

Proposed LBR – 10 CFR Part 37

Oct. 2, 2015 Revision

CDPH-RHB

Proposed LBR:

Commencing March 19, 2016, the licensee shall comply with Title 10, Code of Federal Regulations (10 CFR), Part 37 except as follows:

(1) 10 CFR sections 37.1, 37.3, 37.7, 37.9, 37.11(a) & (b), 37.13, 37.73(a), (b), (d), & (e), 37.105, 37.107, and 37.109 are excluded.

(2) The terms “fingerprint orders” and term “government agency” found in 10 CFR 37.5 are excluded.

(3) Except as follows, any reference to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to the Department:

(A) 10 CFR 37.27. Licensees shall comply with all submittals and processes specified in 10 CFR 37.27 by submitting and corresponding directly to NRC as required by 10 CFR 37.27. In lieu of the address given in 10 CFR 37.27(c), licensees shall submit fingerprint cards or records to Director, Division of Facilities and Security, U.S. NRC, 11545 Rockville Pike, Rockville, Maryland 20852-2738, ATTN: Criminal History Program, Mail Stop T-03B46M; and

(B) 10 CFR 37.71. The reference to NRC in subdivisions (a) and (b) shall be deemed to include both the NRC and the Department, as applicable. The reference to NRC in subdivision (c) shall be deemed to be a reference to the appropriate jurisdictional entity (e.g. NRC, Department, or some other Agreement State) when a licensee transfers radioactive material to a licensee of that jurisdiction.

(4) In lieu of section 30210.1, the licensee shall comply with 10 CFR 30.41(d) as referenced in 10 CFR 37.71.

(5) Any reference to the below identified federal term found within 10 CFR 37.5 shall be deemed to be a reference to the below identified Department term that is defined as specified in the following table:

Federal term found within 10 CFR 37.5	Department term
Act	“Act” as defined in title 17, California Code of Regulations (17 CCR), section 30100.
Agreement State	“Agreement State” as defined in 17 CCR 30100.
Becquerel	“Becquerel” as defined in 10 CFR 20.1005 incorporated by reference in 17 CCR 30253.
Byproduct material	“Radioactive material” as defined in 17 CCR 30100.
Curie	“Curie” as defined in 10 CFR 20.1005 incorporated by reference in 17 CCR 30253.

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License	“License” as defined in 17 CCR 30100.
Person	“Person” as defined in 17 CCR 30100.

(6) In lieu of complying with 10 CFR 37.101 and 37.103, the licensee shall instead comply with 17 CCR 30293.

(7) Reports of events or notifications required in 10 CFR 37.41, 37.45, 37.57, 37.77(a) - (d), and 37.81 shall be submitted to the Department in lieu of NRC as follows:

CDPH
Radiologic Health Branch
Radioactive Material Licensing
ATT: Increased Controls Program
MS 7610
PO Box 997414
Sacramento, CA 95899-7414

Telephone notification shall be made to the local RHB Inspection Office. Local RHB Inspection Office telephone numbers are:

Northern California: (510) 620-3416 or (510) 620-3419
Southern California: (714) 524-1409 or (714) 524-1203
Los Angeles County: (213) 351-7897 or (213) 351-7387
San Diego County: (858) 694-3621 or (858) 694-3616