

Philippine Nuclear Research Institute

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF SCIENCE AND TECHNOLOGY
PHILIPPINE NUCLEAR RESEARCH
INSTITUTE

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ADMINISTRATIVE ORDER No. 03 Series of 2015

AMENDMENT TO CPR PART 22, "FEES AND
CHARGES FOR RADIOACTIVE MATERIAL
LICENSES AND OTHER RELATED
REGULATORY SERVICES"

Whereas, Executive Order No. 197, s. 2000 of the Office of the President and as implemented by DOF-DBM-NEDA Joint Circular No. 1-2013 (January 30, 2013) – Implementing Rules and Regulations of Administrative Order No. 31, Series of 2012, on the Rationalization of Rates of Fees and Charges, Increase in Existing Rates, and Imposition of New Fees and Charges and DOST Administrative Order No. 001, Series of 2014, have authorized all government agencies to increase their collection of fees and charges for services rendered in order to help the government meet its present budgetary deficit;

Whereas, the previous fees and charges imposed by the Nuclear Regulatory Division (NRD) for the regulatory services have been in effect since February 2006 and these can no longer cope up with the continuing increase in the costs of Personal Services (PS) and Maintenance and Operating Expenses (MOOE).

Now, THEREFORE, in accordance with the provisions of Section 4(k) of Republic Act

No. 5207 as amended, PNRI Administrative Order No. 03, Series of 2006 entitled CPR Part 22, "Fees and Charges for Radioactive Material Licenses and Other Related Regulatory Services" Revision 1, is hereby amended and promulgated:

PART I

GENERAL PROVISIONS

SECTION 1. Title.

These rules and regulations shall be known as "**CPR Part 22, Fees and Charges for Radioactive Material Licenses and Other Related Regulatory Services, Revision 2**".

SEC. 2. Definitions of Terms and Acronyms.

As used in this Part:

- (a) "**Act**" means the Republic Act No. 5207, otherwise known as the "Atomic Energy Regulatory and Liability Act of 1968", as amended.
- (b) "**Class**" means classification of radioactive sources commensurate on the degree of potential risk to radiation exposure and potential consequences.
- (c) "**Certificate of Exemption**" means a certification issued by PNRI to confirm and assure that a specific item, equipment or device is not radioactive or does not contain radioactive material that is subject to regulatory control. This does not, however, intend to exempt a person from existing rules and regulations set in the Code of PNRI Regulations.
- (d) "**CPR**" means the Code of PNRI Regulations.
- (e) "**Fixed Gauge Class A**" means gauge that contains radiation sources that fall

- under Category 3 and 4 (e.g. thickness/ fill-level gauges, static eliminators, etc.) as defined in PNRI Administrative Order No. 1 Series of 2004.
- (f) **"Fixed Gauge Class B"** means gauge that contains radioactive source under Category 5 or those gauges other than Fixed Gauge Class A (e.g., XRF analyzers, etc.).
- (g) **"Follow-up Inspection"** means a regulatory inspection as a follow-up action to unresolved inspection findings of non-compliances or deficiencies.
- (h) **"In-Vivo Diagnosis and Therapy Class A"** means a nuclear medicine facility where the radionuclides used are not limited for diagnosis and administration of Technecium-99m (Tc-99m) and Iodine-131 (I-131) regardless of their radioactivity contents.
- (i) **"In-Vivo Diagnosis and Therapy Class B"** means a nuclear medicine facility confined only to the administration of Tc-99m and/or I-131.
- (j) **"License"** means the authorization granted by PNRI to a person or entity to import, acquire, receive, own, possess, install, use, store, manufacture, sell, transport and export and/or transfer radioactive materials.
- (k) **"Modification of License"** means change of the authorization granted in the license by reason of addition or withdrawal of specific authority, or amendment of rules or regulations or as a result of determination of a significant violation, or a formal request submitted by the licensee.
- (l) **"PNRI"** means the Philippine Nuclear Research Institute.
- (m) **"Portable Gauge Class A"** means a portable gauge containing radiation source that falls under Category 4 as defined in PNRI Administrative Order No. 1 Series of 2004.
- (n) **"Portable Gauge Class B"** means a portable gauge containing radiation source falls under Category 5 other than Portable Gauge Class A.
- (o) **"Field Radiography"** means radiographic operations are conducted outdoors where radioactive sources may be stored or used other than the location(s) of use authorized in the license.
- (p) **"Fixed Facility Radiography"** means radiographic operations are conducted in a permanent facility authorized in the license and not located at a temporary jobsite or field storage.
- (q) **"Regulatory Inspection"** means an inspection conducted at the licensee's facility to verify the licensee's compliance with the relevant laws, conditions of the PNRI license and with the requirements of the Code of PNRI Regulations (CPRs). This also covers investigative inspection.
- (r) **"Related Regulatory Services"** means those services performed or undertaken by the regulatory staff in support of PNRI regulatory and licensing activities.
- (s) **"Research and Education Class A"** means the use of one or more units of sealed radioactive sources and/or unsealed radioactive sources wherein any radioactive sources do not fall under Category 1 to 3 and total amount of activity to be possessed at any one time does not exceed 370 MBq.
- (t) **"Research and Education Class B"** means the use of radioactive sources under any practice other than Research and Education Class A.

SEC. 3. Types of Fees.

- (a) **Application Fee.** Each application for a new license shall be charged an amount of **PhP500.00** as an application fee upon the acceptance of the application. Any application shall not be processed if the application fee is not remitted or

paid in full to PNRI. The application fee is not refundable regardless of PNRI's decision of denying the grant of a license or the withdrawal of the application.

- (b) **New License Fee.** The license fee for each new license that must be paid to PNRI within ten (10) calendar days upon receipt of notification by the applicant about the approval of the application for a license.
- (c) **License Renewal Fee.** A license renewal fee that must be paid upon the submission by the licensee of the request for the renewal of the license. The request for renewal of license shall be filed and received by PNRI at least thirty (30) calendar days before the expiration of the license. If the request for renewal of license is filed less than thirty (30) calendar days before the expiration of the license, it will be considered as late filing of request and the corresponding surcharge fee is charged. If no request for the renewal of license is received within thirty (30) calendar days after the expiration of the license, the license is deemed to have expired, and the corresponding sanction shall be imposed. The payment of the license renewal fee is not an assurance for the immediate grant of the license.
- (d) **License Modification Fee** (applies only for renewal of license and not for New License)
 - (d)1. **From Authority to Use to Authority to Store** – if the licensee decides to modify the granted authorization from use to storage, the licensee is charged to pay a storage license fee equivalent to fifty percent (50%) of the renewal license. The request, however, for renewal of license for in-house storage of **all** radioactive materials listed in the license shall be filed before the Institute for evaluation before the license modification is issued.

- (d)2. **From Authority to Store to Authority to Use** – if the licensee decides to modify the granted authorization from storage to use, the licensee is charged to pay the equivalent licensee fee in full regardless of the remaining validity period of the license. The request, however, for the renewal of license for use of all or either any of the radioactive materials licensed to the person shall be filed before the Institute for evaluation before the license modification is issued.

- (e) **Surcharge Fee.** A surcharge fee amounting to twenty-five percent (25%) of the license fee shall be charged in addition to the license fee for late filing of the renewal of license. A request for renewal of license is considered late if it is filed less than thirty (30) calendar days before the expiration of the license. Likewise, the surcharge fee shall be increased to fifty percent (50%) if the request for renewal of the license is filed after the expiration of the license.
- (f) **License Amendment Fee.** An amendment fee shall be charged for each application for amendment of a license, corresponding to Section 6 of this Part.
- (g) **Inspection Fee.** An inspection fee shall be charged for each regular inspection conducted corresponding to Section 7 of this Part.
- (h) **Follow-up Inspection Fee.** A follow-up inspection fee equivalent to fifty percent (50%) of the regular inspection fee shall be charged for such follow-up inspections conducted.
- (i) **Investigative Inspection Fee.** An investigative inspection fee equivalent to fifty percent (50%) of the regular inspection fee shall be charged for such investigative inspection conducted.

- (j) **Authority to Transport Fee.** A fee of **PhP500.00** shall be collected for the issuance of an Authority to Transport radioactive materials.
- (k) **Certificate of Release Fee.** A fee of **PhP500.00** shall be collected for the issuance of a Certificate of Release for customs clearance and release of the radioactive shipment to an authorized consignor or consignee.
- (l) **Certificate of Exemption Fee.** A fee of **PhP500.00** shall be collected and must be paid by the licensee for the issuance of a Certificate of Exemption.

SEC. 4. Related Regulatory Services.

PNRI shall collect a corresponding amount for other related regulatory services according to Section 8 of this Part.

SEC. 5. Methods of Payment.

In compliance with PNRI Policy Instruction 003 dated May 14, 2003, the PNRI shall strictly implement Cash Payment Policy for the provision of all nuclear services and regulatory activities.

Payment of fees shall be made in the form of cash or check, bank draft, or money order in Philippine currency payable to the Philippine Nuclear Research Institute, Commonwealth Avenue, Diliman, Quezon City.

PART II

SCHEDULE OF FEES

SEC. 6. *Schedule of Fees for Radioactive Materials License.*

Table 1. License Fee for different practices with a Validity Period of 1-year Period*

TYPES OF LICENSE	NEW	RENEWAL	RENEWAL WITH AMENDMENT	AMENDMENT
Indent Sale	5,500.00	3,000.00	4,000.00	3,000.00
Sale	6,500.00	3,500.00	4,500.00	3,500.00
Sales and Service	8,500.00	4,000.00	5,000.00	4,000.00
Service	7,500.00	3,500.00	4,500.00	3,500.00
Dispensing and Compounding	12,500.00	5,000.00	7,000.00	5,000.00
R & D Class A	8,500.00	4,000.00	5,000.00	2,500.00
R & D Class B	6,500.00	3,000.00	4,000.00	2,500.00
Fixed Gauge Class A	8,500.00	3,500.00	4,500.00	3,500.00
Fixed Gauge Class B	6,500.00	3,000.00	4,000.00	2,500.00
Portable Gauge Class A	8,500.00	3,500.00	4,500.00	2,500.00
Portable Gauge Class B	6,500.00	3,000.00	4,000.00	2,500.00
Well Logging, Dredging and Spinning Pipe	8,500.00	4,000.00	5,000.00	3,000.00
Tracer Studies	8,500.00	3,500.00	4,500.00	2,500.00
Blood Irradiator	6,500.00	3,000.00	4,000.00	2,500.00
Field Radiography	12,500.00	4,000.00	6,500.00	4,000.00
Fixed Facility Radiography	18,000.00	3,000.00	4,000.00	3,000.00
Brachytherapy	12,500.00	4,000.00	6,500.00	4,000.00
Teletherapy	12,500.00	4,000.00	6,500.00	4,000.00
I-131 Therapy	8,500.00	3,500.00	4,500.00	3,500.00
In-Vivo Diagnosis and Therapy Class A	20,500.00	6,500.00	8,000.00	5,500.00
In-Vivo Diagnosis and Therapy Class B	12,500.00	4,000.00	5,000.00	4,000.00
Radioimmunoassay	6,500.00	3,000.00	4,000.00	2,500.00
Particle Accelerator Facility	120,000.00	120,000.00		5,000 (min) and 10,000 (max)

* Except for the particle accelerator facility with license validity period of five (5) years.

SEC. 7. Schedule of Fees for Regulatory Inspection.**Table 2. Fees and charges for the conduct of regulatory inspection for different types of license.**

Types of License	Within NCR	Outside NCR	
		Luzon/Bicol (Land)	Bicol / Visayas / Mindanao (Air)
Indent Sale	4,500.00	6,500.00	7,500.00
Sale	5,000.00	7,000.00	8,000.00
Sales and Service	6,000.00	8,000.00	9,000.00
Service	5,500.00	7,500.00	8,500.00
Dispensing and Compounding	6,500.00	8,500.00	9,500.00
R & D Class A	5,000.00	7,000.00	8,000.00
R & D Class B	4,500.00	6,500.00	7,500.00
Fixed Gauge Class A	5,000.00	7,000.00	8,000.00
Fixed Gauge Class B	4,500.00	6,500.00	7,500.00
Portable Gauge Class A	5,000.00	7,000.00	8,000.00
Portable Gauge Class B	4,500.00	6,500.00	7,500.00
Well Logging, Dredging and Spinning Pipe	5,000.00	7,000.00	8,000.00
Tracer Studies	5,000.00	7,000.00	8,000.00
Blood Irradiator	4,500.00	6,500.00	7,500.00
Field Radiography	8,500.00	10,500.00	11,500.00
Fixed Facility Radiography	7,000.00	9,000.00	10,000.00
Brachytherapy	6,000.00	8,000.00	9,000.00
Teletherapy	8,500.00	10,500.00	11,500.00
I-131 Therapy	4,500.00	6,500.00	7,500.00
In-Vivo Diagnosis and Therapy Class A	6,000.00	8,000.00	9,000.00
In-Vivo Diagnosis and Therapy Class B	5,000.00	7,000.00	8,000.00
Radioimmunoassay	4,500.00	6,500.00	7,500.00
Particle Accelerator Facility	8,000.00	8,000.00	8,000.00

SEC. 8. Schedule of Fees for Other Related Regulatory Services.**Table 3. Fees and charges for other related regulatory services**

	Unit Costs (Pesos)
A. Publication	
1. CPR Compilation (All Parts)	800.00
2. Specific Part of the CPR	200.00
3. INFOPAC per Part	500.00
4. Publication on CD	50.00
B. Certified True Copy of Legal Documents	
1. Radioactive Material License	300.00
2. Official Inspection Report	100.00

PART III**SEC. 10. *Effective Date.*****ENFORCEMENT AND EFFECTIVITY****SEC. 9. *Failure of the Applicant to Pay Prescribed Fees.***

Failure of the applicant/licensee to pay the prescribed license fees will be a cause to delay any action on the license application. Accordingly, the licensee is notified about any regulatory action by PNRI.

The regulations in this Part shall take effect fifteen (15) calendar days following its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved:


ALUMANDA M. DELA ROSA, Ph.D.
Director, PNRI

Approved, 30 June 2016.