

January 1, 1986. If the General Assembly had intended that any specific license, once issued, be perpetually renewable, the language "originally issued before January 1, 1986" would not have been necessary in subsection (b)(2) of this section.

Also in subsection (a) of this section, the reference to a "specific license" is new language added in light of the definitions of "general license" and "specific license". Since an application is not required for a general license, the requirement in subsection (a) that an "applicant ... demonstrates ... disposal capacity ..." can only mean that the limitation placed on the Department under subsection (a) of this section is intended to apply only to specific licenses.

In subsection (b)(1) of this section, "to the extent the Department is authorized to issue specific licenses" is new language added to clarify the apparent legislative intent that the exemption triggered by a compact, rule, or executive order was to be limited by the scope of that compact, rule, or executive order. The exemption only applies to the extent that the compact, rule, or executive order governs the disposal of certain kinds of uses and users of low-level nuclear waste. To obtain a specific license, an applicant whose proposed use of a radiation source is outside the scope of the compact, rule, or executive order would have to qualify for exemption under subsection (b)(2) through (5) of this section, or make the demonstration of availability required by subsection (a) of this section.

The Commission to Revise the Annotated Code calls to the attention of the General Assembly the language of subsection (a) of this section, which does not limit the authority of the Department to issue general licenses or to require registration by holders of general licenses. The reasoning of the Commission is explained in the second paragraph of this Revisor's Note. The General Assembly may wish to clarify whether it intends to limit the Department's authority to issue general licenses and to require registration by holders of general licenses.

The Commission to Revise the Annotated Code calls to the further attention of the General Assembly the Commission's interpretation of former Article 43, § 689F(a)(2)(i) and (vi) revised in