

**Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6**  
February 1, 2016

<b>RATS ID</b>	<b>10 CFR (Current)</b>	<b>Comp Cat</b>	<b>17 CCR (Current)</b>	<b>Notes:</b>
1997-6	<b>20.1003</b>			
1997-6	Background radiation	A	30253	Section 30253 incorporates by reference the 2013 version of 10 CFR 20. A forthcoming rulemaking will change the incorporation date to 2016 but these terms are not changing. Thus, these terms are fully adopted in regulation without revision.  Equivalent.
1997-6	Critical Group	B	30253	
1997-6	Decommission	[C]	30253	
1997-6	Distinguishable from background	B	30253	
1997-6	Residual radioactivity	B	30253	
1997-6	<b>20.1401</b>	C	See Notes.	
1997-6	<b>20.1402</b>	C		
1997-6	<b>20.1403</b>	C		
1997-6	<b>20.1404</b>	C		
1997-6	<b>20.1405</b>	C		
1997-6	<b>20.1406</b>	C		
1997-6	<b>20.2402</b>	D		Not applicable.
	<b>30.4</b>			
1997-6	Decommission	[C]	30253	Section 30253 incorporates by reference the 2013 version of 10 CFR 20 and includes this term. A forthcoming rulemaking will change the incorporation date to 2016 but these terms are not changing.  Equivalent.
1994-3	Principle Activity	D		Not applicable.
	<b>30.35</b>			See Reference 4. Regarding Financial Assurance, existing section 30195.1 incorporates by reference the 2007 version of 30.35 and Appendices A-E and 40.36, with exceptions. Section 30195.1 is being amended under DPH-12-004 to address RATS
	(a)	H&S	30195.1	
	(b)	H&S	30195.1	
1997-6	(c)	D	30195.1	
	(d)	D	30195.1	
1997-6	(e)	H&S	30195.1	

**Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6**

February 1, 2016

<b>RATS ID</b>	<b>10 CFR (Current)</b>	<b>Comp Cat</b>	<b>17 CCR (Current)</b>	<b>Notes:</b>
1997-6	(f)	D	30195.1	<b>ID 2011-1.</b> 30256(a) addresses 30.35(g) & 70.25(g). 30195.1(b) addresses 40.36(f).
1997-6	(g)	H&S	30256(a); 30253(a)(11).	<p>30.35(g) - Parts 20, 32-36 &amp; 39 cited:</p> <ul style="list-style-type: none"> <li>• 20 = 30253.</li> <li>• 32 = 30196.</li> <li>• 33 = All Compatibility Category D.</li> <li>• 34 = 30195.3, 30330-30338.</li> <li>• 35 = 30195(a) &amp; (d), 30195.4.</li> <li>• 36 = License Condition incorporates all required elements.</li> <li>• 39 = 30345.1 – 30350.3.</li> <li>• 30.34(b) = 30194(c).</li> </ul> <p>30.35(g)(3)(i): 30253 incorporates 10 CFR 20 (1-1-2013).</p> <p>30.35(g)(3)(iv) = 30256(a)(3)(D) except as follows:</p> <ul style="list-style-type: none"> <li>• (3)(iv)= “meet the criteria for decommissioning in 10 CFR part 20, subpart E.”</li> <li>• (3)(D)= “unrestricted release levels.”</li> </ul> <p>Though different, the difference is not significant because 30.35(g) is a recordkeeping provision and an H&amp;S category. When “unrestricted release levels” are reached is determined case-by-case. Equivalent.</p>
	(1)	H&S	30256(a)(1)	
	(2)	H&S	30256(a)(2)	
	(3)	H&S	30256(a)(3)	
	(i)	H&S	30256(a)(3)(A)	
	(ii)	H&S	30256(a)(3)(B)	
	(iii)	H&S	30256(a)(3)(C)	
	(iv)	H&S	30256(a)(3)(D)	
	(4)	H&S	30256(a)(4)	
	(h)	D		
	<b>30.36</b>			See Reference 2.
1994-3	(a)	D	30194(e)	Not applicable.

**Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6**  
February 1, 2016

RATS ID	10 CFR (Current)	Comp Cat	17 CCR (Current)	Notes:
				<p>30.36(a) cites to 30.37, which requires applications be submitted on NRC form 313 in accordance with 30.32.</p> <p>RHB uses an equivalent form that must be submitted under 30194 and other criteria are applied: 30194.1, 30195, 30195.1, 30195.2, 30195.3, 30195.4, etc.</p> <p>30.32(a)-(f) &amp; (h) are Compatibility Category D; (g) is C; (i) is H&amp;S; (j) is B. Equivalents are:</p> <ul style="list-style-type: none"> <li>• 30.32(g) = 30195(c).</li> <li>• 30.32(i) = 30195.2.</li> <li>• 30.32(j) = 30195(d) &amp; 30196.</li> </ul>
1994-3	(b)	D		Not applicable.
1994-3	(c)	H&S	30256(j); 30195(e).	<p>Substantial difference between:</p> <ul style="list-style-type: none"> <li>• 30.36(c): “possession of byproduct material.”</li> <li>• 30256(j): “residual radioactive material present as contamination.”</li> </ul> <p><b>NRC to determine equivalency.</b></p> <p>Substantial difference between:</p> <ul style="list-style-type: none"> <li>• 30.36(c)(2): “In accordance with NRC requirements.”</li> <li>• 30256(j)(2): “for unrestricted use and the Department notifies the licensee in writing that the license is terminated.”</li> </ul> <p>Both phrases point to a requirement. RHB’s phrase is more specific. <b>NRC to determine equivalency.</b></p>
1994-3	(d)	H&S		<b>No equivalent.</b>
1994-3	(e)	H&S		<b>No equivalent.</b>
1994-3	(f)	H&S		<b>No equivalent.</b>

**Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6**

February 1, 2016

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1994-3	(g)  (1) (i) (ii) (iii) (iv)  (2)  (3)  (4) (i) (ii) (iii) (iv) (v) (vi)  (5)	H&S  H&S H&S H&S H&S  H&S  H&S  H&S H&S H&S H&S H&S H&S  H&S	30256(d) - (g)  30256(d) 30256(d)(1) 30256(d)(2) 30256(d)(3) 30256(d)(4)  30104; 30205.  30256(e)  30256(f) 30256(f)(4) 30256(f)(1) 30256(f)(2) 30256(f)(3) 30256(f)(5) -----  30256(g)	The phrase “if required by license condition” found in (g)(1) is found in 30256(f). Though the placement is located elsewhere, the regulatory effect is that the licensee must submit a DP if required by license condition or if procedures/activities were not previously approved.  30.36(g)(2) is only informative and places no mandate on the licensee. 30104 inform licensees the Department may on its own initiative grant exemptions. 30205 is similar. The combination of 30104 and 30205, thus, informs licensees the Department may approve alternative schedules for submittal of a DP and what criteria will be used to so approve. Therefore, it appears we are equivalent.  Equivalent. 30.36(g)(3) contains “such as those listed in paragraph (g)(1) of this section” but 30256(e) does not. No substantial difference as phrase is informative only.  Equivalent. 30256(f) is also equivalent to 30.35(g)(1) phrases resulting in requiring submittal of DP if required by license condition or performing activities not previously approved.  <b>30.36(g)(4)(vi). No Equivalent.</b>  Equivalent.
1994-3	(h)	H&S		<b>No equivalent.</b>
1994-3	(i)	H&S		<b>No equivalent.</b>
1997-6	(j)	H&S	30256(h)	30256(h), 1 <sup>st</sup> sentence, is similar to 30.36(h) but does not include the 24 month completion requirement.

Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6

February 1, 2016

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				<p>30256(h), 2<sup>nd</sup> sentence = 30.36(j)(1).</p> <p>Form CDPH 5314 is based on NRC Form 314 and is equivalent except for citation to Subpart E criteria. It should be revised for clarity and consistency with NRC's form minus Subpart E reference.</p> <p><b>Not Equivalent.</b></p>
1997-6	<p>(k) (1) (2) (3)</p> <p>(4)</p>	<p>H&amp;S H&amp;S H&amp;S H&amp;S</p> <p>D</p>	<p>30256(k) 30256(k)(1) 30256(k)(2) 30256(k)(3)</p> <p>See notes:</p>	<p>Equivalent. Equivalent. Equivalent. 30.36(k)(3) = 30256(k)(3) except as follows:</p> <ul style="list-style-type: none"> <li>• "In accordance with the criteria for decommissioning in 10 CFR part 20, subpart E" vs. "For unrestricted use".</li> </ul> <p>30256(k)(3) is more restrictive since it's limited to "unrestricted use" whereas Subpart E allows restricted use. Equivalent.</p> <p>Compatibility category for 30.36(k)(4) is D as verified by email from NRC on 12-8-15.</p> <p>However, 30293(e) &amp; (g) is equivalent to 30.51(d) &amp; (f) (cited by 30.36(k)(4)) but require records to be submitted <u>only if requested</u> whereas 30.51(d) &amp; (f) require submittal in all instances. Though RHB, by policy, requires submittal of equivalent records prior to license termination in all cases, <b>30293 is not equivalent to 30.51(d) &amp; (f).</b> See Reference 3.</p>
	<b>40.4</b>			
1997-6	Decommission	[C]	30253	<p>Section 30253 incorporates by reference the 2013 version of 10 CFR 20 and includes this term. A forthcoming rulemaking will change the incorporation date to 2016 but these terms are not changing.</p>

**Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6**  
February 1, 2016

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				Equivalent.
1994-3	Principle Activity	D		Not applicable.
	<b>40.36</b>			See Reference 3.
1997-6	(f)(3)(iv)	H&S	30256(a)	Equivalent. See discussion of 30.35(g)(3)(iv).
	<b>40.42</b>			See Reference 2.
1994-3	(a)	D	30194(e)	Not applicable.
1994-3	(b)	D		Not applicable.
1994-3	(c)	H&S	30256(j); 30195(e).	See discussion of 30.36(c) for phrase differences. <b>NRC to determine equivalency.</b>
1994-3	(d)	H&S		<b>No equivalent.</b>
1994-3	(e)	H&S		<b>No equivalent.</b>
1994-3	(f)	H&S		<b>No equivalent.</b>
1994-3	(g)	H&S	30256(d)-(g)	See discussion of 30.36(g). <b>Not equivalent to 40.42(g)(4)(vi).</b>
1994-3	(h)	H&S		<b>No equivalent.</b>
1994-3	(i)	H&S		<b>No equivalent.</b>
1997-6, 1994-3	(j)	H&S	30256(h)	See discussion of 30.36(j). <b>Not Equivalent.</b>
1997-6, 1994-3	(k) (1) (2) (3) (4)	H&S H&S H&S H&S D	30256(k) 30256(k)(1) 30256(k)(2) 30256(k)(3) -----	Equivalent. See also discussion of 30.36(k).

**Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6**  
February 1, 2016

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	(l)	H&S		This provision applies only to Uranium & Thorium milling licensees. <b>California does not have 11e2 authority.</b>
<b>70.4</b>				
1997-6	Decommission	[C]	30253	Section 30253 incorporates by reference the 2013 version of 10 CFR 20 and includes this term. A forthcoming rulemaking will change the incorporation date to 2016 but these terms are not changing.  Equivalent.
1994-3	Principle Activity	D		Not applicable.
<b>70.25</b>				
				See Reference 3.
1997-6	(g)(3)(iv)	H&S	30256(a)(3)(D)	See discussion of 30.35(g). Equivalent.
<b>70.38</b>				
				See Reference 2. See also discussions of 30.36 and 40.42.
1994-3	(a)	D	30194(e)	Not applicable.
1994-3	(b)	D		Not applicable.
1994-3	(c)	H&S	30256(j); 30195(e).	See discussion of 30.36(c) for phrase differences.  <b>NRC to determine equivalency.</b>
1994-3	(d)	H&S		<b>No equivalent.</b>

**Reference 1 - Summary Comparison of RATS ID 1994-3 & 1997-6**  
February 1, 2016

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1994-3	(e)	H&S		No equivalent.
1994-3	(f)	H&S	See Notes.	(f) – No equivalent.
1994-3	(g)	H&S		(g) – See 30.36(g) discussion. 30.36(g)(4)(vi) not equivalent.
1994-3	(h)	H&S		(h) – No equivalent.
1994-3	(i)	H&S		(i) – No equivalent.
1997-6, 1994-3	(j)	H&S		(j) – See 30.36(j) discussion. Not equivalent for 24 month requirement.
1997-6, 1994-3	(k) (1) (2) (3) (4)	H&S H&S H&S H&S D		30256(k) 30256(k)(1) 30256(k)(2) 30256(k)(3) -----