

4731.3070 SPECIFIC LICENSES; APPROVAL.

The commissioner shall approve an application for a specific license if:

- A. the application is for a purpose authorized under this chapter;
- B. the applicant is qualified by training and experience to use the material for the purpose requested in such manner as to protect health and minimize danger to life and property;
- C. the applicant's proposed equipment and facilities are adequate to protect health and minimize danger to life and property;
- D. the applicant satisfies any applicable special requirements under this chapter; and
- E. in the case of an application for a license to receive and possess radioactive material for the conduct of any activity that the commissioner determines will significantly affect the quality of the environment, before commencement of construction of the plant or facility in which the activity will be conducted, the commissioner, on the basis of information filed and evaluations made according to Code of Federal Regulations, title 10, part 51, subpart A, has concluded, after weighing the environmental, economic, technical, and other benefits against environmental costs and considering available alternatives, that the action called for is the issuance of the proposed license, with any appropriate conditions to protect environmental values. Commencement of construction prior to such conclusion is grounds for denial of a license to receive and possess radioactive material in such plant or facility. Commencement of construction does not mean site exploration, necessary roads for site exploration, borings to determine foundation conditions, or other preconstruction monitoring or testing to establish background information related to the suitability of the site or the protection of environmental values.

Statutory Authority: *MS s 144.1202; 144.1203*

History: *29 SR 755*

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