

**Reference 4 - Comparison of 10 CFR record keeping provisions  
 Referenced in  
 RATS ID 1994-3 & 1997-6  
 February 1, 2016**

**Summary of comparison**

10 CFR 30.51	10 CFR 40.61	10 CFR 70.51	17 CCR 30293
			<b>Notes:</b>
(a)	(a)	Subdivisions are placed to correspond with parts 30 & 40.  Contains only 3 subdivisions.	30293(a) is equivalent and compatible with all provisions in subdivision (a) of 30.51 and 40.61 except: <ul style="list-style-type: none"> <li>• 40.61(a)(4) addressing 11e2 material. <b>NRC to determine compatibility.</b></li> </ul>
(b)	(b)		30293(b) is compatible.
(c)	(c)	(c)	30293(c) and (d) address the CFR provisions and are compatible.
(d)	(d)	(a)	30293(e) addresses the CFR provisions and are compatible except as follows: <ul style="list-style-type: none"> <li>• (e) does not clearly address parts 40 &amp; 70 as to which licensees must forward records. <b>Incompatible.</b></li> <li>• (e) requires record submittal only if requested whereas NRC requires record submittal in all instances. <b>Incompatible.</b></li> <li>• (e) fails to address 70.51(a)(3). <b>Incompatible.</b></li> </ul>
(e)	(e)	(b)	30293(f) addresses the CFR provisions and are compatible except as follows: <ul style="list-style-type: none"> <li>• (f) does not clearly address parts 40 &amp; 70 as to which licensees must transfer records. <b>Incompatible.</b></li> <li>• 30293(f) fails to address 70.51(b)(3). <b>Incompatible.</b></li> </ul>
(f)	(f)		30293(g) requires record submittal only if requested whereas NRC requires record submittal in all instances. <b>Incompatible.</b>

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<p style="text-align: center;"><b>§ 30.51 Records.</b></p> <p>(a), (b) = C;            (c) = D;            (d), (e) &amp; (f) = H&amp;S.</p>	<p style="text-align: center;"><b>§ 40.61 Records.</b></p> <p>(a) &amp; (b) = C;            (c) &amp; (f) = D;            (d) &amp; (e) = H&amp;S.</p>	<p style="text-align: center;"><b>§ 70.51 Records requirements.</b></p> <p>(a) &amp; (b) = C;            (c) = <b>D – confirmed by NRC via email of 1-13-16.</b></p>	<p style="text-align: center;"><b>17 CCR 30293</b></p>
<p>(a) Each person who receives byproduct material pursuant to a license issued pursuant to the regulations in this part and parts 31 through 36 of this chapter shall keep records showing the receipt, transfer, and disposal of the byproduct material as follows:</p> <p>(1) The licensee shall retain each record of receipt of byproduct material as long as the material is possessed and for three years following transfer or disposal of the material.</p> <p>(2) The licensee who transferred the material shall retain each record of transfer for three years after each transfer unless a specific requirement in another part of the regulations in this chapter dictates otherwise.</p>	<p>(a) Each person who receives source or byproduct material pursuant to a license issued pursuant to the regulations in this part shall keep records showing the receipt, transfer, and disposal of this source or byproduct material as follows:</p> <p>(1) The licensee shall retain each record of receipt of source or byproduct material as long as the material is possessed and for three years following transfer or disposition of the source or byproduct material.</p> <p>(2) The licensee who transferred the material shall retain each record of transfer of source or byproduct material until the Commission terminates each license that authorizes the activity that is subject to the recordkeeping requirement.</p>		<p>(a) Each user shall keep records showing the receipt, transfer, and disposal of each source of radiation which is subject to licensure or registration pursuant to groups 1.5 and 2 of this subchapter as follows:</p> <p>(1) The user shall retain each record of receipt of a source of radiation as long as the source of radiation is possessed and for three years following transfer or disposal of the source of radiation.</p> <p>(2) The user who transferred the source of radiation shall retain each record of transfer for three years after each transfer unless a specific requirement in another part of the regulations in this subchapter dictates otherwise.</p>

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<p>(3) The licensee who disposed of the material shall retain each record of disposal of byproduct material until the Commission terminates each license that authorizes disposal of the material.</p>	<p>(3) The licensee shall retain each record of disposal of source or byproduct material until the Commission terminates each license that authorizes the activity that is subject to the recordkeeping requirement.</p> <p>(4) If source or byproduct material is combined or mixed with other licensed material and subsequently treated in a manner that makes direct correlation of a receipt record with a transfer, export, or disposition record impossible, the licensee may use evaluative techniques (such as first-in-first-out), to make the records that are required by this Part account for 100 percent of the material received.</p>		<p>(3) The user who disposed of the radioactive material shall retain each record of disposal of the radioactive material until the Department terminates each license that authorizes disposal of the radioactive material.</p> <p>["Byproduct material" under 40.61(a)(4) is 11e2 material. NRC to determine equivalency.]</p>
<p>(b) The licensee shall retain each record that is required by the regulations in this part and parts 31 through 36 of this chapter or by license condition for the period specified by the appropriate regulation or license condition. If a retention period is not otherwise specified by regulation or license condition, the record must be retained until the Commission terminates each</p>	<p>(b) The licensee shall retain each record that is required by the regulations in this part or by license condition for the period specified by the appropriate regulation or license condition. If a retention period is not otherwise specified by regulation or license condition, each record must be maintained until the Commission terminates the license that authorizes the activity that is subject to the recordkeeping requirement.</p>		<p>(b) The user shall retain each record that is required by the regulations in this subchapter or by license condition for the period specified by the appropriate regulation or license condition. If a retention period is not otherwise specified by regulation or license condition, the record shall be retained until the Department terminates each license that authorizes the activity that is subject to the recordkeeping requirement.</p>

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<p>license that authorizes the activity that is subject to the recordkeeping requirement.</p> <p>(c)(1) Records which must be maintained pursuant to this part and parts 31 through 36 of this chapter may be the original or a reproduced copy or microform if such reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by Commission regulations. The record may also be stored in electronic media with the capability for producing legible, accurate, and complete records during the required retention period. Records such as letters, drawings, specifications, must include all pertinent information such as stamps, initials, and signatures. The licensee shall maintain adequate safeguards against tampering with and loss of records.</p>	<p>(c)(1) Records which must be maintained pursuant to this part may be the original or reproduced copy or microform if the reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by Commission regulations. The record may also be stored in electronic media with the capability for producing legible, accurate, and complete records during the required retention period. Records such as letters, drawings, specifications, must include all pertinent information such as stamps, initials, and signatures. The licensee shall maintain adequate safeguards against tampering with and loss of records.</p>	<p>(c)(1) Records which must be maintained pursuant to this part may be the original or a reproduced copy, or microform if the reproduced copy or microform is duly authenticated by authorized personnel, and the microform is capable of producing a clear and legible copy after storage for the period specified by Commission regulations. The record may also be stored in electronic media with the capability for producing legible, accurate, and complete records during the required retention period. Records such as letters, drawings, and specifications, must include all pertinent information such as stamps, initials, and signatures. The licensee shall maintain adequate safeguards against tampering with and loss of records.</p>	<p>(c) Records which shall be maintained pursuant to this subchapter may be the original or a reproduced copy or microform if such reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by department regulations. The record may also be stored in electronic media with the capability for producing legible, accurate, and complete records during the required retention period. Records such as letters, drawings, specifications, shall include all pertinent information such as stamps, initials, and signatures. The licensee shall maintain adequate safeguards against tampering with and loss of records.</p>
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<p>(2) If there is a conflict between the Commission's regulations in this part and parts 31 through 36 and 39 of this chapter, license condition, or other written Commission approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this part and parts 31 through 36 and 39 of this chapter for such records shall apply unless the Commission, pursuant to § 30.11, has granted a specific exemption from the record retention requirements specified in the regulations in this part or parts 31 through 36 and 39 of this chapter.</p> <p>(d) Prior to license termination, each licensee authorized to possess radioactive material with a half-life greater than 120 days, in an unsealed form, shall forward the following records to the appropriate NRC Regional Office:</p> <p>(1) Records of disposal of</p>	<p>(2) If there is a conflict between the Commission's regulations in this part, license condition, or other written Commission approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this part for such records shall apply unless the Commission, pursuant to § 40.14 of this part, has granted a specific exemption from the record retention requirements specified in the regulations in this part.</p> <p>(d) Prior to license termination, each licensee authorized to possess source material, in an unsealed form, shall forward the following records to the appropriate NRC Regional Office:</p> <p>(1) Records of disposal of licensed</p>	<p>(2) If there is a conflict between the Commission's regulations in this part, license condition, or other written Commission approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this part for these records shall apply unless the Commission, under § 70.17 has granted a specific exemption from the record retention requirements specified in the regulations in this part.</p> <p>(a) Before license termination, licensees shall forward the following records to the appropriate NRC Regional Office:</p> <p>(1) Records of disposal of licensed</p>	<p>(d) If there is a conflict between the Department's regulations in this subchapter, license condition, or other written Department approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this subchapter for such records shall apply unless the Department, pursuant to 30104, has granted a specific exemption from the record retention requirements specified in the regulations in this subchapter.</p> <p>(e) Prior to license termination, each licensee authorized to possess radioactive material with a half-life greater than 120 days, in an unsealed form, shall, if requested by the Department, forward the following records to the Department:</p> <p>(1) Records of disposal of licensed</p>
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<p>licensed material made under § 20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004, 20.2005; and</p> <p>(2) Records required by § 20.2103(b)(4).</p> <p>(e) If licensed activities are transferred or assigned in accordance with § 30.34(b), each licensee authorized to possess radioactive material, with a half-life greater than 120 days, in an unsealed form, shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:</p> <p>(1) Records of disposal of licensed material made under §§ 20.2002 (including burials authorized before January 28,</p>	<p>material made under § 20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004, 20.2005; and</p> <p>(2) Records required by §20.2103(b)(4).</p> <p>(e) If licensed activities are transferred or assigned in accordance with § 40.41(b), each licensee authorized to possess source material, in an unsealed form, shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:</p> <p>(1) Records of disposal of licensed material made under § 20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004,</p>	<p>material made under 10 CFR 20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004, 20.2005;</p> <p>(2) Records required by 10 CFR 20.2103(b)(4); and</p> <p><b>(3) Records required by § 70.25(g).</b></p> <p>(b) If licensed activities are transferred or assigned in accordance with § 70.32(a)(3), the licensee shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:</p> <p>(1) Records of disposal of licensed material made under 10 CFR 20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004,</p>	<p>material made under Title 10, Code of Federal Regulations, sections 20.2002, 20.2003, 20.2004, 20.2005, incorporated by reference in section 30253; and</p> <p>(2) Records required by Title 10, Code of Federal Regulations section 20.2103(b)(4), incorporated by reference in section 30253.</p> <p><b>[NO EQUIVALANT. 70.25(g) addressed in 30256(a).]</b></p> <p>(f) If licensed activities are transferred or assigned in accordance with section 30194(c), each licensee authorized to possess <b>radioactive material, with a half-life greater than 120 days, in an unsealed form,</b> shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:</p> <p>(1) Records of disposal of licensed material made under Title 10, Code of Federal Regulations, sections 20.2002, 20.2003, 20.2004, 20.2005,</p>
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