

03/27/08

Reviewers Summary
Sheets

10 CFR PART 19

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 Not Was a Comment Generated
§19.1	Purpose		D	N/A		
§19.2	Scope		D	N/A		
§19.3	Definitions					
	Act		D	N/A		
	Commission		D	N/A		
	Exclusion		D	N/A		
	License		[D]	N/A		
	Licensee		[D]	N/A		
	Restricted area	7:28-50	[A]	No	N/A	
	Sequestration	7:28-50	D	N/A		
	Worker	7:28-50	C	No	N/A	
§19.4	Interpretations	7:28-50	D	N/A		
§19.5	Communications		D	N/A		
§19.8	Information		D	N/A		

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NRC Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Not Was a Comment Generated
	collection requirement: OMB approval					
§19.11	Posting of notices to workers	7:28-50; 7:28-50.1(d) and (e)	C	Yes	No	<p>For those facilities whose radioactive materials are solely licensed by the Department, NRC Form 3, "Notice to Employees" shall mean the Department's form RPP-14, "Notice to Employees, Standards for Protection Against Radiation" available from the Department.</p> <p>Those facilities who possess a license from the Department and the NRC for radioactive materials shall post both the NRC's Form 3 and the Department's form RPP-14.</p>
§19.12	Instructions to workers	7:28-50	C	No	N/A	
§19.13	Notification and reports to individuals	7:28-50	C	No	N/A	
§19.14	Presence of representatives of licensees and workers during inspections	7:28-50	C	No	N/A	
§19.15	Consultation with workers	7:28-50	C	No	N/A	

NRC Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Not Was a Comment Generated
	during inspections					
§19.16	Requests by workers for inspections	7:28-50	C	No	N/A	
§19.17	Inspection not warranted; informal review	7:28-50	C	No	N/A	
§19.18	Sequestration of witnesses and exclusion of counsel in interviews conducted under subpoena		D	N/A		
§19.20	Employee protection		D	N/A		
§19.30	Violations		D	N/A		
§19.31	Application for exemptions		D	N/A		
§19.32	Discrimination prohibited		D	N/A		
§19.40	Criminal penalties		D	N/A		

**COMPATIBILITY RESOLUTION ON COMMENTS ON NEW JERSEY PROPOSED REGULATIONS FROM LETTER DATED
AUGUST 2007**

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	7:28-1.4(a)	20.1003	N/A	A	<p>Definition of "dose equivalent"</p> <p>New Jersey states "...product of the absorbed dose in tissue quality factor, and..." New Jersey should say "...product of the absorbed dose in tissue, quality factor, and..." in their definition of "dose equivalent."</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category A designation assigned to 10 CFR 20.1003, definition of "dose equivalent."</p> <p>Comment Resolved: Definition removed from 7:28-1.4(a) and adopted by reference in 7:28-6.</p>
2	7:28-1.4(a)	20.1003	N/A	A	<p>Definition of "occupational dose"</p> <p>New Jersey does not specifically exclude doses received from voluntary participation in medical research programs.</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category A designation assigned to 10 CFR 20.1003, definition of "occupational dose."</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>Comment Resolved: New Jersey removed this definition from 7:28-1.4(a) and adopted it by reference in 7:28-6.</p>
3	7:28-1.4(a)	20.1003	N/A	[C]	<p>Definition of "person"</p> <p>New Jersey includes "...Government agency other than the NRC or the Department of Energy..." in their definition of "person." New Jersey should remove this language because other Federal Agencies would be regulated by the NRC. If New Jersey has issued licenses/registrations to other Federal Agencies for the use of non-AEA materials or machines, then inclusion of this language is acceptable.</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category [C] designation assigned to 10 CFR 20.1003, definition of "person."</p> <p>Comment Resolved: New Jersey removed this definition from 7:28-1.4(a) and adopted it by reference in 7:28-6.</p>
4	7:28-12.3	20.1003	N/A	B	<p>Definition of "residual radioactivity"</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>New Jersey states "...in accordance with the provisions of US NRC regulations at Title 10 CFR part 20". New Jersey should say "... in accordance with the provisions of US NRC regulations at Title 10 CFR part 20 or the provisions of NJAC 7:28-11.4."</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 20.1003, definition of "residual radioactivity."</p> <p>Comment Resolved: New Jersey corrected the above comment in 7:28-12.3 and also adopted this definition by reference in 7:28-6.</p>
5	7:28-6.1(d)	20.1201	N/A	<p>Occupational dose limits for adults</p> <p>New Jersey incorrectly refers to NJAC 7:28-6.5. The correct reference is NJAC 7:28-8.9.</p> <p>New Jersey must correct the reference in order to meet the Compatibility Category A designation assigned to 20.1201.</p> <p>Comment Resolved: New Jersey has</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				addressed the above by adopting by reference 10 CFR 20.1201 in 7:28-6.
6	7:28-6.1(f)	20.1201	N/A	<p data-bbox="802 332 1526 381">Occupational dose limits for adults</p> <p data-bbox="802 381 1526 513">New Jersey incorrectly refers to NJAC 7:28-6.4(e). The correct reference is NJAC 7:28-8.7(e).</p> <p data-bbox="802 513 1526 678">New Jersey must correct the reference in order to meet the Compatibility Category A designation assigned to 20.1201.</p> <p data-bbox="802 678 1526 839">Comment Resolved: New Jersey has addressed the above by adopting by reference 10 CFR 20.1201 in 7:28-6.</p>
7	7:28-6.4(c)(2)	20.1204	N/A	<p data-bbox="802 839 1526 888">Determination of internal exposure</p> <p data-bbox="802 888 1526 1091">New Jersey states that approval is the responsibility of the Commission. Approval should be delegated to the Department, as defined in NJAC 7:28-1.4(a).</p> <p data-bbox="802 1091 1526 1257">New Jersey must make the above noted change in order to meet the Compatibility Category A designation assigned to 20.1204.</p> <p data-bbox="802 1257 1526 1432">Comment Resolved: New Jersey address the above by incorporating 10 CFR 20.1204 by reference in 7:28-6.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
8	7:28-6.4(c)(3) and (e)(1)	20.1204	N/A	A	<p>Determination of internal exposure</p> <p>New Jersey refers to an "appendix to this subchapter;" however, there is not an appendix to the subchapter. All other references to the intended appendix direct the reader to Appendix B of 10 CFR 20.</p> <p>New Jersey must appropriately reference the proper appendix in order to meet the Compatibility Category A designation assigned to 20.1204.</p> <p>Comment Resolved: New Jersey address the above by incorporating 10 CFR 20.1204 by reference in 7:28-6.</p>
9	7:28-6.7(a)	20.1208	N/A	A	<p>Dose equivalent to an embryo/fetus</p> <p>New Jersey incorrectly refers to NJAC 7:28-8.8. The correct reference is NJAC 7:28-8.9.</p> <p>New Jersey must correct the reference in order to meet the Compatibility Category A designation assigned to 20.1208.</p> <p>Comment Resolved: New Jersey addresses this comment by incorporating 10 CFR 20.1208 by reference in 7:28-6.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
10	7:28-6.8(a)	20.1301(a)	N/A	A	<p>Dose limits for individual members of the public</p> <p>New Jersey does not specifically exclude doses received from voluntary participation in medical research programs.</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category A designation assigned to 10 CFR 20.1301(a).</p> <p>Comment Resolved: New Jersey addresses this comment by incorporating 10 CFR 20.1301 by reference in 7:28-6.</p>
11	7:28-12.11(f)	20.1404	N/A	N/A	<p>Alternate criteria for license terminations</p> <p>In 7:28-12.11(f), New Jersey directly states that Long Term Control licenses issued by the NRC are not valid. This is a contradiction to the criteria for an Agreement with the NRC, which requires reciprocal recognition of licenses issued by other jurisdictions. Failure to recognize an NRC license would essentially create a regulatory gap during the time between the signing of an Agreement</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>and issuance of a New Jersey license. Retention of this paragraph could be grounds for denying an application for an Agreement with the NRC.</p> <p>New Jersey must remove the statement in 7:28-12.11(f) to ensure recognition of all types of licenses issued by other jurisdictions.</p> <p>Comment Resolved: Section 7:28-12.</p>
12	7:28-10.3(c)	20.1601(b)	N/A	H&S	<p>Control of access to high radiation areas</p> <p>New Jersey incorrectly refers to paragraph (a) of the same section. The correct reference is to paragraph (b) of that section.</p> <p>New Jersey must correct the reference in order to meet the Compatibility Category H&S designation assigned to 20.1601.</p> <p>Comment Resolved: New Jersey addresses the above comment by adopting 10 CFR 20.1601 by reference in 7:28-6.</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
13	7:28-10.3(e)	20.1601(d)	N/A	<p data-bbox="1020 315 1499 381">Control of access to high radiation areas</p> <p data-bbox="1020 419 1509 550">New Jersey incorrectly refers to paragraphs (a) and (c) of the same section. The correct references are to paragraphs (b) and (d) of that section.</p> <p data-bbox="1020 588 1499 718">New Jersey must correct the above noted references in order to meet the Compatibility Category H&S designation assigned to 20.1601.</p> <p data-bbox="1020 766 1499 897">Comment Resolved: New Jersey addresses the above comment by adopting 10 CFR 20.1601 by reference in 7:28-6.</p>
14	7:28-10.7(a)	20.1904(a)	N/A	<p data-bbox="1020 930 1293 963">Labeling containers</p> <p data-bbox="1020 1001 1509 1230">In 7:28-10.7(a), New Jersey has partial requirements for 20.1904(a) listed. Because they go on to adopt 20.1904(a) in its entirety in 7:28-10.7(b), New Jersey should delete 7:28-10.7(a) from their regulations to eliminate any duplication of regulation.</p> <p data-bbox="1020 1268 1509 1366">New Jersey needs to delete 7:28-10.7(a) from their regulations to eliminate any duplication of regulation.</p> <p data-bbox="1020 1414 1509 1447">Comment Resolved: New Jersey adopts</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					10 CFR 20.1904 by reference in 7:28-6 and no longer references it in 7:28-10.7.
15	7:28-11.2	20.2003(a)(4)	N/A	C	<p>Disposal by release into sanitary sewerage</p> <p>New Jersey allows yearly release of 5 Curie (Ci) (185 GBq) of Carbon-14 into the "domestic treatment works" instead of the 1 Ci (37 GBq) allowed in 20.2003. New Jersey must at least be as restrictive as NRC requirements.</p> <p>New Jersey needs to adopt the 1 Ci annual release limit equivalent to 20.2003(a)(4) in order to meet the Compatibility Category C designation assigned to 20.2003(a)(4).</p> <p>Comment Resolved: New Jersey addresses the above comment by adopting 10 CFR 20.2003(a)(4) by reference in 7:28-6.</p>
16	7:28-10.12	Appendix C	N/A	A	<p>Quantities of licensed materials requiring labeling</p> <ol style="list-style-type: none"> 1.) Lanthanum-142 is listed at 100, should be 1000. 2.) Lanthanum-143 needs to be added. 3.) Cerium-134 needs to be added.

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>4.) Cerium-135 needs to be added.</p> <p>5.) Europium-157 is listed at .100, should be 100.</p> <p>6.) Rhenium-183 needs to be deleted.</p> <p>7.) Thorium-232 is listed at .100, should be 100.</p> <p>8.) New Jersey needs to adopt Footnote 1 Appendix C of 10CFR20 explaining the derivation of the values.</p> <p>New Jersey needs to make the above changes in order to meet the Compatibility Category A designation assigned to Appendix C.</p> <p>Comment Resolved: New Jersey is deleting 7:28-10.9 and adopting 10 CFR 20 Appendix C by reference in 7:28-6.</p>
17	7:28-51.1 (c)(6)	30.20	N/A	B	<p>Gas and aerosol detectors containing byproduct material</p> <p>New Jersey states "10 C.F.R. 19.20(a), delete...". New Jersey should say " 10 C.F.R. 30.20(a), delete....." in 7:28-51.1(c)(6).</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 30.20.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Comment Resolved: New Jersey removed the above and cites 10 CFR 30.20 by reference in 7:28-51.1 with the change noted in 7:28-51.1(c)(11).
18	7:28-51.1(b)	30.21(c)	N/A	NRC	<p>Radioactive drug: Capsules containing carbon-14 urea for "in vivo" diagnostic use for humans</p> <p>New Jersey adopts by reference 30.21(c) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.21(c).</p> <p>New Jersey should not incorporate by reference 10 CFR 30.21(c) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.21(c).</p> <p>Comment Resolved: New Jersey does not adopt by reference 10 CFR 30.21(c) per 7:28-51.1(b)(4).</p>
19	7:28-51.1(b)	30.34	N/A	NRC	Terms and conditions of licenses

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
		(d)(e)(1)&(e)(3)			<p>New Jersey adopts by reference 30.34(d)(e)(1)&(e)(3) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.34(d)(e)(1)&(e)(3).</p> <p>New Jersey should not incorporate by reference 10 CFR 30.34(d)(e)(1) &(e)(3) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.34(d)(e)(1)&(e)(3).</p> <p>Comment Resolved: New Jersey does not adopt 10 CFR 30.34(d), (e)(1), and (e)(3) by reference per 7:28-51.1(b)(5).</p>
20	7:28-51.1(b)	30.41(a)(6)	N/A	NRC	<p>Transfer of byproduct material</p> <p>New Jersey adopts by reference 30.41(b)(6) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.41(b)(6).</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>New Jersey should not incorporate by reference 10 CFR 30.41(b)(6) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.41(b)(6).</p> <p>Comments Stands: New Jersey attempts to resolve this comment in 7:28-51.1(b)(6) however it states that they do not adopt 10 CFR 30.41(b)(6) by reference when it should say 10 CFR 30.41(a)(6).</p>
21	7:28-51.1(b) and (c)	30.55	N/A	<p>Tritium Reports</p> <p>New Jersey adopts by reference 30.55 which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.55.</p> <p>New Jersey should not incorporate by reference 10 CFR 30.55 in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.55.</p> <p>Comment Resolved: New Jersey addresses the above comment by not</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					adopting 10 CFR 30.55 by reference per 7:28-51.1(b)(7).
22	7:28-58.1	40.51(b)(6)	N/A	NRC	<p>Transfer of source or byproduct material</p> <p>New Jersey adopts by reference 40.51(b)(6) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 40.51(b)(6).</p> <p>New Jersey should not incorporate by reference 10 CFR 40.51(b)(6) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 40.51(b)(6).</p> <p>Comment Resolved: New Jersey does not adopt 10 CFR 40.51(b)(6) by reference per 7:28-58.1(b)(17).</p>
23	7:28-61.1	71.0(d), 71.14(b), and 71.19	N/A	NRC	<p>Adoption by Reference for IAEA Transportation Amendments</p> <p>New Jersey adopts by reference 71.0(d), 71.14(b), and 71.19, which are all Compatibility Category NRC. These requirements reflect NRC program elements that cannot be</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>relinquished to an Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should exclude any references to 71.0(d), 71.14(b), and 71.19.</p> <p>New Jersey should not incorporate by reference 10 CFR 71.0(d), 71.14(b), and 71.19 in order to meet the Compatibility Category NRC designation assigned to these regulations.</p> <p>Comment Resolved: 10 CFR 71.0(d) is actually a Compatibility Category D. Therefore New Jersey may incorporate it into its regulations.</p> <p>Comment Resolved: New Jersey omits incorporating 10 CFR 71.14(b) per 7:28-61.1(b)(3).</p> <p>Comment Resolved: New Jersey omits incorporating 10 CFR 71.14(b) per 7:28-61.1(b)(4).</p>
24	7:28-61.1	71.101(c)(2), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117,	N/A	<p>Adoption by Reference for IAEA Transportation Amendments</p> <p>Section 71.101(b) (Establishment of a quality assurance program for packaging), which is designated as compatibility category C, states that</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
	71.119, 71.121, 71.123, and 71.125			<p>“Each licensee, certificate holder, and applicant for a CoC shall establish, maintain, and execute a quality assurance program satisfying each of the applicable criteria of §§ 71.101 through 71.137....” However, sections 71.101(c)(2), (d) & (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, and 71.125 have been designated as compatibility category NRC. Thus, for a state to adopt the essential objectives of 71.101(b), as would be required under compatibility category C, it would be inadvertently required to adopt requirements contained in provisions reserved to the NRC.</p> <p>Recognizing this discrepancy, NRC staff members are re-reviewing the compatibility designation of the referenced sections. No changes to New Jersey’s regulations are required until the NRC completes its review of part 71 and reports its results to the States.</p> <p>Comment Resolved: New Jersey does not incorporate 10 CFR 71.101(c)(2), (d), and (e) by reference per 7:28-61.1(b)(26).</p> <p>Comment Resolved: New Jersey does not incorporate 10 CFR 71.107,</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, and 71.125 by reference per 7:28-61.1(b).</p>
25	7:28-62.1	150.20	N/A	<p>Recognition of Agreement State licenses</p> <p>As 150.20(b) is incorporated by reference, New Jersey would issue general licenses to Agreement States licensees, and not NRC licensees, to operate in areas of exclusive Federal jurisdiction and offshore waters, although these areas are specifically excluded under the reference to 150.20(a). New Jersey does not have the authority to issue general licenses to operate in areas of exclusive Federal jurisdiction and off shore waters. New Jersey can only issue general licenses to Agreement State and NRC licensees wishing to operate within New Jersey's jurisdiction.</p> <p>New Jersey needs to modify their incorporation of Part 150 by reference, specifically 150.20(b), to clarify that general licenses will not be issued to operate in areas of exclusive Federal jurisdiction and offshore waters but within New Jersey's jurisdiction, and that reciprocity licenses will be issued to</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>other Agreement State and NRC licensees, not just Agreement State licensees.</p> <p>Comment Resolved: See New Jersey regulation 7:28-62.1(d).</p>

10 CFR PART 19

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 Not Was a Comment Generated
§19.1	Purpose		D	N/A		
§19.2	Scope		D	N/A		
§19.3	Definitions					

NRC Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Not Was a Comment Generated
	Act		D	N/A		
	Commission		D	N/A		
	Exclusion		D	N/A		
	License		[D]	N/A		
	Licensee		[D]	N/A		
	Restricted area	7:28-50	[A]	No	N/A	
	Sequestration	7:28-50	D	N/A		
	Worker	7:28-50	C	No	N/A	
§19.4	Interpretations	7:28-50	D	N/A		
§19.5	Communications		D	N/A		
§19.8	Information collection requirement: OMB approval		D	N/A		
§19.11	Posting of notices to workers	7:28-50, 7:28-50.1(d) and (e)	C	Yes	No	For those facilities whose radioactive materials are solely licensed by the Department, NRC Form 3, "Notice to Employees" shall mean the Department's form RPP-14, "Notice to Employees, Standards for Protection Against Radiation"

NRC Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Not Was a Comment Generated
						<p>available from the Department.</p> <p>Those facilities who possess a license from the Department and the NRC for radioactive materials shall post both the NRC's Form 3 and the Department's form RPP-14.</p>
§19.12	Instructions to workers	7:28-50	C	No	N/A	
§19.13	Notification and reports to individuals	7:28-50	C	No	N/A	
§19.14	Presence of representatives of licensees and workers during inspections	7:28-50	C	No	N/A	
§19.15	Consultation with workers during inspections	7:28-50	C	No	N/A	
§19.16	Requests by workers for inspections	7:28-50	C	No	N/A	
§19.17	Inspection not warranted; informal review	7:28-50	C	No	N/A	

NRC Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Not Was a Comment Generated
§19.18	Sequestration of witnesses and exclusion of counsel in interviews conducted under subpoena		D	N/A		
§19.20	Employee protection		D	N/A		
§19.30	Violations		D	N/A		
§19.31	Application for exemptions		D	N/A		
§19.32	Discrimination prohibited		D	N/A		
§19.40	Criminal penalties		D	N/A		

10 CFR PART 20

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.

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§20.1001	Purpose		D	N/A		
§20.1002	Scope		D	N/A		
§20.1003	Definitions					
	Absorbed Dose	7:28-6	A	No	N/A	
	Act		D	N/A		
	Activity	7:28-6	A	No	N/A	
	Adult	7:28-6	A	No	N/A	
	Airborne radioactive material	7:28-6	A	No	N/A	
	Airborne Radioactivity area	7:28-6	A	No	N/A	
	Air-purifying respirator	7:28-6	B	No	N/A	
	ALARA	7:28-6 and 7:28-6.1 (d)(2)	A	No	N/A	
	Annual Limit on Intake (ALI)	7:28-6	A	No	N/A	
	Assigned Protection Factor (APF)	7:28-6	B	No	N/A	
	Atmosphere-supplying	7:28-6	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	respirator					
	Background Radiation	7:28-6 and 7:28-6 (d)(3)	A	Yes	No	New Jersey's definition also excludes "technologically enhanced naturally occurring radioactive materials." This is acceptable as it reflects the expanded regulatory responsibility of the State.
	Bioassay (radio bioassay)	7:28-6	A	No	N/A	
	Byproduct material	7:28-6	[A]	No	N/A	
	Class	7:28-1.4(b)	A	No	N/A	
	Collective Dose	7:28-1.4(b)	A	No	N/A	
	Commission		D	N/A		
	Committed dose equivalent	7:28-6	A	No	N/A	
	Committed effective dose equivalent	7:28-6	A	No	N/A	
	Constraint	7:28-6	C	No	N/A	
	Controlled Area		D	N/A		
	Critical group	7:28-6	B	No	N/A	
	Declared Pregnant Woman	7:28-6	A	No	N/A	
	Decommission	7:28-6	[C]	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Deep-dose equivalent	7:28-6	A	No	N/A	
	Demand respirator	7:28-6	B	No	N/A	
	Department		D	N/A		
	Derived air concentration (DAC)	7:28-6	A	No	N/A	
	Derived air concentration-hour (DAC-hour)	7:28-6	A	No	N/A	
	Disposable respirator	7:28-6	B	No	N/A	
	Distinguishable from background	7:28-6	B	No	N/A	
	Dose or radiation dose		D	N/A		
	Dose equivalent	7:28-6	A	No	N/A	
	Dosimetry processor		D	N/A		
	Effective dose equivalent	7:28-6	A	No	N/A	
	Embryo/fetus	7:28-6	A	No	N/A	
	Entrance or access point	7:28-6	C	No	N/A	
	Exposure		D	N/A		
	External dose		D	N/A		
	Extremity	7:28-6	A	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Filtering facepiece (dusk mask)	7:28-6	B	No	N/A	
	Fit factor	7:28-6	B	No	N/A	
	Fit test	7:28-6	B	No	N/A	
	Generally applicable environmental radiation standards	7:28-6	A- States with authority to regulate uranium mill activities (11e.(2) byproduct material) D- States without authority	No	N/A	State is not seeking authority to regulate uranium mill activities; however, State has adopted a compatible definition by reference regardless. This is acceptable.
	Government agency		D	N/A		
	Gray	7:28-6	See 10 CFR §20.1004	No	N/A	
	Helmet	7:28-6	B	No	N/A	
	High radiation area	7:28-6	A	No	N/A	
	Hood	7:28-6	B	No	N/A	
	Individual	7:28-6	A	No	N/A	
	Individual monitoring	7:28-6	A	No	N/A	
	Individual monitoring devices	7:28-6	C	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Internal dose	7:28-6	A	No	N/A	
	Lens dose equivalent	7:28-6	A	No	N/A	
	License		D	N/A		
	Licensed material		D	N/A		
	Licensee		D	N/A		
	Limits	7:28-6	A	No	N/A	
	Loose-fitting facepiece	7:28-6	B	No	N/A	
	Lost or missing licensed material	7:28-6	B	No	N/A	
	Member of the public	7:28-6	A	No	N/A	
	Minor	7:28-6	A	No	N/A	
	Monitoring	7:28-6	A	No	N/A	
	Negative pressure respirator	7:28-6	B	No	N/A	
	Nonstochastic effect	7:28-6	A	No	N/A	
	NRC		D	N/A		
	Occupational Dose	7:28-6 and 7:28-6 (d)(8)	A	No	N/A	
	Person	7:28-6	[C]	No	N/A	
	Planned special exposure		D	N/A		

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Positive pressure respirator	7:28-6	B	No	N/A	
	Powered air-purifying respirator (PAPR)	7:28-6	B	No	N/A	
	Pressure demand respirator	7:28-6	B	No	N/A	
	Public dose	7:28-6 and 7:28-6 (d)(9)	A	No	N/A	
	Qualitative fit test (QLFT)	7:28-6	B	No	N/A	
	Quality Factor	7:28-6	A	No	N/A	
	Quantitative fit test (QNFT)	7:28-6	B	No	N/A	
	Quarter		D	N/A		
	Rad	7:28-6	See 10 CFR §20.1004	No	N/A	
	Radiation	7:28-6	A	No	N/A	
	Radiation area	7:28-6	A	No	N/A	
	Reference man	7:28-6	A	No	N/A	
	Rem	7:28-6	See 10 CFR §20.1004	No	N/A	
	Residual radioactivity	7:28-6 and	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
		7:28-12.3				
	Respiratory protective device	7:28-6	C	No	N/A	
	Restricted area	7:28-6	A	No	N/A	
	Sanitary sewerage	7:28-1.4(b)	A	Y	N	State uses the phrase "domestic treatment works" to compatible with other NJDEP regulations. Definition is not word-for-word with NRC's; however, the technical meaning is equivalent.
	Self-contained breathing apparatus (SCBA)	7:28-6	B	No	N/A	
	Shallow-dose equivalent	7:28-6	A	No	N/A	
	Sievert	7:28-6	See 10 CFR §20.1004	No	N/A	
	Site boundary		D	N/A		
	Source Material	7:28-6	[A]	No	N/A	
	Special Nuclear Material	7:28-6	[A]	No	N/A	
	Stochastic effects	7:28-6	A	No	N/A	
	Supplied-Air respirator (SAR) or airline respirator	7:28-6	B	No	N/A	
	Survey	7:28-6	A	Yes	No	State includes sources of machine-produced

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
		and 7:28-6 (d)(10)				radiation. This is acceptable as it reflects the expanded scope of the State's regulatory responsibilities.
	Tight-fitting facepiece	7:28-6	B	No	N/A	
	Total Effective Dose Equivalent (TEDE)	7:28-6	A	No	N/A	
	Unrestricted Area	7:28-6	A	No	N/A	
	Uranium Fuel Cycle		D	N/A		
	User seal check (fit check)	7:28-6	B	No	N/A	
	Very High Radiation Area	7:28-6	A	No	N/A	
	Week		D	N/A		
	Weighting factor	7:28-6	A	No	N/A	
	Whole body	7:28-6	A	No	N/A	
	Working level (WL)	7:28-6	A	No	N/A	
	Working level month (WLM)	7:28-6	A	No	N/A	
	Year	7:28-6	A	No	N/A	
§20.1004	Units of radiation dose	7:28-6	A	No	N/A	
§20.1005	Units of radioactivity	7:28-6	A	No	N/A	
§20.1006	Interpretations		D	N/A		
§20.1007	Communications		D	N/A		

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§20.1008	Implementation		D	N/A		
§20.1009	Information collection requirements: OMB approval		D	N/A		
§20.1101	Radiation protection programs	7:28-6	H&S	No	N/A	
§20.1101 (d)	Radiation protection programs	7:28-6	C	No	N/A	
§20.1201	Occupational dose limits for adults	7:28-6 and 7:28-6 (d)(13)	A	No	N/A	
§20.1202	Compliance with requirements for summation of external and internal doses	7:28-6	A	No	N/A	
§20.1203	Determination of external dose from airborne radioactive material	7:28-6	A	No	N/A	
§20.1204	Determination of internal exposure	7:28-6	A	No	N/A	
§20.1205	Reserved					
§20.1206	Planned special		D	N/A		

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	exposures					
§20.1207	Occupation dose limits for minors	7:28-6 (d)(14)	A	No	N/A	
§20.1208	Dose to an Embryo/fetus	7:28-6 and 7:28-6 (d)(15)	A	No	N/A	
§20.1301 (a)(b)(c)	Dose limits for individual members of the public	7:28-6.8(a)-(c)	A	No	N/A	
§20.1301 (d)	Dose limits for individual members of the public	7:28-6	C	No	N/A	
§20.1301 (e)	Dose limits for individual members of the public	7:28-6	A for States with authority to regulate U-mill activities and D for States without authority	No	N/A	New Jersey is not seeking authority to regulate uranium mill activities; however, New Jersey has adopted by reference a compatible regulation. This is acceptable.
§20.1301 (f)	Dose limits for individual members of the public	7:28-6	D	N/A		
§20.1302 (a)(b)	Compliance with dose limits for individual members of the public	7:28-6	H&S	No	N/A	
§20.1302	Compliance with dose	7:28-6	D	N/A		

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
(c)	limits for individual members of the public					
§20.1401	General provisions and scope	7:28-12	C	No	N/A	
§20.1402	Radiological criteria for unrestricted use	7:28-12	C	No	N/A	
§20.1403	Criteria for license termination under restricted use	7:28-12.12 (b)(2)(iii)	C	Yes	Yes	New Jersey includes the term "Federal" in 7:28-12.12(b)(2)(iii). New Jersey needs to remove this term in order to meet the Compatibility Category C designation assigned to 10 CFR 20.1403.
§20.1404	Alternate criteria for license termination	7:28-12	C	No	N/A	
§20.1405	Public notification and public participation	7:28-12	C	No	N/A	
§20.1406	Minimization of contamination	7:28-6	C	No	N/A	
§20.1501	Surveys and Monitoring - General	7:28-6	H&S	No	N/A	
§20.1502	Conditions requiring individual monitoring of external and internal occupational dose	7:28-6	H&S	No	N/A	
§20.1601	Control of access to high radiation areas	7:28-6	H&S	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§20.1602	Control of access to very high radiation areas	7:28-6	H&S	No	N/A	
§20.1701	Use of process or other engineering controls	7:28-6	H&S	No	N/A	
§20.1702	Use of other controls	7:28-6	H&S	No	N/A	
§20.1703	Use of individual respiratory protection equipment	7:28-6	H&S	No	N/A	
§20.1704	Further restrictions on the use of respiratory protection equipment		D	N/A		
§20.1705	Application for use of higher assigned protection factors	7:28-6	B	No	N/A	
§20.1801	Security of stored material	7:28-6	H&S	No	N/A	
§20.1802	Control of material not in storage	7:28-6	H&S	No	N/A	
§20.1901	Caution signs	7:28-6	A	No	N/A	
§20.1902	Posting requirements	7:28-6	A	No	N/A	
§20.1903	Exceptions to posting requirements		D	N/A		
§20.1904	Labeling containers	7:28-6	A	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§20.1905	Exceptions to labeling requirements	7:28-6	A	No	N/A	
§20.1906	Procedures for receiving and opening packages	7:28-6	H&S	No	N/A	
§20.2001	General requirements (Waste Disposal)	7:28-6 and 7:28-6 (d)(18)	C	Yes	No	New Jersey is more restrictive with their regulation. This does not however affect Compatibility.
§20.2002	Method for obtaining approval of proposed disposal procedures		D	N/A		
§20.2003 (a)(1)	Disposal by release into sanitary sewerage	7:28-6 and 7:28-6 (d)(19)	H&S	Yes	No	Instead, of "sanitary sewer system," New Jersey uses "domestic treatment works" to be compatible with NJDEP Bureau of Pretreatment and Residuals regulations.
§20.2003 (a)(2)&(3)	Disposal by release into sanitary sewerage	7:28-6 and 7:28-6 (d)(19)	A	Yes	No	See above.
§20.2003 (a)(4)	Disposal by release into sanitary sewerage	7:28-6 and 7:28-6 (d)(19)	C	No	N/A	
§20.2003 (b)	Disposal by release into sanitary sewerage		D	N/A		
§20.2004	Treatment or disposal by incineration		D	N/A		

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§20.2005	Disposal of specific wastes		D	N/A		
§20.2006	Transfer for disposal and manifests	7:28-6	B	No	N/A	
§20.2007	Compliance with environmental and health protection regulations		D	N/A		
§20.2101	General provisions	7:28-6	C	No	N/A	
§20.2102	Records of radiation protection programs		D	N/A		
§20.2103	Records of surveys		D	N/A		
§20.2104	Determination of prior occupational dose		D	N/A		
§20.2105	Records of planned special exposures		D	N/A		
§20.2106 (a)&(e)	Records of individual monitoring results	7:28-6	C	No	N/A	
§20.2106 (b)(c)(d)(f)	Records of individual monitoring results		D	N/A		
§20.2107	Records of Dose to individual members of the Public		D	N/A		
§20.2108	Records of Waste Disposal		D	N/A		

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§20.2110	Form of Records		D	N/A		
§20.2201 (a)(b)(d)(e)	Reports of theft or loss of licensed material	7:28-6 and 7:28-6 (d)(20) and (21)	C	No	N/A	
§20.2201 (c)	Reports of theft or loss of licensed material		D	N/A		
§20.2202 (a)(b)(c)(d)	Notification of Incidents	7:28-6 and 7:28-6 (d)(22)	C	No	N/A	
§20.2202 (e)	Notification of Incidents		D	N/A		
§20.2203 (a)(b)	Reports of exposures, etc, exceeding the limits.	7:28-6 and 7:28-6 (d)(23)	C	N		
§20.2203 (c)	Reports of exposures, etc, exceeding the limits.	7:28-6.1(b)	NRC	No	N/A	
§20.2203 (d)	Reports of exposures, etc, exceeding the limits.		D	N/A		
§20.2204	Reports of Planned special exposures		D	N/A		
§20.2205	Reports to individuals of exceeding dose limits	7:28-6	C	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§20.2206 (a)(1), (a)(3), (a)(4), (a)(5)	Reports of Individuals Monitoring	7:28-6.1(b)	NRC	No	N/A	
§20.2206 (a)(2), (a)(6), (a)(7), (b) &(c)	Reports of Individuals Monitoring		D	N/A		
§20.2301	Applications for Exemptions		D	N/A		
§20.2302	Additional Requirements		D	N/A		
§20.2401	Violations		D	N/A		
§20.2402	Criminal Penalties		D	N/A		
Appendix A	Protection Factors for Respirators	7:28-6	B	No	N/A	
Appendix B (Tables 1,2, & 3)	Annual Limits on Intake (ALIs), Derived Air Concentrations (DACs), of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release to Sewerage	7:28-6	A	No	N/A	
Appendix C	Quantities of licensed materials requiring	7:28-6	A	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	labeling					
Appendix D	United States Nuclear Regulatory Commission Offices		D	N/A		
Appendix E	Nationally Tracked Source Thresholds	7:28-6	B	No	N/A	
Appendix F	Reserved					
Appendix G	Requirements for Low-level radioactive waste intended for disposal at land disposal facilities and manifests	7:28-6	B	No	N/A	
Appendix G Forms 540, 540A, 541, 542, & 542A	Requirements for Low-level radioactive waste intended for disposal at land disposal facilities and manifests		D	N/A		

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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.

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§30.1	Scope		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§30.2	Resolution of Conflict		D	N/A	N/A	
§30.3	Activities requiring license	7:28-51.1	C	No	N/A	
§30.4	Definitions					
	Act		D	N/A	N/A	
	Agreement State	7:28-51.1	[B]	No	N/A	
	Alert	7:28-51.1	A	No	N/A	
	Byproduct material	7:28-51.1	[A]	No	N/A	
	Commencement of construction		D	N/A	N/A	
	Commission		D	N/A	N/A	
	Curie	7:28-51.1	[A]	No	N/A	
	Decommission	7:28-51.1	C	No	N/A	
	Dentist		[D]	N/A	N/A	
	Department and Department of Energy		[D]	N/A	N/A	
	Effective dose equivalent	7:28-51.1	[A]	No	N/A	
	Government		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	agency					
	License		[D]	N/A	N/A	
	Medical use	7:28-51.1	[C]	No	N/A	
	Microcurie		D	N/A	N/A	
	Millicurie		D	N/A	N/A	
	Person	7:28-51.1	[C]	No	N/A	
	Physician		[D]	N/A	N/A	
	Podiatrist		[D]	N/A	N/A	
	Principal activities		D	N/A	N/A	
	Production facility		[D]	N/A	N/A	
	Research and development		D	N/A	N/A	
	Sealed source	7:28-51.1	B	No	N/A	
	Site area emergency	7:28-51.1	A	No	N/A	
	Source material	7:28-51.1	[A]	No	N/A	
	Special nuclear material	7:28-51.1	[A]	No	N/A	
	United States		D	N/A	N/A	
	Utilization facility		[D]	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§30.5	Interpretations		D	N/A	N/A	
§30.6	Communications		D	N/A	N/A	
§30.7	Employee protection		D	N/A	N/A	
§30.8	Information collection requirements: OMB approval		D	N/A	N/A	
§30.9	Completeness and accuracy of information		D	N/A	N/A	
§30.10	Deliberate misconduct	7:28-51.1 and 7:28-51.1 (c)(5)	C	No	N/A	
§30.11	Specific exemptions		D	N/A	N/A	
§30.12	Persons using by-product material under certain Department of Energy (DOE) and Nuclear Regulatory Commission (NRC) contracts	7:28-51.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§30.13	Carriers	7:28-51.1	B	No	N/A	
§30.14	Exempt concentrations	7:28-51.1 and 7:28-51.1 (c)(6) and (c)(7)	B	No	N/A	
§30.15	Certain items containing byproduct material	7:28-51.1 and 7:28-51.1 (c)(8)	B	No	N/A	
§30.16	Resins containing scandium-46 and designed for sand-consolidation in oil wells	7:28-51.1 and 7:28-51.1 (c)(9)	B	No	N/A	
§30.18	Exempt quantities	7:28-51.1	B	No	N/A	
§30.19	Self-luminous products containing tritium, krypton-85, or promethium-147	7:28-51.1 and 7:28-51.1 (c)(10)	B	No	N/A	
§30.20	Gas and aerosol detectors	7:28-51.1 and 7:28-51-1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	containing byproduct material	(c)(11)				
§30.21	Radioactive drug: Capsules containing carbon-14 urea for "in vivo" diagnostic use for humans	7:28-51.1	B	No	N/A	
§30.21 (c)	Radioactive drug: Capsules containing carbon-14 urea for "in vivo" diagnostic use for humans	7:28-51.1(b)(4)	NRC	No	N/A	
§30.31	Types of licenses	7:28-51.1	C	No	N/A	
§30.32 (a)-(f)&(h)	Application for specific licenses		D	N/A	N/A	
§30.32 (g)	Application for specific licenses	7:28-51.1	C	No	N/A	
§30.32 (i)	Application for specific licenses	7:28-51.1	H&S	No	N/A	
§30.33	General		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	requirements for issuance of specific licenses					
§30.33 (a)(2)&(a)(3)	General requirements for issuance of specific licenses	7:28-51.1	H&S	No	N/A	
§30.34 (a)(b)(c)	Terms and conditions of licenses	7:28-51.1	C	No	N/A	
§30.34 (d)(e)(1)&(e)(3)	Terms and conditions of licenses	7:28-51.1(b)(5)	NRC	No	N/A	
§30.34 (e)(2)(e)(4)(f) &(g)	Terms and conditions of licenses		D	N/A	N/A	
§30.34 (h)	Terms and conditions of licenses	7:28-51.1	H&S	No	N/A	
§30.34 (i)	Terms and conditions of licenses	7:28-51.1	C	No	N/A	
§30.35	Financial assurance and recordkeeping for decommissioni		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	ng					
§30.35 (a), (b), (d) & (g)	Financial assurance and recordkeeping for decommissioning	7:28-51.1 and 7:28-51.1 (17-20)	H&S	No	N/A	
§30.36 (a), (b), (f) and (i)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas		D	N/A	N/A	
§30.36 (c), (d), (e), (g), (h), (j) and (k)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	7:28-51.1	H&S	No	N/A	
§30.37	Application for renewal of licenses		D	N/A	N/A	
§30.38	Application for amendment of licenses		D	N/A	N/A	
§30.39	Commission		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Action on applications to renew or amend					
§30.41	Transfer of byproduct material	7:28-51.1	C	No	N/A	
§30.41 (a)(6)	Transfer of byproduct material	7:28-51.1(b)	NRC	Yes	Yes	<p>New Jersey adopts by reference 30.41(a)(6) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.41(a)(6).</p> <p>New Jersey should not incorporate by reference 10 CFR 30.41(a)(6) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.41(a)(6).</p> <p>Comments Stands: New Jersey attempts to resolve this comment in 7:28-51.1(b)(6) however it states that they do not adopt 10 CFR 30.41(b)(6) by reference when it should say 10 CFR 30.41(a)(6).</p>
§30.50 (a), (b), (c)	Reporting Requirements	7:28-51.1 and 7:28-51.1 (c) (26-28)	C	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§30.50 (c)(3)	Reporting Requirements		D	N/A	N/A	
§30.51 (a)(b)	Records	7:28-51.1	C	No	N/A	
§30.51 (c)	Records		D	N/A	N/A	
§30.51 (d)(e)&(f)	Records	7:28-51.1 and 7:28-51.1 (c)(29-33)	H&S	No	N/A	
§30.52	Inspections		D	N/A	N/A	
§30.53	Tests		D	N/A	N/A	
§30.55	Tritium reports	7:28-51.1(b)(7)	[NRC]	No	N/A	
§30.61	Modification and revocation of licenses		D	N/A	N/A	
§30.62	Right to cause the withholding or recall or byproduct material		D	N/A	N/A	
§30.63	Violations		D	N/A	N/A	
§30.64	Criminal penalties		D	N/A	N/A	
§30.70	Schedule A-exempt	7:28-51.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	concentrations table					
§30.71	Schedule B - exempt quantity table	7:28-51.1	B	No	N/A	
§30.72	Schedule C- Quantities of radioactive materials requiring consideration of the need for an emergency plan for responding to a release	7:28-51.1	H&S	No	N/A	
Appendix A	Criteria Relating to Use of Financial tests and Parent Company Guarantees for Providing Reasonable Assurance of funds for Decommissioning		D	N/A	No	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
Appendix B	Quantities of Licensed Material Requiring Labeling	7:28-51.1 and 7:28-51.1 (c)(34)	B	No	N/A	
Appendix C	Criteria Relating to Financial Tests and Self Guarantees for Providing Reasonable Assurance of Funds for Decommissioning		D	N/A	N/A	
Appendix D	Criteria Relating to Use of Financial Tests and Self-Guarantee for Providing Reasonable Assurance of Funds for Decommissioning by Commercial Companies that Have no Outstanding Rated Bonds		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
Appendix E	Criteria Relating to Use of Financial Tests and Self-Guarantee for Providing Reasonable Assurance of Funds for Decommissioning by Nonprofit Colleges, Universities, and Hospitals		D	N/A	N/A	

10 CFR PART 31

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.

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§31.1	Purpose and Scope		D	N/A	N/A	
§31.2	Terms and Conditions		D	N/A	N/A	
§31.3	Certain	7:28-52.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	devices and equipment					
§31.4	Information collection requirements: OMB approval		D	N/A	N/A	
§31.5	Certain measuring, gauging or controlling devices	7:28-52.1 and 7:28-52.1 (c)(3-9)	B	No	N/A	
§31.6	General license to install devices generally licensed in §31.5	7:28-52.1	B	No	N/A	
§31.7	Luminous safety devices for use in aircraft	7:28-52.1 and 7:28-52.1 (c)(10-11)	B	No	N/A	
§31.8	Americium-241 in the form of calibration		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	or reference sources					
§31.9	General license to own byproduct material	7:28-52.1	C	No	N/A	
§31.10	General license for strontium 90 in ice detection devices	7:28-52.1 and 7:28-52.1 (c)(13-15)	B	No	N/A	
§31.11	General license for use of byproduct material for certain in vitro clinical or laboratory testing		D	N/A	N/A	
§31.12	Maintenance of records		D	N/A	N/A	
§31.13	Violations		D	N/A	N/A	
§31.14	Criminal		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	penalties					

10 CFR PART 32

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.

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§32.1	Purpose and Scope		D	N/A	N/A	
§32.2	Definitions					
	Dose commitment	7.28-53.1	[A]	No	N/A	
	Lot Tolerance Percent Defective	7.28-53.1	B	No	N/A	
§32.3	Maintenance of records		D	N/A	N/A	
§32.8	Information collection requirements : OMB approval		D	N/A	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§32.11 (a)(b)	Introduction of byproduct material in exempt concentrations into products or materials and transfer of ownership or possession: Requirements for license	7.28-53.1	G NRC	Yes	Yes	<p>New Jersey incorporates 10 CFR 32.11 by reference. However due to a rule change in 2007 10 CFR 32.11 was changed back to a Compatibility category NRC and should therefore not be incorporated by reference.</p> <p>New Jersey needs to not incorporate 10 CFR 32.11 by reference in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.11.</p>
§32.11 (c)	Introduction of byproduct material in exempt concentrations into products or materials and transfer of ownership or possession: Requirements for license	7.28-53.1	B NRC	Yes	Yes	<p>New Jersey incorporates 10 CFR 32.11 by reference. However due to a rule change in 2007 10 CFR 32.11 was changed back to a Compatibility category NRC and should therefore not be incorporated by reference.</p> <p>New Jersey needs to not incorporate 10 CFR 32.11 by reference in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.11.</p>
§32.12	Same: Records and	7.28-53.1	G NRC	Yes	Yes	New Jersey incorporates 10 CFR 32.12 by reference. However due to a rule change in

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	material transfer reports					2007 10 CFR 32.12 was changed back to a Compatibility category NRC and should therefore not be incorporated by reference. New Jersey needs to not incorporate 10 CFR 32.12 by reference in order to meet the Compatibility Category NRC designation assigned to 10 CFR 32.12.
§32.13	Same: Prohibition of introduction	7.28-53.1	C	No	N/A	
§32.14	Certain items containing byproduct material; requirements for license to apply or initially transfer	7.28-53.1(b)(2)	NRC	No	N/A	
§32.15	Same: Quality assurance, prohibition of transfer and labeling	7.28-53.1(b)(3)	NRC	No	N/A	
§32.16	Certain items containing byproduct material:	7.28-53.1(b)(4)	NRC	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Records and reports of transfer					
§32.17	Resins containing scandium-46 and designed for sand-consolidations in oil wells: Requirements for license to manufacture, or initially transfer for sale or distribution	7.28-53.1	B	No	N/A	
§32.18	Manufacture, distribution and transfer of exempt quantities: Requirements for license	7.28-53.1(b)(5)	NRC	No	N/A	
§32.19	Same: Conditions of licenses	7.28-53.1(b)(6)	NRC	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§32.20	Same: Records and material transfer reports	7.28-53.1(b)(7)	NRC	No	N/A	
32.21	Radioactive drug: Manufacture, preparation or transfer for commercial distribution of capsules containing carbon-14 urea each for "in vivo" diagnostic use for humans to persons exempt from licensing; requirements for a license	7.28-53.1 (b)(8-9)	NRC	No	N/A	
§32.22	Self luminous products containing tritium,	7.28-53.1 (b)(10)	NRC	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	krypton-85 and promethium-147: Requirements for license to manufacture, process, produce, or initially transfer:					
§32.23	Same: Safety criteria	7.28-53.1 (b)(11)	NRC	No	N/A	
§32.24	Same: Table of organ doses	7.28-53.1	B	No	N/A	
§32.25	Conditions of licenses issued under §32.22: Quality Control, labeling and reports of transfer	7.28-53.1 (b)(12)	NRC	No	N/A	
§32.26	Gas and aerosol detectors	7.28-53.1 (b)(13)	NRC	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	containing byproduct material: Requirements for license to manufacture, process, produce or initially transfer					
§32.27	Same: Safety criteria	7.28-53.1 (b)(14)	NRC	No	N/A	
§32.28	Same: Table of organ doses	7.28-53.1 (b)(15)	NRC	No	N/A	
§32.29	Conditions of licenses issued under §32.26: Quality control, labeling and reports of transfer	7.28-53.1 (b)(16)	NRC	No	N/A	
§32.40	Schedule A: Prototype tests for	7.28-53.1 (b)(17)	NRC	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	automobile lock illuminators					
§32.51	Byproduct material contained in devices for use under §31.5: Requirements for license to manufacture or initially transfer	7.28-53.1 and 7:28-53.1 (c)(5-8)	B	No	N/A	
§32.51a	Same: Conditions of licenses	7.28-53.1 and 7:28-53.1 (c)(9-12)	B	No	N/A	
§32.52	Same: Material transfer reports and records	7.28-53.1 and 7:28-53.1 (c)(1)	B	No	N/A	
§32.53	Luminous safety devices for use in aircraft: Requirement	7.28-53.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	s for license to manufacture, assemble, repair or initially transfer					
§32.54	Same: Labeling of devices	7.28-53.1 and 7:28-53.1 (c)(13)	B	No	N/A	
32.55	Same: Quality assurance; prohibition of transfer	7.28-53.1	B	No	N/A	
§32.56	Same: Material transfer reports	7.28-53.1 and 7:28-53.1 (c)(2)	B	No	N/A	
§32.57	Calibration or reference sources Am-241: Requirements for license to manufacture or initially transfer	7.28-53.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§32.58	Same: Labeling of devices	7.28-53.1	B	No	N/A	
§32.59	Same: Leak testing of each source	7.28-53.1	B	No	N/A	
§32.60	[Reserved]					
§32.61	Ice detection devices containing strontium-90; Requirements for license to manufacture or initially transfer	7.28-53.1 and 7:28-53.1 (c)(14)	B	No	N/A	
§32.62	Same: Quality Assurance; prohibition of transfer	7.28-53.1	B	No	N/A	
§32.71	Manufacture and distribution of byproduct material for certain in vitro clinical	7.28-53.1 and 7:28-53.1 (c)(15-16)	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	or laboratory testing under general license					
§32.72	Manufacture, preparation or transfer for commercial distribution of radioactive drugs containing byproduct material for medical use under Part 35	7.28-53.1	B	No	N/A	
§32.74	Manufacture and distribution of sources or devices containing byproduct material for medical use	7.28-53.1	B	No	N/A	
§32.101	Schedule B-prototype tests for	7.28-53.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	luminous safety devices for use in aircraft					
§32.102	Schedule C-prototype tests for calibration or reference sources containing americium-241	7.28-53.1	B	No	N/A	
§32.103	Schedule D-prototype tests for ice detection devices containing strontium 90	7.28-53.1	B	No	N/A	
§32.110	Acceptance sampling procedures under specific	7.28-53.1	B	No	N/A	
§32.210	Registration of product information	7.28-53.1 (b)(18)	B- for States that perform SS&D evaluations	No	N/A	This is a Compatibility Category D for New Jersey since New Jersey does not plan to have an SS&D program.

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
			D- for States that do not perform SS&D evaluations			
§32.301	Violations		D	N/A	N/A	
§32.303	Criminal penalties		D	N/A	N/A	

10 CFR PART 33

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
33.1	Purpose and Scope	7:28-54.1	D	N/A		
33.8	Information Collection Requirements: OMB Approval		D	N/A		
33.11	Types of specific licenses of broad scope		D	N/A		

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
33.12	Applications for specific licenses of broad scope		D	N/A		
33.13	Requirements for the issuance of a Type A specific license of broad scope		D	N/A		
33.14	Requirements for the issuance of a Type B specific license of broad scope		D	N/A		
33.15	Requirements for the issuance of a Type C specific license of broad scope		D	N/A		
33.16	Applications for other specific licenses		D	N/A		

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
33.17	Conditions of specific licenses of broad scope		D	N/A		
33.21	Violations		D	N/A		
33.23	Criminal penalties		D	N/A		
33.100	Schedule A		D	N/A		

10 CFR PART 34

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.

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§34.1	Purpose and Scope		D	N/A		
§34.3	Definitions					
	ALARA	7:28-63.1	[A]	No	N/A	
	Annual refresher safety training	7:28-63.1	C	No	N/A	
	Associated equipment	7:28-63.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Becquerel	7:28-63.1	[A]	No	N/A	
	Certifying entity	7:28-63.1	B	No	N/A	
	Collimator	7:28-63.1	B	No	N/A	
	Control (drive) cable	7:28-63.1	B	No	N/A	
	Control drive mechanism	7:28-63.1	B	No	N/A	
	Control tube	7:28-63.1	B	No	N/A	
	Exposure head	7:28-63.1	B	No	N/A	
	Field Station	7:28-63.1	C	No	N/A	
	Gray	7:28-63.1	[A]	No	N/A	
	Guide tube (projection sheath)	7:28-63.1	B	No	N/A	
	Hands-on experience	7:28-63.1	C	No	N/A	
	Independent certifying organization	7:28-63.1	B	No	N/A	
	Industrial radiography (radiography)	7:28-63.1	B	No	N/A	
	Lay-barge	7:28-63.1	B- for States	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	radiography		that authorize licensees to perform lay-barge radiography D- for other States			
	Offshore platform radiography	7:28-63.1	B- for States that authorize platform radiography in inland waters or tidal waters subject to the States jurisdiction D- for other States	No	N/A	
	Permanent radiographic installation	7:28-63.1	C	No	N/A	
	Practical examination	7:28-63.1	C	No	N/A	
	Radiation safety officer for industrial radiography	7:28-63.1	C	No	N/A	
	Radiographer	7:28-63.1	C	No	N/A	
	Radiographer's assistant	7:28-63.1	B- for States that authorize	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
			the use of radiographer's assistants D- for other States			
	Radiographer certification	7:28-63.1	B	No	N/A	
	Radiographic exposure device	7:28-63.1	B	No	N/A	
	Radiographic operations	7:28-63.1	C	No	N/A	
	S-tube	7:28-63.1	B	No	N/A	
	Sealed source	7:28-63.1	[A]	No	N/A	
	Shielded position	7:28-63.1	C	No	N/A	
	Sievert	7:28-63.1	[A]	No	N/A	
	Source assembly	7:28-63.1	B	No	N/A	
	Source changer	7:28-63.1	B	No	N/A	
	Storage area	7:28-63.1	D	N/A		
	Storage container	7:28-63.1	B	No	N/A	
	Temporary jobsite	7:28-63.1	B	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Underwater radiography	7:28-63.1	B- for States that authorize under-water radiography D- for other States	No	N/A	
§34.5	Interpretations		D	N/A		
§34.8	Information collection requirements: OMB approval		D	N/A		
§34.11	Application for a specific license		D	N/A		
§34.13	Specific license for industrial radiography	7:28-63.1 and 7:28-63.1 (c)(4)	C	No	N/A	
§34.20	Performance requirements of industrial radiography equipment	7:28-63.1	B	No	N/A	
§34.20 (a)(2)	Performance requirements of industrial radiography equipment		D	N/A		

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§34.21	Limits on external radiation from storage containers and source changers	7:28-63.1	B	No	N/A	
§34.23	Locking of radiographic exposure devices, storage containers and source changers	7:28-63.1	B	No	N/A	
§34.25	Radiation survey instruments	7:28-63.1 and 7:28-63.1 (c)(5)	C	No	N/A	
§34.27	Leak testing and replacement of sealed sources	7:28-63.1 and 7:28-63.1 (c)(6-7)	C	No	N/A	
§34.29	Quarterly Inventory	7:28-63.1	C	No	N/A	
§34.31	Inspection and maintenance of	7:28-63.1	C	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	radiographic exposure devices, transport and storage containers, associated equipment, source changers and survey instruments					
§34.33	Permanent Radiographic Installations	7:28-63.1 and 7:28-63.1 (c)(8)	H&S	No	N/A	
§34.35	Labeling, storage, and transportation	7:28-63.1 and 7:28-63.1 (c)(9)	B	No	N/A	
§34.41	Conducting industrial radiography operations	7:28-63.1	B	No	N/A	
§34.41 (c)	Conducting industrial radiography operations	7:28-63.1	B for States which authorize offshore platform or under-water radiography or	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
			D- for other States and paragraph			
§34.41 (d)	Conducting industrial radiography operations		D	N/A		
§34.42	Radiation safety officer for industrial radiography		D	N/A		
§34.42 first sentence	Radiation safety officer for industrial radiography	7:28-63.1	H&S	No	N/A	
§34.42 (a)	Radiation safety officer for industrial radiography	7:28-63.1	C	No	N/A	
§34.43	Training	7:28-63.1 and 7:28-63.1 (c)(12-13)	B	No	N/A	
§34.43 (a)(2)	Training		D	N/A		
§34.43 (c)	Training	7:28-63.1 and 7:28-63.1 (c)(14)	B - for States that authorize the use of radiographer's	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
			assistants and D- for other States.			
§34.45	Operating and Emergency procedures	7:28-63.1 and 7:28-63.1 (c)(15)	C	No	N/A	
§34.45 (a)(9)&(b)	Operating and Emergency procedures		D	N/A		
§34.46	Supervision of radiographer's assistants	7:28-63.1	B- for States that authorize the use of radiographer's assistants D- for other States	No	N/A	
§34.47	Personnel monitoring	7:28-63.1	C	No	N/A	
§34.49 (a)(b)(c)	Radiation surveys	7:28-63.1	C	No	N/A	
§34.49 (d)	Radiation surveys	7:28-63.1	D	N/A		
§34.51	Surveillance	7:28-63.1 and 7:28-63.1 (c)(16)	C	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§34.53	Posting	7:28-63.1 and 7:28-63.1 (c)(17)	C	No	N/A	
§34.61	Records of the specific license for industrial radiography	7:28-63.1	D	N/A		
§34.63	Records of receipt and transfer of sealed sources	7:28-63.1	C	No	N/A	
§34.65	Records of radiation survey instruments	7:28-63.1	C	No	N/A	
§34.67	Records of leak testing	7:28-63.1	C	No	N/A	
§34.69	Records of quarterly inventory	7:28-63.1	C	No	N/A	
§34.71	Utilization logs	7:28-63.1	B	No	N/A	
§34.73	Records of inspection and maintenance of	7:28-63.1	C	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	radiographic exposure devices, transport and storage containers, associated equipment, source changers, and survey instruments					
§34.75	Records of alarm system and entrance control check at permanent radiographic equipment	7:28-63.1	D	N/A		
§34.79	Records of training and certification	7:28-63.1	C	No	N/A	
§34.81	Copies of operating and emergency procedures	7:28-63.1	C	No	N/A	
§34.83	Records of personnel monitoring procedures	7:28-63.1	C	No	N/A	

Regulation Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§34.85	Records of radiation surveys	7:28-63.1	D	N/A		
§34.87	Forms of records	7:28-63.1	C	No	N/A	
§34.89	Location of documents and records	7:28-63.1 and 7:28-63.1 (c)(18)	C	No	N/A	
§34.101	Notifications	7:28-63.1 and 7:28-63.1 (c)(19-21)	C	No	N/A	
§34.111	Applications for exemptions		D	N/A		
§34.121	Violations		D	N/A		
§34.123	Criminal Penalties		D	N/A		
Appendix A	Radiographer certification	7:28-63.1	B	No	N/A	

Part 35 - MEDICAL USE OF BYPRODUCT MATERIAL

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.1	Purpose and		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	scope					
§35.2	Definitions					
	Address of use		D	N/A		
	Agreement State	7:28-55.1	[B]	No	N/A	
	Area of use		D	N/A		
	Authorized medical physicist	7:28-55.1	B	No	N/A	
	Authorized nuclear pharmacist	7:28-55.1	B	No	N/A	
	Authorized user	7:28-55.1	B	No	N/A	
	Brachytherapy		D	N/A		
	Brachytherapy source		D	N/A		
	Client's address		D	N/A		
	Dedicated check source		D	N/A		
	Dentist		D	N/A		
	High dose-rate remote afterloader		D	N/A		
	Low dose-rate remote		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	afterloader					
	Management		D	N/A		
	Manual Brachytherapy		D	N/A		
	Medical event		D	N/A		
	Medical institution		D	N/A		
	Medical use	7:28-55.1	C	No	N/A	
	Medium dose-rate remote afterloader		D	N/A		
	Mobile medical service		D	N/A		
	Output		D	N/A		
	Patient intervention		D	N/A		
	Pharmacist		D	N/A		
	Physician		D	N/A		
	Podiatrist		D	N/A		
	Preceptor		D	N/A		
	Prescribed dosage		C	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	Prescribed dose		C	No	N/A	
	Pulsed dose-rate remote afterloader		D	N/A		
	Radiation safety officer	7:28-55.1	B	No	N/A	
	Sealed source	7:28-55.1	[B]	No	N/A	
	Sealed source and device registry		D	N/A		
	Stereotactic radiosurgery		D	N/A		
	Structured educational program		D	N/A		
	Teletherapy		D	N/A		
	Temporary jobsite		D	N/A		
	Therapeutic dosage		D	N/A		
	Therapeutic dose		D	N/A		
	Treatment site	7:28-55.1	C	No	N/A	
	Type of use		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	Unit dosage		D	N/A		
	Written directive		D	N/A		
§35.5	Maintenance of records		D	N/A		
§35.6	Provisions for the protection of human research subjects	7:28-55.1	C	No	N/A	
§35.7	FDA, other Federal, and State requirements		D	N/A		
§35.8	Information collection requirements: OMB Approval		D	N/A		
§35.10	Implementation		D	N/A		
§35.11	License required	7:28-55.1	[C]	No	N/A	
§35.12	Application of license, amendment, or renewal		D	N/A		
§35.13	License amendments		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.14	Notifications		D	N/A		
§35.15	Exemptions regarding Type A specific licenses of broad scope		D	N/A		
§35.18	License issuance		D	N/A		
§35.19	Specific exemptions		D	N/A		
§35.24	Authority and responsibilities for the radiation protection program	7:28-55.1 and 7:28-55.1 (c)(12)	D - paragraphs (a), (c), (d), (e), (f) and (h) H&S- paragraphs (b) and (g)	No	N/A	
§35.26	Radiation protection program changes		D	N/A		
§35.27	Supervision	7:28-55.1	H&S	No	N/A	
§35.40	Written directives	7:28-55.1	H&S - paragraphs (a) and (b) D- paragraphs (c) and (d)	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.41	Procedures for administrations requiring a written directive	7:28-55.1	H&S, paragraph (a) D- paragraphs (b) and (c)	No	N/A	
§35.49	Suppliers for sealed sources or devices for medical use	7:28-55.1	[C]	No	N/A	
§35.50	Training for Radiation Safety Officer	7:28-55.1	B	No	N/A	
§35.51	Training for an authorized medical physicist	7:28-55.1	B	No	N/A	
§35.55	Training for an authorized nuclear pharmacist	7:28-55.1	B	No	N/A	
§35.57	Training for experienced Radiation Safety Officer, teletherapy or medical physicist,	7:28-55.1	B	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	authorized user, nuclear pharmacist, and authorized nuclear pharmacist					
§35.59	Recentness of training	7:28-55.1	B	No	N/A	
§35.60	Possession, use, and calibration of instruments to measure the activity of unsealed byproduct material	7:28-55.1	H&S, paragraphs (a) and (b) D- paragraph (c)	No	N/A	
§35.61	Calibration of survey instruments	7:28-55.1 and 7:28-55.1 (c)(13)	H&S, except D- paragraphs (a)(3) and (c)	No	N/A	
§35.63	Determination of dosages of unsealed byproduct material for medical use	7:28-55.1 and 7:28-55.1 (c)(14-15)	H&S, except paragraph (e) is D.	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.65	Authorization for calibration, transmission and reference sources		D	N/A		
§35.67	Requirements for possession of sealed sources and brachytherapy sources	7:28-55.1	H&S, except D-paragraphs (d) and (f)	No	N/A	
§35.69	Labeling of vials and syringes	7:28-55.1	H&S	No	N/A	
§35.70	Surveys for ambient radiation exposure rate	7:28-55.1 and 7:28-55.1 (c)(16)	H&S, paragraph (a) D- paragraphs (b) and (c)	No	N/A	
§35.75	Release of individuals containing unsealed byproduct material or implants containing byproduct material	7:28-55.1	C, paragraphs (a) and (b) D- paragraphs (c) and (d)	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.80	Provision of mobile medical service	7:28-55.1 and 7:28-55.1 (c)(17)	H&S- paragraphs (a)(2),(a)(3), (a)(4) & (b) for those States which authorize this activity and D for States not authorizing this activity D- paragraphs (a)(1) and (c)	No	N/A	
§35.92	Decay-in-storage	7:28-55.1	H&S - for those States that authorize this activity and D for States not authorizing this activity	No	N/A	
§35.100	Use of unsealed byproduct material for uptake, dilution, and excretion studies for which a written directive is not required	7:28-55.1	H&S	No	N/A	
§35.190	Training for uptake, dilution and excretion	7:28-55.1	B	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	studies					
§35.200	Use of unsealed byproduct material for imaging and localization for which a written directive is not required	7:28-55.1	H&S	No	N/A	
§35.204	Permissible molybdenum-99 concentration	7:28-55.1	H&S, paragraphs (a) and (b) D- paragraph (c)	No	N/A	
§35.290	Training for imaging and localization studies	7:28-55.1	B	No	N/A	
§35.300	Use of unsealed byproduct material for which a written directive is required	7:28-55.1	H&S	No	N/A	
§35.310	Safety instruction	7:28-55.1 and 7:28-55.1 (c)(18-19)	H&S- paragraph (a) D- paragraph (b)	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.315	Safety precautions	7:28-55.1	H&S	No	N/A	
§35.390	Training for use of unsealed byproduct material for which a written directive is required	7:28-55.1	B	No	N/A	
§35.392	Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 Gigabecquerels (33 millicuries)	7:28-55.1	B	No	N/A	
§35.394	Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities	7:28-55.1	B	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	greater than 1.22 Gigabecquerels (33 millicuries)					
§35.396	Training for the parenteral administration of unsealed byproduct material requiring a written directive	7:28-55.1	B	No	N/A	
§35.400	Use of sealed sources for manual brachytherapy	7:28-55.1	[C]	No	N/A	
§35.404	Surveys after source implant and removal	7:28-55.1	H&S- paragraphs (a) and (b) D- paragraph (c)	No	N/A	
§35.406	Brachytherapy sources accountability	7:28-55.1	H&S- paragraphs (a) and (b) D- paragraph (c)	No	N/A	
§35.410	Safety instruction	7:28-55.1 and 7:28-55.1 (c)(20-21)	H&S- paragraph (a) D- paragraph (b)	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.415	Safety precautions	7:28-55.1	H&S	No	N/A	
§35.432	Calibration measurements of brachytherapy sources	7:28-55.1	H&S- paragraphs (a), (b), and (c) D- paragraph (d)	No	N/A	
§35.433	Decay of strontium-90 sources for ophthalmic treatments	7:28-55.1	H&S - paragraph (a) D- paragraph (b)	No	N/A	
§35.457	Therapy-related computer systems	7:28-55.1	H&S	No	N/A	
§35.490	Training for use of manual brachytherapy sources	7:28-55.1	B	No	N/A	
§35.491	Training for ophthalmic use of strontium-90	7:28-55.1	B	No	N/A	
§35.500	Use of sealed sources for diagnosis	7:28-55.1	[C]	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.590	Training for use of sealed sources for diagnosis	7:28-55.1	B	No	N/A	
§35.600	Use of a sealed source in a remote afterloader unit, teletherapy unit or gamma stereotactic radiosurgery unit	7:28-55.1	[C]	No	N/A	
§35.604	Surveys of patients and human research subjects treated with a remote afterloader unit	7:28-55.1	H&S- paragraph (a) D- paragraph (b)	No	N/A	
§35.605	Installation, maintenance, adjustment and repair	7:28-55.1	H&S - paragraphs (a), (b), and (c) D- paragraph (d)	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.610	Safety procedures and instructions for remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units	7:28-55.1	H&S paragraphs (a), (b), (c), (d), and (e) D- paragraphs (f) and (g)	No	N/A	
§35.615	Safety precautions for remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units	7:28-55.1	H&S	No	N/A	
§35.630	Dosimetry equipment	7:28-55.1	H&S- paragraphs (a) and (b) D- paragraph (c)	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.632	Full calibration measurements on teletherapy units	7:28-55.1	H&S-paragraphs (a), (b), (c), (d), (e), and (f) D- paragraph (g)	No	N/A	
§35.633	Full calibration measurements on remote afterloader units	7:28-55.1	H&S-paragraphs (a), (b), (c), (d), (e), (f), (g), and (h) D- paragraph (i)	No	N/A	
§35.635	Full calibration measurements on gamma stereotactic radiosurgery units	7:28-55.1	H&S- paragraphs (a), (b), (c), (d), (e) and (f) D- paragraph (g)	No	N/A	
§35.642	Periodic spot-checks for Teletherapy units	7:28-55.1	H&S- paragraphs (a), (b), (c), (d), and (e) D- paragraph f	No	N/A	
§35.643	Periodic spot-checks for remote afterloader units	7:28-55.1	H&S- paragraphs (a), (b), (c), (d), and (e) D- paragraph f	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.645	Periodic spot-checks for gamma stereotactic radiosurgery units	7:28-55.1	H&S, except D- paragraph (g)	No	N/A	
§35.647	Additional technical requirements for mobile remote afterloader units	7:28-55.1	H&S- paragraphs (a), (b), (c), and (d) for those States which authorize this activity, or D - for States not authorizing this activity D- paragraph (e)	No	N/A	
§35.652	Radiation surveys	7:28-55.1 and 7:28-55.1 (c)(22)	H&S- paragraphs (a) and (b) D- paragraph (c)	No	N/A	
§35.655	Five-year inspection for teletherapy and gamma stereotactic radiosurgery units	7:28-55.1	H&S- paragraphs (a) and (b) D- paragraph (c)	No	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.657	Therapy-related computer systems	7:28-55.1	H&S	No	N/A	
§35.690	Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units	7:28-55.1	B	No	N/A	
§35.1000	Other medical uses of byproduct material or radiation from byproduct material		D	N/A	N/A	
§35.2024	Records of authority and responsibilities for radiation protection programs		D	N/A	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.2026	Records of radiation protection program changes		D	N/A	N/A	
§35.2040	Records of written directives		D	N/A	N/A	
§35.2041	Records for procedures for administrations requiring a written directive		D	N/A	N/A	
§35.2060	Records of calibrations of instruments used to measure the activity of unsealed byproduct materials		D	N/A	N/A	
§35.2061	Records of radiation survey instrument calibrations		D	N/A	N/A	

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.2063	Records of dosage of unsealed byproduct material for medical use		D	N/A	N/A	
§35.2067	Records of leak test and inventory of sealed sources and brachytherapy sources		D	N/A		
§35.2070	Records of surveys for ambient radiation exposure rate		D	N/A		
§35.2075	Records of the release of individuals containing unsealed byproduct material or implants containing byproduct		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	material					
§35.2080	Records of mobile medical services		D	N/A		
§35.2092	Records of decay-in-storage		D	N/A		
§35.2204	Records of molybdenum-99 concentrations		D	N/A		
§35.2310	Records of safety instruction		D	N/A		
§35.2404	Records of surveys after source implant and removal		D	N/A		
§35.2406	Records of brachytherapy source accountability		D	N/A		
§35.2432	Records of calibration		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	measurements of brachytherapy sources					
§35.2433	Records of decay of strontium-90 sources for ophthalmic treatments		D	N/A		
§35.2605	Records of installation, maintenance, adjustment and repair of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units		D	N/A		
§35.2610	Records of safety procedures		D	N/A		
	Records of					

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.2630	dosimetry equipment used for remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units		D	N/A		
§35.2632	Records of teletherapy, remote afterloader, and gamma stereotactic radiosurgery full calibrations		D	N/A		
§35.2642	Records of periodic spot-checks for teletherapy units		D	N/A		
§35.2643	Records of periodic spot-checks for remote		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
	afterloader units					
§35.2645	Records of periodic spot-checks for gamma stereotactic radiosurgery units		D	N/A		
§35.2647	Records of additional technical requirements for mobile remote afterloader units		D	N/A		
§35.2652	Records of surveys of therapeutic treatment units		D	N/A		
§35.2655	Records of 5-year inspection of teletherapy and gamma stereotactic radiosurgery units		D	N/A		

REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	COMMENTS
§35.3045	Report and notification of a medical event	7:28-55.1 and 7:28-55.1 (c)(23)	C	No	N/A	
§35.3047	Report and notification of a dose to an embryo/fetus or a nursing child	7:28-55.1 and 7:28-55.1 (c)(24-25)	C	No	N/A	
§35.3067	Report of a leaking source	7:28-55.1 and 7:28-55.1 (c)(26)	C	No	N/A	
§35.4001	Violations		D	N/A		
§35.4002	Criminal penalties		D	N/A		

10 CFR PART 36

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
§36.1 (a)	Purpose and Scope		D	N/A		
§36.1 (b)&(c)	Purpose and Scope	7.28-56.1	C	No	N/A	
§36.2	Definitions					
	Annually		D	N/A		
	Doubly encapsulated sealed source	7.28-56.1	C	No	N/A	
	Irradiator		D	N/A		
	Irradiator operator		D	N/A		
	Panoramic dry-source-storage irradiator		D	N/A		
	Panoramic irradiator		D	N/A		
	Panoramic wet-source-storage irradiator		D	N/A		

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
	Pool irradiator		D	N/A		
	Product conveyer system		D	N/A		
	Radiation room		D	N/A		
	Radiation Safety Officer		D	N/A		
	Sealed source	7.28-56.1	[B]	No	N/A	
	Seismic area		D	N/A		
	Underwater irradiator		D	N/A		
§36.5	Interpretations		D	N/A		
§36.8	Information collection requirements: OMB approval		D	N/A		
§36.11	Application for a specific license		D	N/A		
§36.13	Specific licenses for irradiators	7.28-56.1	H&S	No	N/A	
§36.15	Start of construction		D	N/A		
§36.17	Applications for exemptions		D	N/A		
§36.19	Request for written		D	N/A		

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
	statements					
§36.21	Performance criteria for sealed sources	7.28-56.1	B	No	N/A	
§36.23	Access control	7.28-56.1 and 7:28-56.1 (c)(5)	H&S	No	N/A	
§36.25	Shielding	7.28-56.1	H&S	No	N/A	
§36.27	Fire protection	7.28-56.1	H&S	No	N/A	
§36.29	Radiation monitors	7.28-56.1	H&S	No	N/A	
§36.31	Control of source movement	7.28-56.1	H&S	No	N/A	
§36.33	Irradiator pools	7.28-56.1	H&S	No	N/A	
§36.35	Source rack protection		D	N/A		
§36.37	Power failures	7.28-56.1	H&S	No	N/A	
§36.39	Design requirements	7.28-56.1	H&S	No	N/A	
§36.41	Construction monitoring and acceptance testing	7.28-56.1	H&S	No	N/A	
§36.51	Training	7.28-56.1	H&S	No	N/A	

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
§36.53	Operating and emergency procedures	7.28-56.1	H&S	No	N/A	
§36.55	Personnel monitoring	7.28-56.1 and 7:28-56.1 (c)(6)	H&S	No	N/A	
§36.57	Radiation surveys	7.28-56.1 and 7:28-56.1 (c)(7)	H&S	No	N/A	
§36.59	Detection of leaking sources	7.28-56.1 and 7:28-56.1 (c)(8)	H&S	No	N/A	
§36.61	Inspection and maintenance	7.28-56.1	H&S	No	N/A	
§36.63	Pool water purity	7.28-56.1	H&S	No	N/A	
§36.65	Attendance during operation	7.28-56.1	H&S	No	N/A	
§36.67	Entering and leaving	7.28-56.1	H&S	No	N/A	
§36.69	Irradiation of explosive or inflammable materials	7.28-56.1	H&S	No	N/A	

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
§36.81	Records and retention periods		D	N/A		
§71.83	Reports	7.28-56.1	C	No	N/A	
§71.91	Violations		D	N/A		
§71.93	Criminal penalties		D	N/A		

10 CFR PART 39

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
§39.1	Purpose and Scope		D	N/A		
§39.2	Definitions					
	Energy compensation source	7:28-57.1	B	No	N/A	
	Field station	7:28-57.1	B	No	N/A	
	Fresh water aquifer		D	N/A		
	Injection tool		D	N/A		

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
	Irretrievable well logging source		D	N/A		
	Licensed material		D	N/A		
	Logging assistant		D	N/A		
	Logging supervisor	7:28-57.1	C	No	N/A	
	Logging tool		D	N/A		
	Personal supervision		D	N/A		
	Radioactive marker		D	N/A		
	Safety review		D	N/A		
	Sealed source	7:28-57.1	[B]	No	N/A	
	Source holder		D	N/A		
	Subsurface tracer study		D	N/A		
	Surface casting for protecting fresh water aquifers		D	N/A		

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
	Temporary jobsite		D	N/A		
	Tritium neutron generator target source	7:28-57.1	B	No	N/A	
	Uranium sinker bar		D	N/A		
	Well		D	N/A		
	Well logging	7:28-57.1	C	No	N/A	
§39.5	Interpretations		D	N/A		
§39.8	Information collection requirements: OMB approval		D	N/A		
§39.11	Application for a specific license		D	N/A		
§39.13	Specific licenses for well logging	7:28-57.1	H&S	No	N/A	
§39.15	Agreement with well owner or operator	7:28-57.1 and 7:28-57.1 (c)(4)	C	No	N/A	
§39.17	Request for		D	N/A		

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
	written statements					
§39.31 (a)	Labels, security, and transportation precautions		D	N/A		
§39.31 (b)	Labels, security, and transportation precautions	7:28-57.1	C	No	N/A	
§39.33 (a)(c)	Radiation detection instruments	7:28-57.1 and 7:28-57.1 (c)(7)	C	No	N/A	
§39.33 (b)	Radiation detection instruments		D	N/A		
§39.35	Leak testing of sealed sources	7:28-57.1 and 7:28-57.1 (c)(8)	C	No	N/A	
§39.37	Physical inventory	7:28-57.1	H&S	No	N/A	
§39.39	Records of material use	7:28-57.1	C	No	N/A	
§39.41	Design and performance	7:28-57.1	B	No	N/A	

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
	criteria for sealed sources					
§39.43	Inspection, maintenance, and opening of a source or source holder	7:28-57.1	C	No	N/A	
§39.45	Subsurface tracer studies	7:28-57.1	C	No	N/A	
§39.47	Radioactive markers		D	N/A		
§39.49	Uranium sinker bars	7:28-57.1	C	No	N/A	
§39.51	Use of sealed source in a well without surface casing		D	N/A		
§39.53	Energy compensation source	7:28-57.1	C	No	N/A	
§39.55	Tritium neutron generator target source	7:28-57.1	C	No	N/A	
§39.61	Training	7:28-57.1 and 7:28-57.1 (c)(9-10)	B	No	N/A	

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
§39.63	Operating & Emergency procedures	7:28-57.1 and 7:28-57.1 (c)(11)	C	No	N/A	
§39.65 (a)	Personnel monitoring	7:28-57.1	C	No	N/A	
§39.65 (b)(c)	Personnel monitoring	7:28-57.1	D	N/A		
§39.67	Radiation surveys	7:28-57.1	C	No	N/A	
§39.69	Radioactive contamination control	7:28-57.1	C	No	N/A	
§39.71	Security	7:28-57.1 and 7:28-57.1 (c)(12)	C	No	N/A	
§39.73	Documents & records required at field stations	7:28-57.1 and 7:28-57.1 (c)(13)	C	No	N/A	
§39.75	Documents & records required at temporary job sites	7:28-57.1 and 7:28-57.1 (c)(14)	C	No	N/A	

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
§39.77 (a)(c)(d)	Notification of incidents: abandonment procedures for irretrievable sources	7:28-57.1	C	No	N/A	
§39.77 (b)	Notification of incidents: abandonment procedures for irretrievable sources		D	N/A		
§39.91	Applications for exemptions		D	N/A		
§39.101	Violations		D	N/A		
§39.103	Criminal penalties		D	N/A		

10 CFR PART 40

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

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
§40.1	Purpose		D	N/A		
§40.2	Scope		D	N/A		
§40.2a	Coverage of inactive tailings sites	7:28-58.1 (b)(1)	A- States with authority to regulate uranium mill activities (11e.(2) byproduct material) D- States without authority	No	N/A	State is not seeking authority to regulate uranium mill activities.
§40.3	License requirements	7:28-58.1	C	No	N/A	
§40.4	Definitions					
	Act		D	N/A		
	Agreement State	7:28-58.1	[B]	No	N/A	
	Alert	7:28-58.1	[A]	No	N/A	
	Byproduct material	7:28-58.1	[A]	No	N/A	
	Commencement of construction	7:28-58.1	C for States with uranium mill authority or	No	N/A	State is not seeking authority to regulate uranium mill activities; however, State has incorporated this regulation by reference. This is acceptable.

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
			D-States without uranium mill authority			
	Commission		D	N/A		
	Corporation		D	N/A		
	Decommission	7:28-58.1	[C]	No	N/A	
	Department of Energy		[D]	N/A		
	Depleted uranium	7:28-58.1	A	No	N/A	
	Effective kilogram		D	N/A		
	Government agency		D	N/A		
	License		[D]	N/A		
	Persons	7:28-58.1	[C]	No	N/A	
	Pharmacist		[D]	N/A		
	Physician		[D]	N/A		

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
	Principle activities		[D]	N/A		
	Residual radioactive material	7:28-58.1	A- States with authority to regulate uranium mill activities (11.e(2) byproduct material) D- States without authority	No	N/A	State is not seeking authority to regulate uranium mill activities; however, State has incorporated this regulation by reference. This is acceptable.
	Site area emergency	7:28-58.1	[A]	No	N/A	
	Source material	7:28-58.1	[A]	No	N/A	
	Special nuclear material	7:28-58.1	[A]	No	N/A	
	Transient shipment		[D]	N/A		
	United States		[D]	N/A		
	Unrefined and unprocessed ore	7:28-58.1	B	No	N/A	

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
	Uranium enrichment facility		[D]	N/A		
	Uranium milling	7:28-58.1	A States with authority to regulate uranium mill activities (11.e(2) byproduct material) D- States without this authority	No	N/A	State is not seeking authority to regulate uranium mill activities; however, State has incorporated this regulation by reference. This is acceptable.
§40.5	Communications		D	N/A		
§40.6	Interpretations		D	N/A		
§40.7	Employee protection		D	N/A		
§40.8	Information collection		D	N/A		

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
	requirements: OMB approval					
§40.9	Completeness and accuracy of information		D	N/A		
§40.10	Deliberate misconduct	7:28-58.1	C	No	N/A	
§40.11	Persons using source material under certain Department of Energy and Nuclear Regulatory Commission contracts	7:28-58.1	B	No	N/A	
§40.12	Carriers	7:28-58.1	B	No	N/A	
§40.12 (b)	Carriers	7:28-58.1 (b)(5)	NRC	No	N/A	
§40.13	Unimportant quantities of source material	7:28-58.1	B	No	N/A	
§40.14	Specific exemptions		D	N/A		
§40.20	Types of licenses		D	N/A		

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
§40.20 (a)	Types of licenses	7:28-58.1	C	No	N/A	
§40.21	General license to receive title to source or byproduct material	7:28-58.1 and 7:28-58.1 (c)(5)	C	No	N/A	
§40.22	Small quantities of source material	7:28-58.1 and 7:28-58.1 (c)(6)	B	No	N/A	
§40.23	General license for carriers of transient shipments of natural uranium other than in the form of ore or ore residue	7:28-58.1 (b)(7)	NRC	No	N/A	
§40.24	Reserved					
§40.25	General license for use of certain industrial products or	7:28-58.1 and 7:28-58.1 (c)(7-9)	C	No	N/A	

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
	devices					
§40.26	General license for possession and storage of byproduct material as defined in this part	7:28-58.1 (b)(8)	C- States with authority to regulate uranium mill activities (11e.(2) byproduct material) D- States without authority	N/A		State is not seeking authority to regulate uranium mill activities.
§40.27	General license for custody and long-term care of residual radioactive material disposal sites	7:28-58.1 (b)(9)	NRC	No	N/A	
§40.28	General license for custody and long-term care of uranium or thorium byproduct materials disposal sites	7:28-58.1 (b)(10)	NRC	No	N/A	

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
§40.31	Application for specific licenses		D	N/A		
§40.31 (i)	Application for specific licenses	7:28-58.1	H&S	No	N/A	
§40.31 (j)(k)(l)	Application for specific licenses	7:28-58.1 (b)(11)	NRC	No	N/A	
§40.32 (a)(f)	General requirements for issuance of specific licenses		D	N/A		
§40.32 (b), (c), and the portions of paragraph (e) which apply to uranium mills for States with uranium mill authority	General requirements for issuance of specific licenses	7:28-58.1	H&S	No	N/A	
§40.32 (d), (g), and	General requirements	7:28-58.1 (b)(120)	NRC	No	N/A	

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
those portions of paragraph (e) which apply to uranium enrichment and uranium hexafluoride facilities	for issuance of specific licenses					
§40.33	Issuance of a license for a uranium enrichment facility	7:28-58.1 (b)(13)	NRC	No	N/A	
§40.34 (a)(1),(b)(c)	Special requirements for issuance of specific licenses		D	N/A		
§40.34 (a)(2)&(a)(3)	Special requirements for issuance of specific licenses	7:28-58.1 and 7:28-58.1 (c)(12)	B	No	N/A	
§40.35 (a)	Conditions of specific licenses issued	7:28-58.1	C	No	N/A	

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
	pursuant to §40.34					
§40.35 (b)(c)	Conditions of specific licenses issued pursuant to §40.34	7:28-58.1	B	No	N/A	
§40.35 (d)(e)(f)	Conditions of specific licenses issued pursuant to §40.34		D	N/A		
§40.36 (a)(b)(d)(f)	Financial assurance and recordkeeping for decommissioning	7:28-58.1 and 7:28-58.1 (c)(21-23)	H&S	No	N/A	
§40.36 (c)(e)	Financial assurance and recordkeeping for decommissioning		D	N/A		
§40.38	Ineligibility of certain applicants	7:28-58.1 (b)(15)	NRC	No	N/A	
§40.41	Terms and	7:28-58.1	C	No	N/A	

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
(a)(b)(c)	conditions of licenses	and 7:28-58.1 (c)(19)				
§40.41 (d),(e)(1),(e)(3)&(g)	Terms and conditions of licenses	7:28-58.1 (b)(16)	NRC	Yes	Yes	<p>New Jersey incorporates 10 CFR 40.41 (d), (e)(1), and (e)(3) by reference. These are Compatibility Category NRC and should not be incorporated by reference.</p> <p>New Jersey needs to amend 7:28-58.1(b)(16) to state "10 CFR 40.41(d), (e)(1), (e)(3), and (g) Terms and..." in order to meet the Compatibility Category NRC designation assigned to 10 CFR 40.41 (d), (e)(1), (e)(3), and (g).</p>
§40.41 (e)(2)&(e)(4)	Terms and conditions of licenses		D	N/A		
§40.41 (f)	Terms and conditions of licenses	7:28-58.1 and 7:28-58.1 (c)(20)	H&S	No	N/A	
§40.42 (a), (b) & (k)(4)	Expiration and termination of licenses and decommissioning of sites and separate buildings or		D	N/A		

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
	outdoor areas					
§40.42 (c), (d), (e), (f), (g), (h), (i),(j) & (k)(1), (2), (3)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	7:28-58.1 and 7:28-58.1 (c)(24-26)	H&S	No	N/A	
§40.43	Renewal of licenses		D	N/A		
§40.44	Amendment of licenses at request of licensee		D	N/A		
§40.45	Commission action on application to renew or amend		D	N/A		
§40.46	Inalienability of licenses	7:28-58.1	C	No	N/A	
§40.51 (a),(b)(1)- (b)(5), (b)(7), (c),(d)	Transfer of source or byproduct material	7:28-58.1	C	No	N/A	
§40.51	Transfer of	7:28-58.1	NRC	No	N/A	

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
(b)(6)	source or byproduct material	(b)(17)				
§40.60 (a),(b),(c)(1) &(2)	Reporting requirements	7:28-58.1 and 7:28-58.1 (c)(29-31)	C	No	N/A	
§40.60 (c)(3)	Reporting requirements		D	N/A		
§40.61 (a)(b)	Records	7:28-58.1	C	No	N/A	
§40.61 (c)(f)	Records		D	N/A		
§40.61 (d)(e)	Records	7:28-58.1 and 7:28-58.1 (c)(33-35)	H&S	No	N/A	
§40.62	Inspections		D	N/A		
§40.63	Tests		D	N/A		
§40.64	Reports	7:28-58.1 (b)(18)	NRC	No	N/A	
§40.65	Effluent monitoring reporting requirements	7:28-58.1 (b)(19)	C - States with authority to regulate uranium mill activities	No	N/A	State is not seeking authority to regulate uranium mill activities.

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
			(11e.(2) byproduct material) D - States without authority			
§40.66	Requirements for advance notice of export shipments of natural uranium	7:28-58.1 (b)(20)	NRC	No	N/A	
§40.67	Requirement for advance notice of importation of natural uranium from countries that are not party to the Convention on the Physical Protection of Nuclear Material	7:28-58.1 (b)(21)	NRC	No	N/A	
§40.71	Modification and revocation of licenses		D	N/A		

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
§40.81	Violations		D	N/A		
§40.82	Criminal penalties		D	N/A		
APPENDIX A	7:28-58.1 (b)(22)	7:28-58.1	Definitions -A for States with authority to regulate uranium mill activities (11e.(2) byproduct material) Criterion 11A.thru F and Criterion 12 are NRC. All of the remaining portions of the section are C- for States with authority to regulate uranium mill activities or D- States without authority	No	N/A	State is not seeking authority to regulate uranium mill activities; however, State has incorporated this regulation by reference. This is acceptable.

10 CFR PART 61

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
§61.1	Purpose & Scope		D	N/A		
§61.2	Definitions					
	Active maintenance	7:28-59.1	H&S	No	N/A	
	Buffer zone		D	N/A		
	Chelating Agent		D	N/A		
	Commencement of construction		D	N/A		
	Commission		D	N/A		
	Custodial Agency		D	N/A		
	Director		D	N/A		
	Disposal	7:28-59.1	C	No	N/A	
	Disposal site	7:28-59.1	C	No	N/A	
	Disposal unit		D	N/A		
	Engineered		D	N/A		

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
	barrier					
	Explosive material		D	N/A		
	Government agency		D	N/A		
	Hazardous waste	7:28-59.1	C	No	N/A	
	Hydrogeologic unit		D	N/A		
	Inadvertent intruder	7:28-59.1	C	No	N/A	
	Indian Tribe		D	N/A		
	Intruder barrier	7:28-59.1	C	No	N/A	
	Land disposal facility	7:28-59.1	B	No	N/A	
	License		[D]	N/A		
	Monitoring	7:28-59.1	C	No	N/A	
	Near-surface disposal facility		D	N/A		
	Person	7:28-59.1	[C]	No	N/A	
	Pyrophoric		D	N/A		

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
	liquid					
	Site closure and stabilization		D	N/A		
	State		D	N/A		
	Stability		D	N/A		
	Surveillance		D	N/A		
	Tribal governing body		D	N/A		
	Waste	7:28-59.1	B	No	N/A	
§61.3	License required	7:28-59.1	C	No	N/A	
§61.4	Communications		D	N/A		
§61.5	Interpretations		D	N/A		
§61.6	Exemptions		D	N/A		
§61.7	Concepts	7:28-59.1 and 7:28-59.1 (c)(4) and (16)	H&S	No	N/A	
§61.8	Information collection		D	N/A		

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
	requirements: OMB approval					
§61.9	Employee protection		D	N/A		
§61.9a	Completeness and accuracy of information		D	N/A		
§61.9b	Deliberate misconduct	7:28-59.1	C	No	N/A	
§61.10	Content of application		D	N/A		
§61.11	General information		D	N/A		
§61.12	Specific technical information		D	N/A		
§61.13	Technical analysis	7:28-59.1 and 7:28-59.1 (c)(6)	H&S	No	N/A	
§61.14	Institutional information	7:28-59.1	H&S	No	N/A	
§61.15	Financial information		D	N/A		

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
§61.16	Other information	7:28-59.1 (b)(3) and (c)(18-20)	NRC	Yes	Yes	<p>Although New Jersey states that they do not incorporate 10 CFR 61.16 by reference in 7:28-59.1(b)(3), they state in 7:28-59.1(c)(18-20) that this section is incorporated by reference with specified changes.</p> <p>New Jersey needs to keep 7:28-59.1(b)(3) and delete 7:28-59.1(c)(18-20) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 61.16.</p>
§61.20	Filing and distribution of application		D	N/A		
§61.21	Elimination of repetition		D	N/A		
§61.22	Updating of application		D	N/A		
§61.23 (a)-(h)	Standards for issuance of a license	7:28-59.1 and 7:28-59.1 (c)(7)	H&S	No	N/A	
§61.23 (i)(j)	Standards for issuance of a license	7:28-59.1 (b)(4) and (c)(22-23)	NRC	Yes	Yes	<p>Although New Jersey states that they do not incorporate 10 CFR 61.23(j) by reference in 7:28-59.1(b)(4), they state in 7:28-59.1(c)(22-23) that this section is incorporated by reference with specified</p>

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
						changes. New Jersey needs to keep 7:28-59.1(b)(4) and delete 7:28-59.1(c)(22-23) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 61.23(i)(j).
§61.23 (k)(l)	Standards for issuance of a license		D	N/A		
§61.24	Conditions of licenses		D	N/A		
§61.25	Changes		D	N/A		
§61.26	Amendment of license		D	N/A		
§61.27	Application for renewal or closure		D	N/A		
§61.28	Contents of application for closure		D	N/A		
§61.29	Post-closure observation and maintenance		D	N/A		
§61.30	Transfer of	7:28-59.1	H&S	No	N/A	

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
	license					
§61.31	Termination of license		D	N/A		
§61.40	General requirement		D	N/A		
§61.41	Protection of the general population from releases of radioactivity	7:28-59.1	A	No	N/A	
§61.42	Protection of individuals from inadvertent intrusion	7:28-59.1	H&S	No	N/A	
§61.43	Protection of individuals during operations	7:28-59.1 and 7:28-59.1 (c)(12)	H&S	No	N/A	
§61.44	Stability of the disposal site after closure	7:28-59.1	H&S	No	N/A	
§61.50	Disposal site suitability requirements for land disposal	7:28-59.1	H&S	No	N/A	

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
§61.51	Disposal site design for land disposal	7:28-59.1	H&S	No	N/A	
§61.52	Land disposal facility operation and disposal site closure	7:28-59.1 and 7:28-59.1 (c)(8)	H&S	No	N/A	
§61.53	Environmental monitoring	7:28-59.1	H&S	No	N/A	
§61.54	Alternative requirements for design and operations	7:28-59.1	H&S	No	N/A	
§61.55	Waste classification	7:28-59.1	B	No	N/A	
§61.56	Waste characteristics	7:28-59.1	H&S	No	N/A	
§61.57	Labeling	7:28-59.1	H&S	No	N/A	
§61.58	Alternative requirements for waste classification and characteristics		D	N/A		
§61.59	Institutional requirements	7:28-59.1	H&S	No	N/A	

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
§61.61	Applicant qualifications and assurances		D	N/A		
§61.62	Funding for disposal site closure and stabilization	7:28-59.1	H&S	No	N/A	
§61.63	Financial assurances for institutional controls	7:28-59.1	H&S	No	N/A	
§61.70	Scope		D	N/A		
§61.71	State and Tribal government consultation		D	N/A		
§61.72	Filing of proposals for State and Tribal participation		D	N/A		
§61.73	Commission approval of proposals		D	N/A		
§61.80	Maintenance	7:28-59.1	C	No	N/A	

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
	of records, reports, and transfers	and 7:28-59.1 (c)(10) and (26-28)				
§61.81	Tests at land disposal facilities		D	N/A		
§61.82	Commission inspections of land disposal facilities		D	N/A		
§61.83	Violations		D	N/A		
§61.84	Criminal penalties		D	N/A		

10 CFR PART 70

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
§70.1	Purpose		D	N/A		

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
§70.1 (c)(d)(e)	Purpose	7:28-60.1 (b)(1)	NRC	No	N/A	
§70.2	Scope		D	N/A		
§70.3	License requirements	7:28-60.1	C	No	N/A	
§70.4	Definitions					
	Act		D	N/A		
	Acute	7:28-60.1	A	No	N/A	
	Agreement State	7:28-60.1	[B]	No	N/A	
	Alert	7:28-60.1	[A]	No	N/A	
	Atomic Energy		D	N/A		
	Atomic Weapon		D	N/A		
	Available and reliable to perform function when needed		D	N/A		
	Commencement of construction		[D]	N/A		
	Commission		D	N/A		

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
	Common defense and security		D	N/A		
	Configuration management (CM)		D	N/A		
	Contiguous sites		D	N/A		
	Corporation		[D]	N/A		
	Critical mass of special nuclear material		D	N/A		
	Decommission	7:28-60.1	[C]	No	N/A	
	Department or Department of Energy		[D]	N/A		
	Double contingency principle		D	N/A		
	Effective dose equivalent	7:28-60.1	[A]	No	N/A	

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
	Effective kilograms of special nuclear material		D	N/A		
	Formula quantity		D	N/A		
	Government agency		D	N/A		
	Hazardous chemicals produced from licensed materials		D	N/A		
	Integrated safety analysis (ISA)		D	N/A		
	Integrated safety analysis (ISA) summary		D	N/A		
	Items relied on for safety		D	N/A		
	License		[D]	N/A		
	Management		D	N/A		

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
	measures					
	Person	7:28-60.1 and 7:28-60.1 (c)(2)	[C]	No	N/A	
	Plutonium processing and fuel fabrication plant		D	N/A		
	Principal activities		[D]	N/A		
	Produce		D	N/A		
	Research and development		D	N/A		
	Restricted data		D	N/A		
	Sealed source	7:28-60.1	[B]	No	N/A	
	Site area emergency	7:28-60.1	[A]	No	N/A	
	Source material	7:28-60.1	[A]	No	N/A	
	Special	7:28-60.1	[A]	No	N/A	

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
	nuclear material					
	Special nuclear material of low strategic significance		D	N/A		
	Special nuclear material of moderate strategic significance		D	N/A		
	Special nuclear material scrap		D	N/A		
	Strategic special nuclear material		D	N/A		
	Transient shipment		D	N/A		
	Unacceptable performance deficiencies		D	N/A		

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
	United States		[D]	N/A		
	Uranium enrichment facility		[D]	N/A		
	Worker	7:28-60.1	[C]	No	N/A	
§70.5	Communications		D	N/A		
§70.6	Interpretations		D	N/A		
§70.7	Employee protection		D	N/A		
§70.8	Information collection requirements ; OMB approval		D	N/A		
§70.9	Completeness and accuracy of information		D	N/A		
§70.10	Deliberate misconduct	7:28-60.1	C	No	N/A	
§70.11	Persons using special nuclear material	7:28-60.1 and 7:28-60.1 (c)(3)	B	No	N/A	

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
	under certain DOE and NRC contracts					
§70.12	Carriers	7:28-60.1	B	No	N/A	
§70.13	Department of Defense	7:28-60.1 (b)(5)	NRC	No	N/A	
§70.14	Foreign military aircraft	7:28-60.1 (b)(6)	NRC	No	N/A	
§70.17	Specific exemption		D	N/A		
§70.18	Types of licenses	7:28-60.1	C	No	N/A	
§70.19	General license for calibration or reference sources	7:28-60.1 and 7:28-60.1 (c)(5)	C	No	N/A	
§70.20	General license to own special nuclear material	7:28-60.1	C	No	N/A	
§70.20a	General license to possess	7:28-60.1 (b)(7)	NRC	No	N/A	

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
	special nuclear material for transport					
§70.20.b	General license for carriers of transient shipments of formula quantities of strategic special nuclear material, special nuclear material of moderate strategic significance, special nuclear material of low strategic significance, and irradiated reactor fuel	7:28-60.1 (b)(8)	NRC	No	N/A	
§70.21	Filing	7:28-60.1	NRC	No	N/A	

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
(a)(1), (c), (f), (g), (h)		(b)(9)				
§70.21 (a)(2), (a)(3), (b), (d) & (e)	Filing		D	N/A		
§70.22 (a), (d) & (e)	Contents of application		D	N/A		
§70.22 (b), (c), (f), (g), (h), (i), (j), (k), (l), (m) (n)	Contents of application	7:28-60.1 (b)(10)	NRC	No	N/A	
§70.23 (a)(1) & (a)(5)	Requirements for the approval of applications		D	N/A		
§70.23 (a)(2), (a)(3) & (a)(4)	Requirements for the approval of applications	7:28-60.1	H&S	No	N/A	
§70.23 (a)(6), (a)(7), (a)(8), (a)(9),	Requirements for the approval of applications	7:28-60.1 (b)(11)	NRC	No	N/A	

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
(a)(10), (a)(11), (a)(12) & (b)						
§70.23a	Hearing required for uranium enrichment facility	7:28-60.1 (b)(12)	NRC	No	N/A	
§70.24	Critically accident requirements	7:28-60.1 (b)(13)	NRC	No	N/A	
§70.25	Financial assurance and recordkeeping for decommissioning		D			
§70.25 (a)	Financial assurance and recordkeeping for decommissioning	7:28-60.1 (b)(14)	NRC	No	N/A	
§70.25 (b), (d) &	Financial assurance	7:28-60.1 and	H&S	No	N/A	

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
(g)	and recordkeeping for decommissioning	7:28-60.1 (c)(7-8)				
§70.31 (a) & (b)	Issuance of license		D	N/A		
§70.31 (c), (d) & (e)	Issuance of license	7:28-60.1 (b)(15)	NRC	No	N/A	
§70.32 (a)(1), (a)(4), (a)(5), (a)(6), (a)(7), (b)(1), (b)(3), (b)(4), (c), (d), (e), (f), (g), (h), (i), (j) & (k)	Conditions of licenses	7:28-60.1 (b)(16)	NRC	No	N/A	
§70.32 (a)(2) (a)(3) & (a)(8)	Conditions of licenses	7:28-60.1	C	No	N/A	
§70.32 (a)(9)	Conditions of licenses	7:28-60.1	H&S	No	N/A	

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
§70.32 (b)(2) & (b)(5)	Conditions of licenses		D	N/A		
§70.33	Renewal of licenses		D	N/A		
§70.34	Amendment of licenses		D	N/A		
§70.35	Commission action on applications to renew or amend		D	N/A		
§70.36	Inalienability of licenses	7:28-60.1	C	No	N/A	
§70.37	Disclaimer of warranties	7:28-60.1 (b)(17)	NRC	No	N/A	
§70.38 (a), (b) & (k)(4)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas		D	N/A		

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
§70.38 (c), (d), (e), (f), (g), (h),(i), (j) & (k)(1), (2) & (3)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	7:28-60.1 and 7:28-60.1.(c)(9-11)	H&S	No	N/A	
§70.39	Specific licenses for the manufacture or initial transfer of calibration sources	7:28-60.1	C	No	N/A	
§70.40	Ineligibility of certain applicants	7:28-60.1 (b)(18)	NRC	No	N/A	
§70.41	Authorized use of special nuclear material	7:28-60.1	C	No	N/A	
§70.42	Transfer of	7:28-60.1	C	No	N/A	

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
	special nuclear material	and 7:28-60.1 (c)(12)				
§70.42 (b)(6)	Transfer of special nuclear material	7:28-60.1 (b)(19)	NRC	No	N/A	
§70.44	Creditor Requirements	7:28-60.1 (b)(20)	NRC	No	N/A	
§70.50	Reporting requirements	7:28-60.1 and 7:28-60.1 (c)(13-15)	C	No	N/A	
§70.50 (c)(3)	Reporting requirements		D	N/A		
§70.51 (a) & (b)	Material balance, inventory, and records requirements	7:28-60.1 and 7:28-60.1 (c)(16-19)	C	No	N/A	
§70.51 (c)	Material balance, inventory, and records requirements	7:28-60.1 (b)(21)	NRC	No	N/A	

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
§70.52	Reports of accidental critically or loss or theft or attempted theft of special nuclear material	7:28-60.1 (b)(22)	NRC	No	N/A	
§70.55 (c)	Inspections	7:28-60.1 (b)(23)	NRC	No	N/A	
§70.55 (a)(b)	Inspections		D	N/A		
§70.56	Tests		NRC			
§70.56 (a)(b)	Tests		D	N/A		
§70.59	Effluent monitoring reporting requirements	7:28-60.1 (b)(24)	NRC	No	N/A	
§70.60	Applicability	7:28-60.1 (b)(25)	NRC	No	N/A	
§70.61	Performance requirements	7:28-60.1 (b)(26)	NRC	No	N/A	
§70.62	Safety	7:28-60.1	NRC	No	N/A	

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
	program and integrated safety analysis	(b)(27)				
§70.64	Requirements for new facilities or new processes at existing facilities	7:28-60.1 (b)(28)	NRC	No	N/A	
§70.65	Additional content of application	7:28-60.1 (b)(29)	NRC	No	N/A	
§70.66	Additional requirements for approval of license application	7:28-60.1 (b)(30)	NRC	No	N/A	
§70.72	Facility changes and change process	7:28-60.1 (b)(31)	NRC	No	N/A	
§70.74	Additional reporting requirements	7:28-60.1 (b)(32)	NRC	No	N/A	
§70.76	Backfitting	7:28-60.1	NRC	No	N/A	

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
		(b)(33)				
§70.81	Modification and revocation of licenses		D			
§70.82	Suspension and operation in war or national emergency	7:28-60.1 (b)(34)	NRC	No	N/A	
§70.91	Violations		D			
§70.92	Criminal penalties		D			

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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 Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§71.0 (a)(b)(e)(f)	Purpose and Scope		D	N/A		

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
(g)						
§71.0 (c)	Purpose and Scope	7:28-61.1	[B]	No	N/A	
§71.0 (d)	Purpose and Scope	7:28-61.1	NRG This is actually a Compatibility Category D	No	N/A	
§71.1	Communications and Records		D	N/A		
§71.2	Interpretations		D	N/A		
§71.3	Requirements for license	7:28-61.1	[B]	No	N/A	
§71.4	Definitions					
	A ₁	7:28-61.1	[B]	No	N/A	
	A ₂	7:28-61.1	[B]	No	N/A	
	Carrier	7:28-61.1	[B]	No	N/A	
	Certificate holder	7:28-61.1 and 7:28-61.1 (c)(1)	[B]	No	N/A	
	Certificate of Compliance (CoC)	7:28-61.1 and 7:28-61.1	[B]	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
		(c)(1)				
	Close reflection by water		D	N/A		
	Consignment	7:28-61.1	[B]	No	N/A	
	Containment system		D	N/A		
	Conveyance	7:28-61.1	[B]	No	N/A	
	Criticality Safety Index (CSI)	7:28-61.1	[B]	No	N/A	
	Deuterium	7:28-61.1	B	No	N/A	
	DOT		[D]	N/A		
	Exclusive use	7:28-61.1	[B]	No	N/A	
	Fissile material	7:28-61.1	[B]	No	N/A	
	Licensed material		[D]	N/A		
	Low Specific Activity (LSA) material	7:28-61.1	[B]	No	N/A	
	Low toxicity alpha emitters	7:28-61.1	[B]	No	N/A	
	Maximum		D	N/A		

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	normal operating pressure					
	Natural thorium	7:28-61.1	[B]	No	N/A	
	Normal form radioactive material	7:28-61.1	[B]	No	N/A	
	Optimum interspersed hydrogenous moderation		D	N/A		
	Package	7:28-61.1 and 7:28-61.1 (c)(1)	[B]	No	N/A	
	Packaging	7:28-61.1	[B]	No	N/A	
	Special form radioactive material	7:28-61.1	[B]	No	N/A	
	Specific activity	7:28-61.1	[B]	No	N/A	
	Spent nuclear fuel		D	N/A		
	State		D	N/A		
	Surface Contaminated	7:28-61.1	[B]	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	Object (SCO)					
	Transport Index (TI)	7:28-61.1	[B]	No	N/A	
	Type A quantity	7:28-61.1	[B]	No	N/A	
	Type B quantity	7:28-61.1	[B]	No	N/A	
	Unirradiated uranium	7:28-61.1	[B]	No	N/A	
	Uranium-natural, depleted, enriched	7:28-61.1	[B]	No	N/a	
§71.5	Transportation of licensed material	7:28-61.1 and 7:28-61.1 (c)(6)	[B]	No	N/A	
§71.6	Information collection requirements: OMB approval		D	N/A		
§71.7	Completeness and accuracy of information		D	N/A		
§71.8	Deliberate misconduct	7:28-61.1	C	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§71.9	Employee protection		D	N/A		
§71.10	Public inspection of application		D	N/A		
§71.11	Reserved					
§71.12	Specific exemptions		D	N/A		
§71.13	Exemption of physicians	7:28-61.1 and 7:28-61.1 (c)(12)	B	No	N/A	
§71.14 (a)	Exemption for low-level materials	7:28-61.1	[B]	No	N/A	
§71.14 (b)	Exemption for low-level materials	7:28-61.1 (b)(3)	NRC	No	N/A	
§71.15	Exemption from classification as fissile material	7:28-61.1	[B]	No	N/A	
§71.16	Reserved					
§71.17	General	7:28-61.1	[B]	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	license: NRC-approved package					
§71.18	Reserved					
§71.19	Previously approved package	7:28-61.1 (b)(4)	NRC	No	N/A	
§71.20	General license: DOT specification container	7:28-61.1	[B]	No	N/A	
§71.21	General license: Use of foreign package	7:28-61.1	[B]	No	N/A	
§71.22	General license: Fissile material	7:28-61.1	[B]	No	N/A	
§71.23	General license: Plutoniumberyllium special form material	7:28-61.1	[B]	No	N/A	
§71.24	Reserved					
§71.25	Reserved					

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§71.31	Contents of application	7:28-61.1 (b)(5)	NRC	No	N/A	
§71.33	Package description	7:28-61.1 (b)(6)	NRC	No	N/A	
§71.35	Package evaluation	7:28-61.1 (b)(7)	NRC	No	N/A	
§71.37	Quality assurance	7:28-61.1 (b)(8)	NRC	No	N/A	
§71.38	Renewal of a certificate of compliance or quality assurance program approval	7:28-61.1 (b)(9)	NRC	No	N/A	
§71.39	Requirements for additional information	7:28-61.1 (b)(10)	NRC	No	N/A	
§71.41	Demonstration of compliance	7:28-61.1 (b)(11)	NRC	No	N/A	
§71.43	General standards for all packages	7:28-61.1 (b)(12)	NRC	No	N/A	
§71.45	Lifting and tie-down standards for	7:28-61.1 (b)(13)	NRC	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	all packages					
§71.47	External radiation standards for all packages	7:28-61.1 and 7:28-61.1 (c)(13)	[B]	No	N/A	
§71.51	Additional requirements for Type B packages	7:28-61.1 (b)(14)	NRC	No	N/A	
§71.53	Reserved					
§71.55	General requirements for fissile material packages	7:28-61.1 (b)(15)	NRC	No	N/A	
§71.57	Reserved					
§71.59	Standards for arrays of fissile material packages	7:28-61.1 (b)(16)	NRC	No	N/A	
§71.61	Special requirements for Type B packages containing more than 10 ⁵ A ₂	7:28-61.1 (b)(17)	NRC	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§71.63	Special requirements for plutonium shipments	7:28-61.1 (b)(18)	NRC	No	N/A	
§71.64	Special requirements for plutonium air shipments	7:28-61.1 (b)(19)	NRC	No	N/A	
§71.65	Additional requirements	7:28-61.1 (b)(20)	NRC	No	N/A	
§71.71	Normal conditions of transport	7:28-61.1 (b)(21)	NRC	No	N/A	
§71.73	Hypothetical accident conditions	7:28-61.1 (b)(22)	NRC	No	N/A	
§71.74	Accident conditions for air transport of plutonium	7:28-61.1 (b)(23)	NRC	No	N/A	
§71.75	Qualification of special form radioactive material	7:28-61.1 (b)(24)	NRC	No	N/A	
§71.77	Qualification of LSA-III material	7:28-61.1 (b)(25)	NRC	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§71.81	Applicability of operating controls and procedures		D	N/A		
§71.83	Assumptions as to unknown properties	7:28-61.1	[B]	No	N/A	
§71.85	Preliminary determinations	7:28-61.1	[B]	No	N/A	
§71.87	Routine determinations	7:28-61.1	[B]	No	N/A	
§71.88	Air transport of plutonium	7:28-61.1	[B]	No	N/A	
§71.89	Opening instructions	7:28-61.1 and 7:28-61.1 (c)(14)	[B]	No	N/A	
§71.91	Records		D	N/A		
§71.93	Inspection and tests		D	N/A		
§71.95	Reports		D	N/A		
§71.97	Advance notification of shipment of irradiated reactor fuel	7:28-61.1	B	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	and nuclear waste					
§71.99	Violations		D	N/A		
§71.100	Criminal penalties		D	N/A		
§71.101 (a),(b)&(c)(1)	Quality assurance requirements	7:28-61.1 and 7:28-61.1 (c)(16)	C	No	N/A	
§71.101 (c)(2), (d)&(e)	Quality assurance requirements	7:28-61.1 and 7:28-61.1 (b)(26)	NRC	No	N/A	
§71.101 (f)	Quality assurance requirements		D			
§71.101 (g)	Quality assurance requirements	7:28-61.1	C	No	N/A	
§71.103 (a)&(b)	Quality assurance organization	7:28-61.1	C	No	N/A	
§71.103 (c)(d)(e)(f)	Quality assurance		D	N/A		

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
)	organization					
§71.105	Quality assurance program	7:28-61.1	C	No	N/A	
§71.107	Package design control	7:28-61.1 and 7:28-61.1 (b)(27)	NRC	No	N/A	
§71.109	Procurement document control	7:28-61.1 and 7:28-61.1 (b)(28)	NRC	No	N/A	
§71.111	Instructions, procedures and drawings	7:28-61.1 and 7:28-61.1 (b)(29)	NRC	No	N/A	
§71.113	Document control	7:28-61.1 and 7:28-61.1 (b)(30)	NRC	No	N/A	
§71.115	Control of purchased material, equipment, and services	7:28-61.1 and 7:28-61.1 (b)(31)	NRC	No	N/A	
§71.117	Identification and control of	7:28-61.1 and	NRC	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
	materials, parts and components	7:28 61.1 (b)(32)				
§71.119	Control of special processes	7:28-61.1 and 7:28-61.1 (b)(33)	NRC	No	N/A	
§71.121	Internal inspection	7:28-61.1 and 7:28-61.1 (b)(34)	NRC	No	N/A	
§71.123	Test control	7:28-61.1 and 7:28-61.1 (b)(35)	NRC	No	N/A	
§71.125	Control of measuring and test equipment	7:28-61.1 and 7:28-61.1 (b)(36)	NRC	No	N/A	
§71.127	Handling, storage, and shipping control	7:28-61.1	[C]	No	N/A	
§71.129	Inspection, test, and operating status	7:28-61.1	[C]	No	N/A	

NRC Section	Section Title	State Section	Compatibility Category	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not was a Comment Generated
§71.131	Nonconforming materials, parts, or components	7:28-61.1	[C]	No	N/A	
§71.133	Corrective action	7:28-61.1	C	No	N/A	
§71.135	Quality assurance records	7:28-61.1	C	No	N/A	
§71.137	Audits	7:28-61.1	C	No	N/A	
Appendix A	Determination of A ₁ and A ₂	7:28-61.1	[B]	No	N/A	

PART 150-EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES AND IN OFFSHORE WATERS UNDER SECTION 274

Regulation Section	State Section	Section Title	Compatibility Category	Difference Yes/No	Significant Yes/No	Comments
§150.1		Purpose	D	N/A		
§150.2		Scope	D	N/A		
§150.3		Definitions				
§150.3(a)		Act	D	N/A		
§150.3(b)	7:28-62	Agreement State	B	No	N/A	
§150.3(c)	7:28-62	Byproduct	A	No	N/A	

Regulation Section	State Section	Section Title	Compatibility Category	Difference Yes/No	Significant Yes/No	Comments
		Material				
§150.3(d)		Commission	D	N/A		
§150.3(e)		Government Agency	D	N/A		
§150.3(f)	7:28-62	Offshore Waters	B	No	N/A	
§150.3(g)	7:28-62	Person	C	No	N/A	
§150.3(h)		Production facility	D	N/A		
§150.3(i)	7:28-62	Source material	A	No	N/A	
§150.3(j)	7:28-62	Special nuclear material	A	No	N/A	
§150.3(k)		State	D	N/A		
§150.3(l)		Utilization facility	D	N/A		
§150.3(m)		Uranium enrichment facility	D	N/A		
§150.4		Communications	D	N/A		
§150.5		Interpretations	D	N/A		
§150.7	7:28-62.1 (b)	Persons in offshore waters not exempt	NRC	No	N/A	
§150.8		Information collection requirements: OMB approval	D	N/A		

Regulation Section	State Section	Section Title	Compatibility Category	Difference Yes/No	Significant Yes/No	Comments
§150.10	7:28-62.1 (b)(3)	Persons exempt	NRC	No	N/A	
§150.11	7:28-62	Critical mass	B	No	N/A	
§150.14	7:28-62.1 (b)(4)	Commission regulatory authority for physical protection	NRC	No	N/A	
§150.15	7:28-62.1 (b)(5)	Persons not exempt	NRC	No	N/A	
§150.15a	7:28-62.1 (b)(6)	Continued Commission authority pertaining to byproduct material	NRC	No	N/A	
§150.16	7:28-62.1 (b)(7)	Submission to Commission of nuclear material transfer reports	NRC	No	N/A	
§150.17	7:28-62.1 (b)(8)	Submission to Commission of source material reports	NRC	No	N/A	
§150.17a	7:28-62.1 (b)(9)	Compliance with requirements of US/ IAEA safeguards	NRC	No	N/A	

Regulation Section	State Section	Section Title	Compatibility Category	Difference Yes/No	Significant Yes/No	Comments
		agreement				
§150.19	7:28-62.1 (b)(10)	Submission to Commission of tritium reports	NRC	No	N/A	
§150.20	7:28-62-1 and 7:28-62.1 (c)(3) and (d)	Recognition of Agreement State licenses	C- paragraphs (a) & (b) & NRC paragraphs (c) & (d) (paragraphs (c) and (d) no longer exist).	No	N/A	
§150.21	7:28-62.1 (b)(12)	Transportation of special nuclear material by aircraft	NRC	No	N/A	
§150.30		Violations	D	N/A		
§150.31	7:28-62.1 (b)(13)	Requirements for Agreement State regulation of byproduct material	C- States with authority to regulate uranium mill activities (11e.(2) byproduct material) D- States without authority	No	N/A	
§150.32	7:28-62.1 (b)(14)	Funds for reclamation or maintenance of byproduct material	C- States with authority to regulate uranium mill activities (11e.(2)	Yes	Yes	New Jersey has a wrong reference in 7:28-62.1(b)(14). It should read "10 CFR 150.32, Funds for...". New Jersey needs to make the above change in

Regulation Section	State Section	Section Title	Compatibility Category	Difference Yes/No	Significant Yes/No	Comments
			byproduct material) D- States without authority			order to be Compatible with 10 CFR 150.32.
§150.33		Criminal penalties	D	N/A		

**COMPATIBILITY RESOLUTION ON COMMENTS ON NEW JERSEY PROPOSED
REGULATIONS FROM LETTER DATED AUGUST 2007**

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	7:28-1.4(a)	20.1003	N/A	A	<p>Definition of "dose equivalent"</p> <p>New Jersey states "...product of the absorbed dose in tissue quality factor, and..." New Jersey should say "...product of the absorbed dose in tissue, quality factor, and..." in their definition of "dose equivalent."</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category A designation assigned to 10 CFR 20.1003, definition of "dose equivalent."</p> <p>Comment Resolved: Definition removed from 7:28-1.4(a) and adopted by reference in 7:28-6.</p>
2	7:28-1.4(a)	20.1003	N/A	A	<p>Definition of "occupational dose"</p> <p>New Jersey does not specifically exclude doses received from voluntary participation in medical research programs.</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category A designation assigned to 10 CFR 20.1003, definition of "occupational dose."</p> <p>Comment Resolved: New Jersey removed this definition from 7:28-1.4(a) and adopted it by reference in 7:28-6.</p>
3	7:28-1.4(a)	20.1003	N/A	[C]	<p>Definition of "person"</p> <p>New Jersey includes "...Government agency other than the NRC or the Department of Energy..." in their definition of "person." New Jersey should remove this language because</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>other Federal Agencies would be regulated by the NRC. If New Jersey has issued licenses/registrations to other Federal Agencies for the use of non-AEA materials or machines, then inclusion of this language is acceptable.</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category [C] designation assigned to 10 CFR 20.1003, definition of "person."</p> <p>Comment Resolved: New Jersey removed this definition from 7:28-1.4(a) and adopted it by reference in 7:28-6.</p>
4	7:28-12.3	20.1003	N/A	<p>Definition of "residual radioactivity"</p> <p>New Jersey states "...in accordance with the provisions of US NRC regulations at Title 10 CFR part 20". New Jersey should say "... in accordance with the provisions of US NRC regulations at Title 10 CFR part 20 or the provisions of NJAC 7:28-11.4."</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 20.1003, definition of "residual radioactivity."</p> <p>Comment Resolved: New Jersey corrected the above comment in 7:28-12.3 and also adopted this definition by reference in 7:28-6.</p>
5	7:28-6.1(d)	20.1201	N/A	<p>Occupational dose limits for adults</p> <p>New Jersey incorrectly refers to NJAC 7:28-6.5. The correct reference is NJAC 7:28-8.9.</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>New Jersey must correct the reference in order to meet the Compatibility Category A designation assigned to 20.1201.</p> <p>Comment Resolved: New Jersey has addressed the above by adopting by reference 10 CFR 20.1201 in 7:28-6.</p>
6	7:28-6.1(f)	20.1201	N/A	<p>Occupational dose limits for adults</p> <p>New Jersey incorrectly refers to NJAC 7:28-6.4(e). The correct reference is NJAC 7:28-8.7(e).</p> <p>New Jersey must correct the reference in order to meet the Compatibility Category A designation assigned to 20.1201.</p> <p>Comment Resolved: New Jersey has addressed the above by adopting by reference 10 CFR 20.1201 in 7:28-6.</p>
7	7:28-6.4(c)(2)	20.1204	N/A	<p>Determination of internal exposure</p> <p>New Jersey states that approval is the responsibility of the Commission. Approval should be delegated to the Department, as defined in NJAC 7:28-1.4(a).</p> <p>New Jersey must make the above noted change in order to meet the Compatibility Category A designation assigned to 20.1204.</p> <p>Comment Resolved: New Jersey address the above by incorporating 10 CFR 20.1204 by reference in 7:28-6.</p>
8	7:28-6.4(c)(3) and (e)(1)	20.1204	N/A	<p>Determination of internal exposure</p> <p>New Jersey refers to an "appendix to</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS	
				<p>this subchapter;" however, there is not an appendix to the subchapter. All other references to the intended appendix direct the reader to Appendix B of 10 CFR 20.</p> <p>New Jersey must appropriately reference the proper appendix in order to meet the Compatibility Category A designation assigned to 20.1204.</p> <p>Comment Resolved: New Jersey address the above by incorporating 10 CFR 20.1204 by reference in 7:28-6.</p>	
9	7:28-6.7(a)	20.1208	N/A	A	<p>Dose equivalent to an embryo/fetus</p> <p>New Jersey incorrectly refers to NJAC 7:28-8.8. The correct reference is NJAC 7:28-8.9.</p> <p>New Jersey must correct the reference in order to meet the Compatibility Category A designation assigned to 20.1208.</p> <p>Comment Resolved: New Jersey addresses this comment by incorporating 10 CFR 20.1208 by reference in 7:28-6.</p>
10	7:28-6.8(a)	20.1301(a)	N/A	A	<p>Dose limits for individual members of the public</p> <p>New Jersey does not specifically exclude doses received from voluntary participation in medical research programs.</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category A designation assigned to 10 CFR 20.1301(a).</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>Comment Resolved: New Jersey addresses this comment by incorporating 10 CFR 20.1301 by reference in 7:28-6.</p>
11	7:28-12.11(f)	20.1404	N/A	<p>Alternate criteria for license terminations</p> <p>In 7:28-12.11(f), New Jersey directly states that Long Term Control licenses issued by the NRC are not valid. This is a contradiction to the criteria for an Agreement with the NRC, which requires reciprocal recognition of licenses issued by other jurisdictions. Failure to recognize an NRC license would essentially create a regulatory gap during the time between the signing of an Agreement and issuance of a New Jersey license. Retention of this paragraph could be grounds for denying an application for an Agreement with the NRC.</p> <p>New Jersey must remove the statement in 7:28-12.11(f) to ensure recognition of all types of licenses issued by other jurisdictions.</p> <p>Comment Resolved: Section 7:28-12.</p>
12	7:28-10.3(c)	20.1601(b)	N/A	<p>Control of access to high radiation areas</p> <p>New Jersey incorrectly refers to paragraph (a) of the same section. The correct reference is to paragraph (b) of that section.</p> <p>New Jersey must correct the reference in order to meet the Compatibility Category H&S designation assigned to 20.1601.</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>Comment Resolved: New Jersey addresses the above comment by adopting 10 CFR 20.1601 by reference in 7:28-6.</p>
13	7:28-10.3(e)	20.1601(d)	N/A	<p>H&S</p> <p>Control of access to high radiation areas</p> <p>New Jersey incorrectly refers to paragraphs (a) and (c) of the same section. The correct references are to paragraphs (b) and (d) of that section.</p> <p>New Jersey must correct the above noted references in order to meet the Compatibility Category H&S designation assigned to 20.1601.</p> <p>Comment Resolved: New Jersey addresses the above comment by adopting 10 CFR 20.1601 by reference in 7:28-6.</p>
14	7:28-10.7(a)	20.1904(a)	N/A	<p>A</p> <p>Labeling containers</p> <p>In 7:28-10.7(a), New Jersey has partial requirements for 20.1904(a) listed. Because they go on to adopt 20.1904(a) in its entirety in 7:28-10.7(b), New Jersey should delete 7:28-10.7(a) from their regulations to eliminate any duplication of regulation.</p> <p>New Jersey needs to delete 7:28-10.7(a) from their regulations to eliminate any duplication of regulation.</p> <p>Comment Resolved: New Jersey adopts 10 CFR 20.1904 by reference in 7:28-6 and no longer references it in 7:28-10.7.</p>
15	7:28-11.2	20.2003(a)(4)	N/A	<p>C</p> <p>Disposal by release into sanitary sewerage</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>New Jersey allows yearly release of 5 Curie (Ci) (185 GBq) of Carbon-14 into the "domestic treatment works" instead of the 1 Ci (37 GBq) allowed in 20.2003. New Jersey must at least be as restrictive as NRC requirements.</p> <p>New Jersey needs to adopt the 1 Ci annual release limit equivalent to 20.2003(a)(4) in order to meet the Compatibility Category C designation assigned to 20.2003(a)(4).</p> <p>Comment Resolved: New Jersey addresses the above comment by adopting 10 CFR 20.2003(a)(4) by reference in 7:28-6.</p>
16	7:28-10.12	Appendix C	N/A	<p>Quantities of licensed materials requiring labeling</p> <ol style="list-style-type: none"> 1.) Lanthanum-142 is listed at 100, should be 1000. 2.) Lanthanum-143 needs to be added. 3.) Cerium-134 needs to be added. 4.) Cerium-135 needs to be added. 5.) Europium-157 is listed at .100, should be 100. 6.) Rhenium-183 needs to be deleted. 7.) Thorium-232 is listed at .100, should be 100. 8.) New Jersey needs to adopt Footnote 1 Appendix C of 10CFR20 explaining the derivation of the values. <p>New Jersey needs to make the above changes in order to meet the Compatibility Category A designation assigned to Appendix C.</p> <p>Comment Resolved: New Jersey is</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>deleting 7:28-10.9 and adopting 10 CFR 20 Appendix C by reference in 7:28-6.</p>
17	7:28-51.1 (c)(6)	30.20	N/A	<p>Gas and aerosol detectors containing byproduct material</p> <p>New Jersey states "10 C.F.R. 19.20(a), delete...". New Jersey should say " 10 C.F.R. 30.20(a), delete....." in 7:28-51.1(c)(6).</p> <p>New Jersey needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 30.20.</p> <p>Comment Resolved: New Jersey removed the above and cites 10 CFR 30.20 by reference in 7:28-51.1 with the change noted in 7:28-51.1(c)(11).</p>
18	7:28-51.1(b)	30.21(c)	N/A	<p>Radioactive drug: Capsules containing carbon-14 urea for "in vivo" diagnostic use for humans</p> <p>New Jersey adopts by reference 30.21(c) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.21(c).</p> <p>New Jersey should not incorporate by reference 10 CFR 30.21(c) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.21(c).</p> <p>Comment Resolved: New Jersey does not adopt by reference 10</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				CFR 30.21(c) per 7:28-51.1(b)(4).
19	7:28-51.1(b)	30.34 (d)(e)(1)&(e)(3)	N/A	<p data-bbox="822 394 1533 426">Terms and conditions of licenses</p> <p data-bbox="822 464 1533 789">New Jersey adopts by reference 30.34(d)(e)(1)&(e)(3) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.34(d)(e)(1)&(e)(3).</p> <p data-bbox="822 827 1533 1020">New Jersey should not incorporate by reference 10 CFR 30.34(d)(e)(1) &(e)(3) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.34(d)(e)(1)&(e)(3).</p> <p data-bbox="822 1058 1533 1192">Comment Resolved: New Jersey does not adopt 10 CFR 30.34(d), (e)(1), and (e)(3) by reference per 7:28-51.1(b)(5).</p>
20	7:28-51.1(b)	30.41(a)(6)	N/A	<p data-bbox="822 1224 1533 1255">Transfer of byproduct material</p> <p data-bbox="822 1293 1533 1619">New Jersey adopts by reference 30.41(b)(6) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.41(b)(6).</p> <p data-bbox="822 1656 1533 1818">New Jersey should not incorporate by reference 10 CFR 30.41(b)(6) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.41(b)(6).</p> <p data-bbox="822 1856 1533 1894">Comments Stands: New Jersey</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>attempts to resolve this comment in 7:28-51.1(b)(6) however it states that they do not adopt 10 CFR 30.41(b)(6) by reference when it should say 10 CFR 30.41(a)(6).</p>
21	7:28-51.1(b) and (c)	30.55	N/A	<p>Tritium Reports</p> <p>New Jersey adopts by reference 30.55 which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 30.55.</p> <p>New Jersey should not incorporate by reference 10 CFR 30.55 in order to meet the Compatibility Category NRC designation assigned to 10 CFR 30.55.</p> <p>Comment Resolved: New Jersey addresses the above comment by not adopting 10 CFR 30.55 by reference per 7:28-51.1(b)(7).</p>
22	7:28-58.1	40.51(b)(6)	N/A	<p>Transfer of source or byproduct material</p> <p>New Jersey adopts by reference 40.51(b)(6) which is a Compatibility Category NRC. This is a NRC program element that addresses areas of regulation that cannot be relinquished to Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should not adopt 10 CFR 40.51(b)(6).</p> <p>New Jersey should not incorporate by reference 10 CFR 40.51(b)(6) in order to meet the Compatibility Category NRC designation assigned to 10 CFR 40.51(b)(6).</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>Comment Resolved: New Jersey does not adopt 10 CFR 40.51(b)(6) by reference per 7:28-58.1(b)(17).</p>
23	7:28-61.1	71.0(d), 71.14(b), and 71.19	N/A	<p>Adoption by Reference for IAEA Transportation Amendments</p> <p>New Jersey adopts by reference 71.0(d), 71.14(b), and 71.19, which are all Compatibility Category NRC. These requirements reflect NRC program elements that cannot be relinquished to an Agreement States pursuant to the Atomic Energy Act or provisions of 10 CFR regulations. The State should exclude any references to 71.0(d), 71.14(b), and 71.19.</p> <p>New Jersey should not incorporate by reference 10 CFR 71.0(d), 71.14(b), and 71.19 in order to meet the Compatibility Category NRC designation assigned to these regulations.</p> <p>Comment Resolved: 10 CFR 71.0(d) is actually a Compatibility Category D. Therefore New Jersey may incorporate it into its regulations.</p> <p>Comment Resolved: New Jersey omits incorporating 10 CFR 71.14(b) per 7:28-61.1(b)(3).</p> <p>Comment Resolved: New Jersey omits incorporating 10 CFR 71.14(b) per 7:28-61.1(b)(4).</p>
24	7:28-61.1	71.101(c)(2), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119,	N/A	<p>Adoption by Reference for IAEA Transportation Amendments</p> <p>Section 71.101(b) (Establishment of a quality assurance program for packaging), which is designated as compatibility category C, states that "Each licensee, certificate holder, and</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
	71.121, 71.123, and 71.125			<p>applicant for a CoC shall establish, maintain, and execute a quality assurance program satisfying each of the applicable criteria of §§ 71.101 through 71.137...." However, sections 71.101(c)(2), (d) & (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, and 71.125 have been designated as compatibility category NRC. Thus, for a state to adopt the essential objectives of 71.101(b), as would be required under compatibility category C, it would be inadvertently required to adopt requirements contained in provisions reserved to the NRC.</p> <p>Recognizing this discrepancy, NRC staff members are re-reviewing the compatibility designation of the referenced sections. No changes to New Jersey's regulations are required until the NRC completes its review of part 71 and reports its results to the States.</p> <p>Comment Resolved: New Jersey does not incorporate 10 CFR 71.101(c)(2), (d), and (e) by reference per 7:28-61.1(b)(26).</p> <p>Comment Resolved: New Jersey does not incorporate 10 CFR 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, and 71.125 by reference per 7:28-61.1(b).</p>
25	7:28-62.1	150.20	N/A	<p>Recognition of Agreement State licenses</p> <p>As 150.20(b) is incorporated by reference, New Jersey would issue general licenses to Agreement States licensees, and not NRC licensees, to operate in areas of exclusive Federal</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				<p>jurisdiction and offshore waters, although these areas are specifically excluded under the reference to 150.20(a). New Jersey does not have the authority to issue general licenses to operate in areas of exclusive Federal jurisdiction and off shore waters. New Jersey can only issue general licenses to Agreement State and NRC licensees wishing to operate within New Jersey's jurisdiction.</p> <p>New Jersey needs to modify their incorporation of Part 150 by reference, specifically 150.20(b), to clarify that general licenses will not be issued to operate in areas of exclusive Federal jurisdiction and offshore waters but within New Jersey's jurisdiction, and that reciprocity licenses will be issued to other Agreement State and NRC licensees, not just Agreement State licensees.</p> <p>Comment Resolved: See New Jersey regulation 7:28-62.1(d).</p>