

**Reference 2 - Comparison of 10 CFR Decommissioning provisions**  
February 1, 2016

NRC provision/compatibility category corrections confirmed on 12-8-15 per NRC email shown in **RED BOLDED** font.

<b>Part 30.36 (current)</b>	<b>Part 40.42 (current)</b>	<b>Part 70.38 (current)</b>	<b>17 CCR</b>
<u>Compatibility Categories:</u>  (a), (b) & <b>(k)(4)</b> = D  (c), (d), (e), <b>(f)</b> , (g), (h), <b>(i)</b> , (j), & (k)(1), (2) & (3) = H&S	<u>Compatibility Categories:</u>  (a), (b) & (k)(4) = D  (c), (d), (e), (f), (g), (h), (i), (j) & (k)(1), (2) & (3), & (l) = H&S	<u>Compatibility Categories:</u>  (a), (b) & (k)(4) = D  (c), (d), (e), (f), (g), (h), (i), (j) & (k)(1), (2) & (3), & (l) = H&S	Though an NRC provision may be category D, 17 CCR may contain equivalent provisions.
(a) Each specific license expires at the end of the day on the expiration date stated in the license, unless the licensee has filed an application for renewal under <b>§ 30.37</b> not less than 30 days before the expiration date stated in the existing license. If an application for renewal has been filed at least 30 days before the expiration date stated in the existing license, the existing license expires at the end of the day on which the Commission makes a final determination to deny the renewal application or, if the determination states an expiration date, the expiration date stated in the determination.	(a) Each specific license expires at the end of the day on the expiration date stated in the license unless the licensee has filed an application for renewal under <b>§ 40.43</b> not less than 30 days before the expiration date stated in the existing license. If an application for renewal has been filed at least 30 days before the expiration date stated in the existing license, the existing license expires at the end of the day on which the Commission makes a final determination to deny the renewal application or, if the determination states an expiration date, the expiration date stated in the determination.	(a) Each specific license expires at the end of the day on the expiration date stated in the license unless the licensee has filed an application for renewal under <b>§ 70.33</b> not less than 30 days before the expiration date stated in the existing license. If an application for renewal has been filed at least 30 days before the expiration date stated in the existing license, the existing license expires at the end of the day on which the Commission makes a final determination to deny the renewal application or, if the determination states an expiration date, the expiration date stated in the determination.	[(a) is not applicable.] <b>§ 30194(e):</b> Each specific license shall expire on the expiration date specified as a condition of the license. However, the license shall continue to be valid if a timely application for renewal is filed. An application for renewal shall be timely if filed at least 30 days prior to the expiration date. The existing license shall not expire until the department has taken final action on the timely filed application for renewal.
(b) Each specific license revoked by the Commission expires at the end of the day on the date of the Commission's final determination to revoke the license, or on the expiration date stated in the determination, or as otherwise provided by Commission Order.	(b) Each specific license revoked by the Commission expires at the end of the day on the date of the Commission's final determination to revoke the license, or on the expiration date stated in the determination, or as otherwise provided by Commission Order.	(b) Each specific license revoked by the Commission expires at the end of the day on the date of the Commission's final determination to revoke the license, or on the expiration date stated in the determination, or as otherwise provided by Commission Order.	[(b) is not applicable.]
(c) Each specific license continues in effect, beyond the expiration date if necessary, with	(c) Each specific license continues in effect, beyond the expiration date if necessary, with	(c) Each specific license continues in effect, beyond the expiration date if necessary, with	<b>30256(j):</b> Each specific license continues in effect, beyond the expiration date if

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<p>respect to possession of <b>byproduct material</b> until the Commission notifies the licensee in writing that the license is terminated. During this time, the licensee shall—</p> <p>(1) Limit actions involving <b>byproduct material</b> to those related to decommissioning; and</p> <p>(2) Continue to control entry to restricted areas until they are suitable for release in accordance with NRC requirements.</p> <p>(d) Within 60 days of the occurrence of any of the following, consistent with the administrative directions in <b>§ 30.6</b>, each licensee shall provide notification to the NRC in writing of such occurrence, and either begin decommissioning its site, or any separate building or outdoor area that contains residual radioactivity so that the building or outdoor area is suitable for release in accordance with NRC requirements, or submit within 12 months of notification a decommissioning plan, if required by paragraph (g)(1) of this section, and begin decommissioning upon approval of that plan if—</p> <p>(1) The license has expired pursuant to</p>	<p>respect to possession of <b>source material</b> until the Commission notifies the licensee in writing that the license is terminated. During this time, the licensee shall—</p> <p>(1) Limit actions involving <b>source material</b> to those related to decommissioning; and</p> <p>(2) Continue to control entry to restricted areas until they are suitable for release in accordance with NRC requirements;</p> <p>(d) Within 60 days of the occurrence of any of the following, consistent with the administrative directions in <b>§ 40.5</b>, each licensee shall provide notification to the NRC in writing and either begin decommissioning its site, or any separate building or outdoor area that contains residual radioactivity, so that the building or outdoor area is suitable for release in accordance with NRC requirements, or submit within 12 months of notification a decommissioning plan, if required by paragraph (g)(1) of this section, and begin decommissioning upon approval of that plan if—</p> <p>(1) The license has expired pursuant to</p>	<p>respect to possession of <b>special nuclear material</b> until the Commission notifies the licensee in writing that the license is terminated. During this time, the licensee shall—</p> <p>(1) Limit actions involving <b>special nuclear material</b> to those related to decommissioning; and</p> <p>(2) Continue to control entry to restricted areas until they are suitable for release in accordance with NRC requirements.</p> <p>(d) Within 60 days of the occurrence of any of the following, consistent with the administrative directions in <b>§ 70.5</b>, each licensee shall provide notification to the NRC in writing and either begin decommissioning its site, or any separate building or outdoor area that contains residual radioactivity, so that the building or outdoor area is suitable for release in accordance with NRC requirements, or submit within 12 months of notification a decommissioning plan, if required by paragraph (g)(1) of this section, and begin decommissioning upon approval of that plan if—</p> <p>(1) The license has expired pursuant to</p>	<p>necessary, with respect to possession of <b>residual radioactive material present as contamination</b> until the Department notifies the licensee in writing that the license is terminated. During this time, the licensee shall:</p> <p>(1) Limit actions involving <b>radioactive material</b> to those related to decommissioning; and</p> <p>(2) Continue to control entry to restricted areas until they are suitable for release for unrestricted use and the Department notifies the licensee in writing that the license is terminated.</p> <p><b>NO EQUIVALENT to (d).</b></p>
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<p>paragraph (a) or (b) of this section; or</p> <p>(2) The licensee has decided to permanently cease principal activities, as defined in this part, at the entire site or in any separate building or outdoor area <b>that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements</b>; or</p> <p>(3) No principal activities under the license have been conducted for a period of 24 months; or</p> <p>(4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.</p> <p>(e) Coincident with the notification required by paragraph (d) of this section, the licensee shall maintain in effect all decommissioning financial assurances established by the licensee pursuant to <b>§ 30.35</b> in conjunction with a license issuance or renewal or as required by this section. The amount of the financial assurance must be increased, or may be decreased, as appropriate, to cover the detailed cost estimate for decommissioning established pursuant to paragraph (g)(4)(v) of this section.</p>	<p>paragraph (a) or (b) of this section; or</p> <p>(2) The licensee has decided to permanently cease principal activities, as defined in this part, at the entire site or in any separate building or outdoor area; or</p> <p>(3) No principal activities under the license have been conducted for a period of 24 months; or</p> <p>(4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.</p> <p>(e) Coincident with the notification required by paragraph (d) of this section, the licensee shall maintain in effect all decommissioning financial assurances established by the licensee pursuant to <b>§ 40.36</b> in conjunction with a license issuance or renewal or as required by this section. The amount of the financial assurance must be increased, or may be decreased, as appropriate, to cover the detailed cost estimate for decommissioning established pursuant to paragraph (g)(4)(v) of this section.</p>	<p>paragraph (a) or (b) of this section; or</p> <p>(2) The licensee has decided to permanently cease principal activities, as defined in this part, at the entire site or in any separate building or outdoor area; or</p> <p>(3) No principal activities under the license have been conducted for a period of 24 months; or</p> <p>(4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.</p> <p>(e) Coincident with the notification required by paragraph (d) of this section, the licensee shall maintain in effect all decommissioning financial assurances established by the licensee pursuant to <b>§ 70.25</b> in conjunction with a license issuance or renewal or as required by this section. The amount of the financial assurance must be increased, or may be decreased, as appropriate, to cover the detailed cost estimate for decommissioning established pursuant to paragraph (g)(4)(v) of this section.</p>	<p><b>NO EQUIVALENT to (e).</b></p>
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<p>(1) Any licensee who has not provided financial assurance to cover the detailed cost estimate submitted with the decommissioning plan shall do so when this rule becomes effective November 24, 1995.</p> <p>(2) Following approval of the decommissioning plan, a licensee may reduce the amount of the financial assurance as decommissioning proceeds and radiological contamination is reduced at the site with the approval of the Commission.</p> <p>(f) The Commission may grant a request to <b>extend the time periods established in paragraph (d)</b> if the Commission determines that this relief is not detrimental to the public health and safety and is otherwise in the public interest. The request must be submitted no later than 30 days before notification pursuant to paragraph (d) of this section. The schedule for decommissioning set forth in paragraph (d) of this section may not commence until the Commission has made a determination on the request.</p> <p>(g)(1) A decommissioning plan must be submitted if required by license condition or if the procedures and activities necessary to carry out decommissioning of the site or separate building or outdoor area have not been previously approved by the Commission and these procedures could increase potential</p>	<p>(1) Any licensee who has not provided financial assurance to cover the detailed cost estimate submitted with the decommissioning plan shall do so when this rule becomes effective November 24, 1995.</p> <p>(2) Following approval of the decommissioning plan, a licensee may reduce the amount of the financial assurance as decommissioning proceeds and radiological contamination is reduced at the site with the approval of the Commission.</p> <p>(f) The Commission may grant a request to <b>delay or postpone initiation of the decommissioning process</b> if the Commission determines that such relief is not detrimental to the public health and safety and is otherwise in the public interest. The request must be submitted no later than 30 days before notification pursuant to paragraph (d) of this section. The schedule for decommissioning set forth in paragraph (d) of this section may not commence until the Commission has made a determination on the request.</p> <p>(g)(1) A decommissioning plan must be submitted if required by license condition or if the procedures and activities necessary to carry out decommissioning of the site or separate building or outdoor area have not been previously approved by the Commission and these procedures could increase potential</p>	<p>(1) Any licensee who has not provided financial assurance to cover the detailed cost estimate submitted with the decommissioning plan shall do so when this rule becomes effective November 24, 1995.</p> <p>(2) Following approval of the decommissioning plan, a licensee may reduce the amount of the financial assurance as decommissioning proceeds and radiological contamination is reduced at the site with the approval of the Commission.</p> <p>(f) The Commission may grant a request to <b>delay or postpone initiation of the decommissioning process</b> if the Commission determines that this relief is not detrimental to the public health and safety and is otherwise in the public interest. The request must be submitted no later than 30 days before notification pursuant to paragraph (d) of this section. The schedule for decommissioning set forth in paragraph (d) of this section may not commence until the Commission has made a determination on the request.</p> <p>(g)(1) A decommissioning plan must be submitted <b>if required by license condition</b> or if the procedures and activities necessary to carry out decommissioning of the site or separate building or outdoor area have not been previously approved by the Commission and these procedures could increase potential</p>	<p>[(f) is not applicable.]</p> <div><p>See <b>30256(f)</b> below for equivalent phrase to “If required by license condition.”</p><p><b>30256(d):</b> <b>In addition to the information required under Subsections (c)(4) and (5),</b> the licensee shall submit a plan for completion of decommissioning if the procedures necessary to carry out decommissioning have not been previously approved by the Department and could increase potential health and safety</p></div>
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<p>health and safety impacts to workers or to the public, such as in any of the following cases:</p> <p>(i) Procedures would involve techniques not applied routinely during cleanup or maintenance operations;</p> <p>(ii) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation;</p> <p>(iii) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or</p> <p>(iv) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.</p> <p>(2) The Commission may approve an alternate schedule for submittal of a decommissioning plan required pursuant to paragraph (d) of this section if the Commission determines that the alternative schedule is necessary to the effective conduct of decommissioning operations and presents no undue risk from radiation to the public health and safety and is otherwise in the public interest.</p>	<p>health and safety impacts to workers or to the public, such as in any of the following cases:</p> <p>(i) Procedures would involve techniques not applied routinely during cleanup or maintenance operations;</p> <p>(ii) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation;</p> <p>(iii) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or</p> <p>(iv) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.</p> <p>(2) The Commission may approve an alternate schedule for submittal of a decommissioning plan required pursuant to paragraph (d) of this section if the Commission determines that the alternative schedule is necessary to the effective conduct of decommissioning operations and presents no undue risk from radiation to the public health and safety and is otherwise in the public interest.</p>	<p>health and safety impacts to workers or to the public, such as in any of the following cases:</p> <p>(i) Procedures would involve techniques not applied routinely during cleanup or maintenance operations;</p> <p>(ii) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation;</p> <p>(iii) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or</p> <p>(iv) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.</p> <p>(2) The Commission may approve an alternate schedule for submittal of a decommissioning plan required pursuant to paragraph (d) of this section if the Commission determines that the alternative schedule is necessary to the effective conduct of decommissioning operations and presents no undue risk from radiation to the public health and safety and is otherwise in the public interest.</p>	<p>impacts to workers or to the public such as in any of the following cases:</p> <p>(1) Procedures would involve techniques not applied routinely during cleanup or maintenance operations; or</p> <p>(2) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation; or</p> <p>(3) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or</p> <p>(4) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.</p> <p><b>NO EQUIVALENT to (g)(2) but 30.36(g)(2) is only informative. It 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 meet the H&amp;S category but NRC MUST determine.</b></p>
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<p>(3) Procedures <b>such as those</b> listed in paragraph (g)(1) of this <b>section with potential health and safety impacts</b> may not be carried out prior to approval of the decommissioning plan.</p> <p>(4) The proposed decommissioning plan for the site or separate building or outdoor area must include:</p> <p>(i) A description of the conditions of the site or separate building or outdoor area sufficient to evaluate the acceptability of the plan;</p> <p>(ii) A description of planned decommissioning activities;</p> <p>(iii) A description of methods used to ensure protection of workers and the environment against radiation hazards during decommissioning;</p> <p>(iv) A description of the planned final radiation survey; and</p> <p>(v) An updated detailed cost estimate for decommissioning, comparison of that estimate with present funds set aside for decommissioning, and a plan for assuring the availability of adequate funds for completion of decommissioning.</p>	<p>(3) The procedures <b>listed in paragraph (g)(1)</b> of this section may not be carried out prior to approval of the decommissioning plan.</p> <p>(4) The proposed decommissioning plan for the site or separate building or outdoor area must include:</p> <p>(i) A description of the conditions of the site or separate building or outdoor area sufficient to evaluate the acceptability of the plan;</p> <p>(ii) A description of planned decommissioning activities;</p> <p>(iii) A description of methods used to ensure protection of workers and the environment against radiation hazards during decommissioning;</p> <p>(iv) A description of the planned final radiation survey; and</p> <p>(v) An updated detailed cost estimate for decommissioning, comparison of that estimate with present funds set aside for decommissioning, and a plan for assuring the availability of adequate funds for completion of decommissioning.</p>	<p>(3) The procedures <b>listed in paragraph (g)(1)</b> of this section may not be carried out prior to approval of the decommissioning plan.</p> <p>(4) The proposed decommissioning plan for the site or separate building or outdoor area must include:</p> <p>(i) A description of the conditions of the site or separate building or outdoor area sufficient to evaluate the acceptability of the plan;</p> <p>(ii) A description of planned decommissioning activities;</p> <p>(iii) A description of methods used to ensure protection of workers and the environment against radiation hazards during decommissioning;</p> <p>(iv) A description of the planned final radiation survey; and</p> <p>(v) An updated detailed cost estimate for decommissioning, comparison of that estimate with present funds set aside for decommissioning, and a plan for assuring the availability of adequate funds for completion of decommissioning.</p> <p><b>(vi) A description of the physical security plan</b></p>	<p><b>30256(e):</b> Procedures with potential health and safety impacts shall not be carried out prior to approval of the decommissioning plan.</p> <p><b>30256(f):</b> The proposed decommissioning plan, <b>if required by Subsection (d) of this section or by license condition</b>, shall include:</p> <p><b>(4)</b> <b>The information required in (a) (3) and any other information required by (a)</b> that is considered necessary to support the adequacy of the decommissioning plan for approval;</p> <div style="border: 1px solid black; height: 20px; width: 100px; margin: 5px 0;"></div> <p><b>(1)</b> Description of planned decommissioning activities;</p> <p><b>(2)</b> Description of methods used to assure protection of workers and the environment against radiation hazards during decommissioning;</p> <p><b>(3)</b> A description of the planned final radiation survey;</p> <p><b>(5)</b> An updated detailed cost estimate for decommissioning, comparison of that estimate with present funds set aside for decommissioning, and plan for assuring the availability of adequate funds for completion of decommissioning.</p>
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		and material control and accounting plan provisions in place during decommissioning.	NO EQUIVALENT for 70.38(g)(4)(vi).
(vi) For decommissioning plans calling for completion of decommissioning later than 24 months after plan approval, the plan shall include a justification for the delay based on the criteria in paragraph (i) of this section.	(vi) For decommissioning plans calling for completion of decommissioning later than 24 months after plan approval, a justification for the delay based on the criteria in paragraph (i) of this section.	(vii) For decommissioning plans calling for completion of decommissioning later than 24 months after plan approval, a justification for the delay based on the criteria in paragraph (i) of this section.	NO EQUIVALENT for (g)(4)(vi) of 30.36 and 40.42 and 70.38(g)(4)(vii).
(5) The proposed decommissioning plan will be approved by the Commission if the information therein demonstrates that the decommissioning will be completed as soon as practicable and that the health and safety of workers and the public will be adequately protected.	(5) The proposed decommissioning plan will be approved by the Commission if the information therein demonstrates that the decommissioning will be completed as soon as practicable and that the health and safety of workers and the public will be adequately protected.	(5) The proposed decommissioning plan will be approved by the Commission if the information therein demonstrates that the decommissioning will be completed as soon as practical and that the health and safety of workers and the public will be adequately protected.	<b>30256(g):</b> The proposed decommissioning plan will be approved by the Department if the Department determines that the decommissioning will be completed as soon as is reasonable and that the health and safety of workers and the public will be adequately protected.
(h)(1) Except as provided in paragraph (i) of this section, licensees shall complete decommissioning of the site or separate building or outdoor area as soon as practicable but no later than 24 months following the initiation of decommissioning.	(h)(1) Except as provided in paragraph (i) of this section, licensees shall complete decommissioning of the site or separate building or outdoor area as soon as practicable but no later than 24 months following the initiation of decommissioning.	(h)(1) Except as provided in paragraph (i) of this section, licensees shall complete decommissioning of the site or separate building or outdoor area as soon as practicable but no later than 24 months following the initiation of decommissioning.	NO EQUIVALENT for (h).
(2) Except as provided in paragraph (i) of this section, when decommissioning involves the entire site, the licensee shall request license termination as soon as practicable but no later than 24 months following the initiation of decommissioning.	(2) Except as provided in paragraph (i) of this section, when decommissioning involves the entire site, the licensee shall request license termination as soon as practicable but no later than 24 months following the initiation of decommissioning.	(2) Except as provided in paragraph (i) of this section, when decommissioning involves the entire site, the licensee shall request license termination as soon as practicable but no later than 24 months following the initiation of decommissioning.	
(i) The Commission may approve a request for	(i) The Commission may approve a request for	(i) The Commission may approve a request for	

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<p>an alternative schedule for completion of decommissioning of the site or separate building or outdoor area, and license termination if appropriate, if the Commission determines that the alternative is warranted by consideration of the following:</p> <p>(1) Whether it is technically feasible to complete decommissioning within the allotted 24-month period;</p> <p>(2) Whether sufficient waste disposal capacity is available to allow completion of decommissioning within the allotted 24-month period;</p> <p>(3) Whether a significant volume reduction in wastes requiring disposal will be achieved by allowing short-lived radionuclides to decay;</p> <p>(4) Whether a significant reduction in radiation exposure to workers can be achieved by allowing short-lived radionuclides to decay; and</p> <p>(5) Other site-specific factors which the Commission may consider appropriate on a case-by-case basis, such as the regulatory requirements of other government agencies, lawsuits, ground-water treatment activities, monitored natural ground-water restoration, actions that could result in more environmental harm than deferred cleanup, and other factors beyond the control of the licensee.</p>	<p>an alternate schedule for completion of decommissioning of the site or separate building or outdoor area, and license termination if appropriate, if the Commission determines that the alternative is warranted by consideration of the following:</p> <p>(1) Whether it is technically feasible to complete decommissioning within the allotted 24-month period;</p> <p>(2) Whether sufficient waste disposal capacity is available to allow completion of decommissioning within the allotted 24-month period;</p> <p>(3) Whether a significant volume reduction in wastes requiring disposal will be achieved by allowing short-lived radionuclides to decay;</p> <p>(4) Whether a significant reduction in radiation exposure to workers can be achieved by allowing short-lived radionuclides to decay; and</p> <p>(5) Other site-specific factors which the Commission may consider appropriate on a case-by-case basis, such as the regulatory requirements of other government agencies, lawsuits, ground-water treatment activities, monitored natural ground-water restoration, actions that could result in more environmental harm than deferred cleanup, and other factors beyond the control of the licensee.</p>	<p>an alternate schedule for completion of decommissioning of the site or separate building or outdoor area, and license termination if appropriate, if the Commission determines that the alternative is warranted by consideration of the following:</p> <p>(1) Whether it is technically feasible to complete decommissioning within the allotted 24-month period;</p> <p>(2) Whether sufficient waste disposal capacity is available to allow completion of decommissioning within the allotted 24-month period;</p> <p>(3) Whether a significant volume reduction in wastes requiring disposal will be achieved by allowing short-lived radionuclides to decay;</p> <p>(4) Whether a significant reduction in radiation exposure to workers can be achieved by allowing short-lived radionuclides to decay; and</p> <p>(5) Other site-specific factors which the Commission may consider appropriate on a case-by-case basis, such as regulatory requirements of other government agencies, lawsuits, ground-water treatment activities, monitored natural ground-water restoration, actions that could result in more environmental harm than deferred cleanup, and other factors beyond the control of the licensee.</p>	<p><b>NO EQUIVALENT for (i).</b></p>
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<p>(j) As the final step in decommissioning, the licensee shall—</p> <p>(1) Certify the disposition of all licensed material, including accumulated wastes, by submitting a completed NRC Form 314 or equivalent information; and</p> <p>(2) Conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates in some other manner that the premises are suitable for release <b>in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E.</b> The licensee shall, as appropriate—</p> <p>(i) Report levels of gamma radiation in units of millisieverts (microroentgen) per hour at one meter from surfaces, and report levels of radioactivity, including alpha and beta, in units of megabecquerels (disintegrations per minute or microcuries) per 100 square centimeters--removable and fixed--for surfaces, megabecquerels (microcuries) per milliliter for water, and becquerels (picocuries) per gram for solids such as soils or concrete; and</p>	<p>(j) As the final step in decommissioning, the licensee shall—</p> <p>(1) Certify the disposition of all licensed material, including accumulated wastes, by submitting a completed NRC Form 314 or equivalent information; and</p> <p>(2) Conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates in some other manner that the premises are suitable for <b>release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E</b> or, for uranium milling (uranium and thorium recovery) facilities, <b>Criterion 6(6) of Appendix A to this part.</b> The licensee shall, as appropriate—</p> <p>(i) Report levels of gamma radiation in units of millisieverts (microroentgen) per hour at one meter from surfaces, and report levels of radioactivity, including alpha and beta, in units of megabecquerels (disintegrations per minute or microcuries) per 100 square centimeters removable and fixed for surfaces, megabecquerels (microcuries) per milliliter for water, and becquerels (picocuries) per gram for solids such as soils or concrete; and</p>	<p>(j) As the final step in decommissioning, the licensee shall—</p> <p>(1) Certify the disposition of all licensed material, including accumulated wastes, by submitting a completed NRC Form 314 or equivalent information; and</p> <p>(2) Conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates in some other manner that the premises are suitable for release <b>in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E.</b> The licensee shall, as appropriate—</p> <p>(i) Report levels of gamma radiation in units of millisieverts (microroentgen) per hour at one meter from surfaces, and report levels of radioactivity, including alpha and beta, in units of megabecquerels (disintegrations per minute or microcuries) per 100 square centimeters removable and fixed for surfaces, megabecquerels (microcuries) per milliliter for water, and becquerels (picocuries) per gram for solids such as soils or concrete; and</p>	<p><b>30256(h):</b> Upon approval of the decommissioning plan by the Department, the licensee shall complete decommissioning in accordance with the approved plan. As a final step in decommissioning, the licensee shall again submit the information required in subsection (c)(5) and shall certify the disposition of accumulated wastes from decommissioning by completing form CDPH 5314 (06/09).</p> <p><b>30256(c)(5):</b> Conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates that the premises are suitable for release <b>for unrestricted use in some other manner.</b> The licensee shall, as appropriate:</p> <p>(A) Report levels of radiation in units of microrads per hour of beta and gamma radiation at one centimeter and gamma radiation at one meter from surfaces, and report levels of radioactivity, including alpha, in units of disintegrations per minute (or microcuries) per 100 square centimeters removable and fixed for surfaces, microcuries per milliliter for water, and picocuries per</p>
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<p>(ii) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.</p> <p>(k) Specific licenses, including expired licenses, will be terminated by written notice to the licensee when the Commission determines that:</p> <p>(1) <b>Byproduct material</b> has been properly disposed;</p> <p>(2) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and</p> <p>(3)(i) A radiation survey has been performed which demonstrates that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E; or</p> <p>(ii) Other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E.</p>	<p>(ii) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.</p> <p>(k) Specific licenses, including expired licenses, will be terminated by written notice to the licensee when the Commission determines that:</p> <p>(1) <b>Source material</b> has been properly disposed;</p> <p>(2) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and</p> <p>(3)(i) A radiation survey has been performed which demonstrates that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E; <b>or for uranium milling (uranium and thorium recovery) facilities, Criterion 6(6) of Appendix A to this part;</b></p> <p>(ii) Other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E.</p>	<p>(ii) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.</p> <p>(k) Specific licenses, including expired licenses, will be terminated by written notice to the licensee when the Commission determines that:</p> <p>(1) <b>Special nuclear material</b> has been properly disposed;</p> <p>(2) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and</p> <p>(3)(i) A radiation survey has been performed which demonstrates that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E; or</p> <p>(ii) Other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E.</p>	<p>gram for solids such as soils or concrete; and</p> <p>(B) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.</p> <p>(k) Specific licenses shall be terminated by written notice to the licensee when the Department determines that:</p> <p>(1) <b>Radioactive material</b> has been properly disposed;</p> <p>(2) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and</p> <p>(3) A radiation survey has been performed which demonstrates that the premises are suitable for release <b>for unrestricted use</b>; or other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release <b>for unrestricted use</b>.</p> <p>[40.42(k)(3)(i) highlighted phrase applies only to Agreement States with 11e2 authority.]</p>
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(4) Records required by § 30.51 (d) and (f) have been received.	(4) Records required by § 40.61(d) and (f) have been received.  (l) Specific licenses for uranium and thorium milling are exempt from paragraphs (d)(4), (g) and (h) of this section with respect to reclamation of tailings impoundments and/or waste disposal areas.	(4) Records required by § <del>70.51(b)(6)</del> <b>70.51(a)</b> have been received.	[(k)(4) is not applicable. However, the cited provisions = <b>30293(e) &amp; (g)</b> : requires records to be submitted only if requested; thus, 30293(e) & (g) are not equivalent to cited provisions. ]  [40.42(l) applies only to Agreement States with 11e2 authority.]
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