

A) An evaluation showing that the maximum dose to an individual offsite due to a release of radioactive materials would not exceed 10 mSv (1 rem) total effective dose equivalent or 50 mSv (5 rem) effective dose equivalent to the thyroid; or

B) An emergency plan, as described in Section 330.290, for responding to a release of radioactive material.

2) The requirements of this subsection (e) do not apply to licensees that possess only radioactive waste packaged in Type B containers.

3) In evaluating the maximum dose to an individual pursuant to subsection (e)(1)(A), the applicant may take into account whether:

A) The radioactive material is physically separated so that only a portion could be involved in an accident;

B) All or part of the radioactive material is not subject to release during an accident due to the method of storage or packaging;

C) The release fraction in the respirable size range is predicted to be lower than the release fraction shown in Appendix C due to the chemical or physical form of the material;

D) The solubility of the radioactive material is predicted to reduce the dose received;

E) Facility design or engineered safety features in the facility are predicted to cause the release fraction to be lower than shown in Appendix C; or

F) Operating restrictions or procedures are predicted to prevent a release fraction as large or larger than that shown in Appendix C.

(Source: Amended at 38 Ill. Reg. 21451, effective October 31, 2014)