

10 CFR Part 37 [New Hampshire He-P 4038]

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
§37.1	Purpose	He-P 4038.01	D	Yes	No	Equivalent statements
§37.3	Scope	He-P 4038.02	D	Yes	No	Equivalent statements
§37.5	Definition: Access control	He-P 4038.03(a)	C	No	No	
§37.5	Definition: Act	He-P 4038.03(b)	D	No	No	
§37.5	Definition: Aggregated	He-P 4038.03(c)	C	No	No	
§37.5	Definition: Agreement State	He-P 4038.03(d)	[B]	No	No	
§37.5	Definition: Approved individual	He-P 4038.03(e)	B	No	No	
§37.5	Definition: Background Investigation	He-P 4038.03(f)	C	No	No	
§37.5	Definition: Becquerel	He-P 4038.03(g)	[A]	No	No	
§37.5	Definition:	He-P	[H&S]	No	No	

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	Byproduct Material	4038.03(h)				
§37.5	Definition: Carrier	He-P 4038.03(i)	[B]	No	No	
§37.5	Definition: Category 1 quantity of radioactive material	He-P 4038.03(j)	B	No	No	
§37.5	Definition: Category 2 quantity of radioactive material	He-P 4038.03(k)	B	No	No	
§37.5	Definition: Commission	n/a	D			
§37.5	Definition: Curie	He-P 4038.03(l)	[A]	No	No	
§37.5	Definition: Diversion	He-P 4038.03(m)	C	No	No	
§37.5	Definition: Escorted access	He-P 4038.03(o)	B	No	No	
§37.5	Definition: Fingerprint orders	He-P 4038.03(p)	C	No	No	
§37.5	Definition: Government agency	He-P 4038.03(q)	D	No	No	
§37.5	Definition: License	He-P 4038.03(r)	D	No	No	
§37.5	Definition: License issuing authority	He-P 4038.03(s)	D	No	No	
§37.5	Definition: Local law enforcement agency	He-P 4038.03(t)	C	No	No	
§37.5	Definition: Lost or missing licensed	He-P 4038.03(u)	[B]	No	No	

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	material					
§37.5	Definition: Mobile device	He-P 4038.03(v)	B	No	No	
§37.5	Definition: Movement control center	He-P 4038.03(w)	B	No	No	
§37.5	Definition: No-later-than arrival time	He-P 4038.03(x)	B	No	No	
§37.5	Definition: Person	He-P 4038.03(z)	[C]	No	No	
§37.5	Definition: Reviewing official	He-P 4038.03(aa)	C	No	No	
§37.5	Definition: Sabotage	He-P 4038.03(ab)	C	No	No	
§37.5	Definition: Safe haven	He-P 4038.03(ac)	B	No	No	
§37.5	Definition: Security zone	He-P 4038.03(ad)	C	No	No	
§37.5	Definition: State	He-P 4038.03(ae)	D	No	No	
§37.5	Definition: Telemetric position monitoring system	He-P 4038.03(af)	B	No	No	
§37.5	Definition: Trustworthiness and reliability	He-P 4038.03(ag)	B	No	No	
§37.5	Definition: Unescorted access	He-P 4038.03(ah)	B	No	No	
§37.5	Definition: United States	n/a	D			

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§37.7	Communications	He-P 4038.04	D	Yes	No	Equivalent statements
§37.9	Interpretations	He-P 4038.05	D	Yes	No	Equivalent statements
§37.11(a)	Specific exemptions	He-P 4038.06(a)	D	No	No	
§ 37.11(b)	Specific exemptions	He-P 4038.06(b)	D	No	No	
§37.11(c)	Specific exemptions	He-P 4038.06(c)	B	No	No	
§37.13	Information collection requirements: OMB approval	n/a	D			
§37.21(a)	Personnel access authorization requirements for category 1 or category 2 quantities of radioactive material	He-P 4038.07(a)	C	No	No	
§37.21(b)	Personnel access authorization requirements for category 1 or category 2 quantities of radioactive material	He-P 4038.07(b)	B	No	No	
§37.21(c)	Personnel access authorization	He-P 4038.07(c)-(f)	B	Yes	No	Equivalent statements

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	requirements for category 1 or category 2 quantities of radioactive material					
§37.23(a)	Access authorization program requirements	He-P 4038.08(a)-(b)	B	Yes	No	Equivalent statements
§37.23(b)(1) & (b)(2)	Access authorization program requirements	He-P 4038.08(c)-(d)	B	Yes	No	Equivalent statements
§37.23(b)(3)	Access authorization program requirements	He-P 4038.08(e)(1)	C	No	No	
§37.23(b)(4) & (b)(5)	Access authorization program requirements	He-P 4038.08(e)(2)-(e)(3)	B	No	No	
§37.23(c)	Access authorization program requirements	He-P 4038.08(f)-(g)	B	Yes	No	Equivalent statements
§37.23(d)	Access authorization program requirements	He-P 4038.08(h)	B	No	No	
§37.23(e)	Access	He-P	B	No	No	

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	authorization program requirements	4038.08(i)				
§37.23(f)	Access authorization program requirements	He-P 4038.08(j)	C	No	No	
§37.23(g)	Access authorization program requirements	He-P 4038.08(k)	B	No	No	
§37.23(h)	Access authorization program requirements	He-P 4038.08(l)	C	No	No	
§37.25(a)	Background investigations	He-P 4038.09(a)	B	No	No	
§37.25(b)	Background investigations	He-P 4038.09(b)	C	No	No	
§37.25(c)	Background investigations	He-P 4038.09(c)	B	No	No	
§37.27(a)	Requirements for criminal history records checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material	He-P 4038.10(a)	B	No	No	

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§37.27(b)	Requirements for criminal history records checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material	He-P 4038.10(b)	B	No	No	
§37.27(c)	Requirements for criminal history records checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material	He-P 4038.10(c)	B	No	No	
§37.29(a)	Relief from fingerprinting, identification, and criminal history records checks and other elements of background investigations for designated categories of individuals permitted unescorted access	He-P 4038.11(a)	B	No	No	

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	to certain radioactive materials					
§37.29(b)	Relief from fingerprinting, identification, and criminal history records checks and other elements of background investigations for designated categories of individuals permitted unescorted access to certain radioactive materials	He-P 4038.10(b)	B	No	No	
§37.31(a)-(d)	Protection of information.	He-P 4038.12(a)-(d)	B	No	No	
§37.31(e)	Protection of information.	He-P 4038.12(e)	C	No	No	
§37.33	Access authorization program review.	He-P 4038.13	C	No	No	
§37.41(a)	Security program	He-P 4038.14(a)	B	No	No	
§37.41(b)	Security program	He-P 4038.14(b)	B	No	No	

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§37.41(c)	Security program	He-P 4038.14(c)	C	No	No	
§37.43(a)	General security program requirements	He-P 4038.15(a)	B	No	No	
§37.43(b)	General security program requirements	He-P 4038.15(b)	C	No	No	
§37.43(c)(1)-(c)(3)	General security program requirements	He-P 4038.15(c)(1)- (c)(3)	B	No	No	
§37.43(c)(4)	General security program requirements	He-P 4038.15(c)(4)	C	No	No	
§37.43(d)(1)- (d)(8)	General security program requirements	He-P 4038.15(d)(1)- (d)(8)	C	No	No	
§37.45(a) & (b)	LLEA coordination	He-P 4038.16(a), (b)	B	No	No	
§37.45(c)	LLEA coordination	He-P 4038.16(c)	C	No	No	
§37.45(d)	LLEA coordination	He-P 4038.16(d)	B	No	No	
§37.47	Security zones	He-P 4038.17	B	No	No	
§37.49(a)	Monitoring, detection, and assessment	He-P 4038.18(a)	B	No	No	
§37.49(b)	Monitoring, detection, and	He-P 4038.18(b)	B	No	No	

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	assessment					
§37.49(c)	Monitoring, detection, and assessment	He-P 4038.18(c)	B	No	No	
§37.49(d)	Monitoring, detection, and assessment	He-P 4038.18(d)	B	No	No	
§37.51	Maintenance and testing	He-P 4038.19	C	No	No	
§37.53	Requirements for mobile devices	He-P 4038.20	B	No	No	
§37.55	Security program review	He-P 4038.21	C	No	No	
§37.57	Reporting of events	He-P 4038.22	C	No	No	
§37.71, (a)-(c)	Additional requirements for transfer of category 1 and category 2 quantities of radioactive material	He-P 4038.23(a)-(c)	B	No	No	
§37.71(d)	Additional requirements for transfer of category 1 and category 2 quantities of radioactive material	He-P 4038.23(d)	C	No	No	
§37.73(a) & (b)	Applicability of physical protection of category 1 and	He-P 4038.24(a), (b)	D	No	No	

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	category 2 quantities of radioactive material during transit					
§37.73(c)	Applicability of physical protection of category 1 and category 2 quantities of radioactive material during transit	He-P 4038.24(c)	B	No	No	
§37.73(d) & (e)	Applicability of physical protection of category 1 and category 2 quantities of radioactive material during transit	He-P 4038.24(d), (e)	D	No	No	
§ 37.75(a)-(d)	Preplanning and coordination of shipment of category 1 or category 2 quantities of radioactive material	He-P 4038.25(a)-(d)	B	No	No	
§ 37.75(e)	Preplanning and coordination of shipment of category 1 or category 2 quantities of	He-P 4038.25(e)	C	No	No	

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	radioactive material					
§37.77, (a)-(d)	Advance notification of shipment of category 1 quantities of radioactive material	He-P 4038.26(a)-(d)	B	No	No	
§37.77(e)	Advance notification of shipment of category 1 quantities of radioactive material	He-P 4038.26(e)	C	No	No	
§37.77(f)	Advance notification of shipment of category 1 quantities of radioactive material	He-P 4038.26(f)	C	No	No	
§37.79(a)	Requirements for physical protection of category 1 and category 2 quantities of radioactive material during shipment.	He-P 4038.27(a)	B	No	No	
§37.79(b)	Requirements for physical protection of category 1 and category 2 quantities of radioactive material during shipment	He-P 4038.27(b)	B	No	No	

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§37.79(c)	Requirements for physical protection of category 1 and category 2 quantities of radioactive material during shipment	He-P 4038.27(c)	B	No	No	
§37.81(a)-(f)	Reporting of events.	He-P 4038.28(a)-(f)	B	No	No	
§37.81(g) & (h)	Reporting of events.	He-P 4038.28(g), (h)	C	No	No	
§37.101	Form of records	He-P 4038.29	C	No	No	
§37.103	Record retention.	He-P 4038.30	C	No	No	
§37.105	Inspections.	He-P 4038.31	D	No	No	
§37.107	Violations	n/a	D			
§37.109	Criminal penalties.	n/a	D			
Appendix A to Part 37	Category 1 and Category 2 Radioactive Materials	Table 4038.1	B	No	No	