



UTAH DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL

RATS ID 2013-2

(78 FR 32310, Published May 29, 2013)

Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions

Rule Adoption Crosswalk - Final October 2017

Code of Federal Regulations		Utah Administrative Code				
SECTION TITLE	10 CFR	Title R313- (Waste Management & Radiation Control - Radiation)	COMPATIBILITY	NOTES	COMMENTS	
Communications	§30.6	N/A	D	No change necessary		
Definitions	§40.4	12-3 or Incorporated by reference in 24-4	B	Definition of <i>Unrefined and uprocessed ore</i> revised per RATS ID 2013-2.		
Communications	§40.5	12-110	D	Minor change made in R313-12-110 to clarify communications are to be sent to the Director of the agency. This change is not directly associated with RATS ID 2013-2		
ICR: OMB Approval	§40.8	N/A	D	No change necessary		
Unimportant Quantities of Source Material	§40.13(c)	19-13(1)(c)	B	Text revised per RATS ID 3013-2.		
	§40.13(c)(2)(i)	19-13(1)(c)(ii)(A)	B	Text revised -- Utah Effective Date to be inserted for final rule		
	§40.13(c)(2)(iii)	19-13(1)(c)(ii)(C)	B	Text revised -- Utah Effective Date to be inserted for final rule		
	§40.13(c)(5)(i)	19-13(1)(c)(v)(A)	B	Deleted per RATS ID 2013-2		
	§40.13(c)(5)(ii) – (iv)	19-13(1)(c)(v)(A), (B), (C), (D)	B	Renumbered per RATS ID 2013-2. Renumbered paragraph (D) revised to be consistent with 10 CFR 40.13(5)(iii).		
	§40.13(c)(5)(v)	N/A	NRC	N/A		
	§40.13(c)(7)	19-13(1)(c)(vii)	B	Text revised -- Utah Effective Date to be inserted for final rule		
	§40.13(c)(10)	19-13(1)(c)(ix)	B	Paragraph (ix) added -- Utah effective date to be inserted for final rule		
	§40.13(d)	19-13(1)(c)(viii)	B	Deleted per RATS ID 2013-2		
	§40.13 Footnote 2	19-13(1)(c)(v)(C)	B	Revised per RATS ID 2013-2 and renumbered		
Small Quantities of Source Material	§40.22(a)	21-21(1)	B	Text revised		
	§40.22(a)(1) – (4)	21-21(1)(a) to (1)(d)	B	Text added and appropriate Utah dates to be inserted for final rule		
	§40.22(b)	21-21(2)	B	Text revised		
	§40.22(b)(1) – (3)	21-21(2)(a) to (2)(c)	B	Text added		NRC: In R313-21-21(2)(c) add & remove selected references (3-7-2017 ML17017A278 DRC-2017-001853)
	NRC rule text:	Draft rule text submitted to the NRC:		Revised draft rule text:		
	(3) Is subject to the provisions in §§40.1 through 40.10, 40.41(a) through (e), 40.46, 40.51, 40.56, 40.60 through 40.63, 40.71, and 40.81.	(c) Is subject to the provisions in 40.41(a) through (e), 40.46, 40.51, 40.60 through 40.61, which are incorporated by reference in Section R313-24-4, Section R313-19-5, Section R313-19-34, Section R313-19-41, R313-19-50, R313-12-51 through R313-12-53, Section R313-19-61, and Rule R313-14.		(c) Is subject to the provisions in Sections 10 CFR 40.2a through 40.4, <u>10 CFR 40.41(c)</u> , 10 CFR 40.46, and 10 CFR 40.61(a) and (b), which are incorporated by reference in Section R313-24-4, <u>Section R313-12-3</u> , Section R313-19-5, Section R313-19-34, <u>Subsection R313-22-34(2)</u> , Section R313-19-41, <u>Section R313-19-50</u> , <u>Section R313-15-1111</u> , Sections R313-12-51 through R313-12-53, Section R313-19-61, Rule R313-14, <u>10 CFR 40.41(d)</u> , <u>10 CFR 40.41(e)(1) and (e)(3)</u> , <u>10 CFR 40.51(b)(6)</u> , and <u>10 CFR 40.56</u> .		Note: Although 10 CFR 40.22(b) is designated Compatibility Category B, some of the rules referenced in that paragraph are designated as Compatibility Category D or NRC and therefore are either not required to be adopted or cannot be adopted by an Agreement State.

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SECTION TITLE	10 CFR	Title R313- (Waste Management & Radiation Control - Radiation)	COMPATIBILITY	NOTES	COMMENTS	
	\$40.22(b)(4)	21-21(2)(d)	D	Text added		
	\$40.22(b)(5)	21-21(2)(e)	B	Text added		
	\$40.22(c)	21-21(3)	C	Text added / revised		
	\$40.22(d)	21-21(4)	B	Text added		
	\$40.22(e)	21-21(5)	B	Text added and appropriate Utah dates to be inserted for final rule. <del>Subsequent paragraphs renumbered.</del>		
General Requirements for Issuance of a Specific License	\$40.32(f)	22-33(1)e)	D	The newly added citation to §40.52 is a section reserved for NRC and does not apply to Agreement State adoption. The other new citation to §40.54 is a section designated as compatibility category B. A reference to R13-22-54 was added to correspond to Utah's equivalent to §40.54.		
Certain Items Containing Source Material	\$40.52	N/A	NRC	N/A		
Conditions for Licenses Issued for Initial Transfer of Certain Items Containing Source Material	\$40.53	N/A	NRC	N/A		
Requirements for License to Initially Transfer Source Material for Use Under the 'Small Quantities of Source Material' General License	\$40.54	22-54	B	New section added as R313-22-54.		
Conditions of Licenses to Initially Transfer Source Material for Use Under the 'Small Quantities of Source Material' General License: Quality Control, labeling, safety instructions, and records and reports	\$40.55(a)	22-55(1)(a)	B	New section added as R313-22-55.		
	\$40.55(b)	22-55(1)(b)	B	Added to new section (R313-22-55).		
	\$40.55(c)	22-55(1)(c)	B	Added to new section (R313-22-55).		
	\$40.55(d)	22-55(1)(d)	B	Added to new section (R313-22-55).		
	\$40.55(e)	22-55(1)(e)	C	Added to new section (R313-22-55).		
Criminal Penalties	\$40.82	N/A	D	N/A		
Communications	\$70.5	N/A	D	N/A		

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<b>OTHER CHANGES NOT DIRECTLY ASSOCIATED WITH RATS ID 2013-2</b>					
	N/A	12-3		Other minor changes not associated with RATS ID 2013-2 are being made to update references.	
	§40.61(a) & (b)	12-51(1) & (2)	C	Text added for compatibility with 10 CFR 40.61. Subsequent paragraphs renumbered.	
	§40.5	12-110	D	Minor change made in R313-12-110 to clarify communications are to be sent to the Director of the agency.	
	Part 20, Appendix B	19-50	A	Updated date of incorporation by reference of 10 CFR Part 20, Appendix B.	
	§32.71	21-22(9)(d)(i)	B	Updated date of incorporation by reference of 10 CFR 32.71.	
	Part 20, Appendix E	22-4		Updated date of incorporation by reference of 10 CFR Part 20, Appendix E.	
	§40.41(e), introductory paragraph	22-34(2)	D	Added the phrase "or thereafter" for consistency with 10 CFR 40.41(e)	
	§40.34(a) §40.35(d) §40.35(e)(1) §40.35(e)(2) §40.35(e)(3)	22-75(11)(a) 22-75(11)(d)(iv)(A) - (B) 22-75(11)(d)(v) 22-75(11)(d)(vi)(B) 22-75(11)(d)(vii)	D, B D D D D	Reference correction due to renumbering resulting from changes made to R313-21-21 for RATS ID 2013-2, as noted above.	