

10 CFR Part 37

Please Note: The bracket “[]” around a compatibility category designation means that the Section may have been adopted elsewhere in a State rules and it is not necessary to adopt it again.

| NRC REGULATION SECTION | SECTION TITLE | STATE SECTION | COMPATIBILITY CATEGORY | DIFFERENCE YES/NO | SIGNIFICANT YES/NO | IF DIFFERENCE, WHY OR WHY NOT WAS A COMMENT GENERATED |
|---------------------------------------|--------------------------------------|--------------------------|-----------------------------------|------------------------------|-------------------------------|--|
| §37.1 | Purpose | | D | | | |
| §37.3 | Scope | | D | | | |
| §37.5 | Definition: Access control | | C | | | |
| §37.5 | Definition: Act | | D | | | |
| §37.5 | Definition: Aggregated | | C | | | |
| §37.5 | Definition: Agreement State | | [B] | | | |
| §37.5 | Definition: Approved individual | | B | | | |
| §37.5 | Definition: Background Investigation | | C | | | |
| §37.5 | Definition: Becquerel | | [A] | | | |
| §37.5 | Definition: Byproduct Material | | [H&S] | | | |
| §37.5 | Definition: Carrier | | [B] | | | |
| §37.5 | Definition: Category | | B | | | |

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| | 1 quantity of radioactive material | | | | | |
| §37.5 | Definition: Category 2 quantity of radioactive material | | B | | | |
| §37.5 | Definition: Commission | | D | | | |
| §37.5 | Definition: Curie | | [A] | | | |
| §37.5 | Definition: Diversion | | C | | | |
| §37.5 | Definition: Escorted access | | B | | | |
| §37.5 | Definition: Fingerprint orders | | C | | | |
| §37.5 | Definition: Government agency | | D | | | |
| §37.5 | Definition: License | | D | | | |
| §37.5 | Definition: License issuing authority | | D | | | |
| §37.5 | Definition: Local law enforcement agency | | C | | | |
| §37.5 | Definition: Lost or missing licensed material | | [B] | | | |
| §37.5 | Definition: Mobile device | | B | | | |
| §37.5 | Definition: Movement control center | | B | | | |
| §37.5 | Definition: No-later-than arrival time | | B | | | |

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| §37.5 | Definition: Person | | [C] | | | |
| §37.5 | Definition: Reviewing official | | C | | | |
| §37.5 | Definition: Sabotage | | C | | | |
| §37.5 | Definition: Safe haven | | B | | | |
| §37.5 | Definition: Security zone | | C | | | |
| §37.5 | Definition: State | | D | | | |
| §37.5 | Definition: Telemetric position monitoring system | | B | | | |
| §37.5 | Definition: Trustworthiness and reliability | | B | | | |
| §37.5 | Definition: Unescorted access | | B | | | |
| §37.5 | Definition: United States | | D | | | |
| §37.7 | Communications | | D | | | |
| §37.9 | Interpretations | | D | | | |
| §37.11(a) | Specific exemptions | | D | | | |
| § 37.11(b) | Specific exemptions | | D | | | |
| §37.11(c) | Specific exemptions | | B | | | |
| §37.13 | Information collection requirements: OMB approval | | D | | | |
| §37.21(a) | Personnel access authorization requirements for | | C | | | |

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| | category 1 or category 2 quantities of radioactive material | | | | | |
| §37.21(b) | Personnel access authorization requirements for category 1 or category 2 quantities of radioactive material | | B | | | |
| §37.21(c) | Personnel access authorization requirements for category 1 or category 2 quantities of radioactive material | | B | | | |
| §37.23(a) | Access authorization program requirements | | B | | | |
| §37.23(b)(1) & (b)(2) | Access authorization program requirements | | B | | | |
| §37.23(b)(3) | Access authorization program requirements | | C | | | |
| §37.23(b)(4) & (b)(5) | Access authorization program requirements | | B | | | |

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| §37.23(c) | Access authorization program requirements | | B | | | |
| §37.23(d) | Access authorization program requirements | | B | | | |
| §37.23(e) | Access authorization program requirements | | B | | | |
| §37.23(f) | Access authorization program requirements | | C | | | |
| §37.23(g) | Access authorization program requirements | | B | | | |
| §37.23(h) | Access authorization program requirements | | C | | | |
| §37.25(a) | Background investigations | | B | | | |
| §37.25(b) | Background investigations | | C | | | |
| §37.25(c) | Background investigations | | B | | | |
| §37.27(a) | Requirements for criminal history records checks of individuals granted unescorted access to category 1 or | | B | | | |

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| | category 2 quantities of radioactive material | | | | | |
| §37.27(b) | Requirements for criminal history records checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material | | B | | | |
| §37.27(c) | Requirements for criminal history records checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material | | B | | | |
| §37.29(a) | Relief from fingerprinting, identification, and criminal history records checks and other elements of background investigations for designated categories of | | B | | | |

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| | individuals permitted unescorted access to certain radioactive materials | | | | | |
| §37.29(b) | Relief from fingerprinting, identification, and criminal history records checks and other elements of background investigations for designated categories of individuals permitted unescorted access to certain radioactive materials | | B | | | |
| §37.31(a)-(d) | Protection of information. | | B | | | |
| §37.31(e) | Protection of information. | | C | | | |
| §37.33 | Access authorization program review. | | C | | | |
| §37.41(a) | Security program | | B | | | |
| §37.41(b) | Security program | | B | | | |
| §37.41(c) | Security program | | C | | | |
| §37.43(a) | General security program requirements | | B | | | |

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| §37.43(b) | General security program requirements | | C | | | |
| §37.43(c)(1)-(c)(3) | General security program requirements | | B | | | |
| §37.43(c)(4) | General security program requirements | | C | | | |
| §37.43(d)(1)-(d)(8) | General security program requirements | | C | | | |
| §37.45(a) & (b) | LLEA coordination | | B | | | |
| §37.45(c) | LLEA coordination | | C | | | |
| §37.45(d) | LLEA coordination | | B | | | |
| §37.47 | Security zones | | B | | | |
| §37.49(a) | Monitoring, detection, and assessment | | B | | | |
| §37.49(b) | Monitoring, detection, and assessment | | B | | | |
| §37.49(c) | Monitoring, detection, and assessment | | B | | | |
| §37.49(d) | Monitoring, detection, and assessment | | B | | | |
| §37.51 | Maintenance and testing | | C | | | |

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| §37.53 | Requirements for mobile devices | | B | | | |
| §37.55 | Security program review | | C | | | |
| §37.57 | Reporting of events | | C | | | |
| §37.71, (a)-(c) | Additional requirements for transfer of category 1 and category 2 quantities of radioactive material | | B | | | |
| §37.71(d) | Additional requirements for transfer of category 1 and category 2 quantities of radioactive material | | C | | | |
| §37.73(a) & (b) | Applicability of physical protection of category 1 and category 2 quantities of radioactive material during transit | | D | | | |

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| §37.73(c) | Applicability of physical protection of category 1 and category 2 quantities of radioactive material during transit | | B | | | |
| §37.73(d) & (e) | Applicability of physical protection of category 1 and category 2 quantities of radioactive material during transit | | D | | | |
| § 37.75(a)-(d) | Preplanning and coordination of shipment of category 1 or category 2 quantities of radioactive material | | B | | | |
| § 37.75(e) | Preplanning and coordination of shipment of category 1 or category 2 quantities of radioactive material | | C | | | |
| §37.77, (a)-(d) | Advance notification of shipment of category 1 quantities of radioactive material | | B | | | |

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| §37.77(e) | Advance notification of shipment of category 1 quantities of radioactive material | | C | | | |
| §37.77(f) | Advance notification of shipment of category 1 quantities of radioactive material | | C | | | |
| §37.79(a) | Requirements for physical protection of category 1 and category 2 quantities of radioactive material during shipment. | | B | | | |
| §37.79(b) | Requirements for physical protection of category 1 and category 2 quantities of radioactive material during shipment | | B | | | |
| §37.79(c) | Requirements for physical protection of category 1 and category 2 quantities of radioactive material during shipment | | B | | | |

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| §37.81(a)-(f) | Reporting of events. | | B | | | |
| §37.81(g) & (h) | Reporting of events. | | C | | | |
| §37.101 | Form of records | | C | | | |
| §37.103 | Record retention. | | C | | | |
| §37.105 | Inspections. | | D | | | |
| §37.107 | Violations | | D | | | |
| §37.109 | Criminal penalties. | | D | | | |
| Appendix A to Part 37 | Category 1 and Category 2 Radioactive Materials | | B | | | |

Table 1 – Category 1 and Category 2 Threshold

The terabecquerel (TBq) values are the regulatory standard. The curie (Ci) values specified are obtained by converting from the TBq value. The curie values are provided for practical usefulness only.

| Radioactive material | Category 1 (TBq) | Category 1 (Ci) | Category 2 (TBq) | Category 2 (Ci) |
|-----------------------------|-------------------------|------------------------|-------------------------|------------------------|
| Americium-241 | 60 | 1,620 | 0.6 | 16.2 |
| Americium-241/Be | 60 | 1,620 | 0.6 | 16.2 |
| Californium-252 | 20 | 540 | 0.2 | 5.40 |
| Cobalt-60 | 30 | 810 | 0.3 | 8.10 |
| Curium-244 | 50 | 1,350 | 0.5 | 13.5 |
| Cesium-137 | 100 | 2,700 | 1 | 27.0 |
| Gadolinium-153 | 1,000 | 27,000 | 10 | 270 |
| Iridium-192 | 80 | 2,160 | 0.8 | 21.6 |
| Plutonium-238 | 60 | 1,620 | 0.6 | 16.2 |
| Plutonium-239/Be | 60 | 1,620 | 0.6 | 16.2 |
| Promethium-147 | 40,000 | 1,080,000 | 400 | 10,800 |
| Radium-226 | 40 | 1,080 | 0.4 | 10.8 |
| Selenium-75 | 200 | 5,400 | 2 | 54.0 |
| Strontium-90 | 1,000 | 27,000 | 10 | 270 |
| Thulium-170 | 20,000 | 540,000 | 200 | 5,400 |
| Ytterbium-169 | 300 | 8,100 | 3 | 81.0 |

Note: Calculations Concerning Multiple Sources or Multiple Radionuclides

The "sum of fractions" methodology for evaluating combinations of multiple sources or multiple radionuclides is to be used in determining whether a location meets or exceeds the threshold and is thus subject to the requirements of this part.

I. If multiple sources of the same radionuclide and/or multiple radionuclides are aggregated at a location, the sum of the ratios of the total activity of each of the radionuclides must be determined to verify whether the activity at the location is less than the category 1 or category 2 thresholds of Table 1, as appropriate. If the calculated sum of the ratios, using the equation below, is greater than or equal to 1.0, then the applicable requirements of this part apply.

II. First determine the total activity for each radionuclide from Table 1. This is done by adding the activity of each individual source, material in any device, and any loose or bulk material that contains the radionuclide. Then use the equation below to calculate the sum of the ratios by inserting the total activity of the applicable radionuclides from Table 1 in the numerator of the equation and the corresponding threshold activity from Table 1 in the denominator of the equation. Calculations must be performed in metric values (i.e., TBq) and the numerator and denominator values must be in the same units.

R_1 = total activity for radionuclide 1

R_2 = total activity for radionuclide 2

R_N = total activity for radionuclide n

AR_1 = activity threshold for radionuclide 1

AR_2 = activity threshold for radionuclide 2

AR_N = activity threshold for radionuclide n

$$\sum_1^n \left[\frac{R_1}{AR_1} + \frac{R_2}{AR_2} + \frac{R_n}{AR_n} \right] \geq 1.0$$