

## Subchapter 4. Radiation

### Group 1. General

#### Article 1. Definitions

##### § 30100. General Definitions.

As used in subchapter 4:

(a) "Act" means the "Radiation Control Law," Health and Safety Code, Division 104, Part 9, chapter 8, sections 114960 et seq.

(b) "Agreement State" means any state with which the United States Atomic Energy Commission or Nuclear Regulatory Commission has entered into an effective agreement under section 274b of the Atomic Energy Act of 1954, Title 42, United States Code, section 2021(b) (formerly section 274(b)).

(c) "Decommission" means to remove safely from service and reduce residual radioactivity to a level that permits release of the property for unrestricted use and termination of the license.

(d) "Department" means the California Department of Public Health.

(e) "Depleted uranium" means the source material uranium in which the isotope uranium-235 is less than 0.711 weight percent of the total uranium present. Depleted uranium does not include special nuclear material.

(f) "Hazardous radioactive material," as used in section 33000 of the California Vehicle Code and 114820(d) of the Health and Safety Code means any "highway route controlled quantity" of radioactive material as such material is defined in title 49, Code of Federal Regulations, section 173.403.

(g) "Human use" means the internal or external administration of radiation or radioactive materials to human beings.

(h) "Installation" means the location where one or more reportable sources of radiation are possessed.

(i) "License," except where otherwise specified, means a license issued pursuant to group 2, Licensing of Radioactive Material.

(j) "Other official agency specifically designated by the Department" means an agency with which the Department has entered into an agreement pursuant to section 114990 of the Health and Safety Code.

(k) "Person" means any individual, corporation, partnership, limited liability company, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the United States Nuclear Regulatory Commission, the United States Department of Energy, or any successor thereto, and other than Federal Government agencies licensed by the United States Nuclear Regulatory Commission, under prime contract to the United States Department of Energy, or any successor thereto.

(l) "Personnel monitoring equipment" means devices designed to be worn or carried by an individual for the purpose of measuring the dose received by that individual (e.g., film badges, pocket chambers, pocket dosimeters, film rings, etc.).

(m) "Possess" means to receive, possess, use, transfer or dispose of radioactive material pursuant to this regulation.

(n) "Possessing a reportable source of radiation" means having physical possession of, or otherwise having control of, a reportable source of radiation in the State of California.

(o) "Radiation" (ionizing radiation) means gamma rays and X-rays; alpha and beta particles, high-speed electrons, neutrons, protons, and other nuclear particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

(p) "Radiation machine" means any device capable of producing radiation when the associated control devices are operated, but excluding devices which produce radiation only by the use of radioactive material.

(q) "Radioactive material" means any material which emits radiation spontaneously.

(r) "Registrant" means any person who is registering or who has registered with the Department pursuant to group 1.5, Registration of Sources of Radiation.

(s) "Reportable sources of radiation" means either of the following:

(1) Radiation machines, when installed in such manner as to be capable of producing radiation.

(2) Radioactive material contained in devices possessed pursuant to a general license under provisions of sections 30192.1 and 30192.6.

(t) "Research and development" means theoretical analysis, exploration, experimentation or the extension of investigative findings and scientific or technical theories into practical application for experimental or demonstration purposes, including the experimental production and testing of models, prototype devices, materials and processes; but shall not include human use.

(u) "Sealed source" means any radioactive material that is permanently encapsulated in such manner that the radioactive material will not be released under the most severe conditions likely to be encountered by the source.

(v) "Source of radiation" means a discrete or separate quantity of radioactive material or a single radiation machine.

(w) "Special nuclear material" means:

(1) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Department declares by rule to be special nuclear material after the United States Nuclear Regulatory Commission, or any successor thereto, has determined the material to be such, but does not include source material; or

(2) Any material artificially enriched by any of the foregoing, but does not include source material.

(x) "Specific license" means a license or the equivalent document issued to a named person by the Department or by the Nuclear Regulatory Commission or by any other Agreement State.

(y) "This regulation" means: California Code of Regulations, Title 17, Division 1, Chapter 5, Subchapter 4.

(z) "User" means any person who is licensed to possess radioactive material or who has registered as possessing a reportable source of radiation pursuant to groups 1.5 and 2 of this subchapter, or who otherwise possesses a source of radiation which is subject to such licensure or registration.

(aa) "Worker" means any individual engaged in activities subject to this regulation and controlled by a user, but does not include the user.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985, 115060, 131050, 131051 and 131052, Health and Safety Code.

##### HISTORY

1. Repealer of group 1 and new group 1 (sections 30100 through 30146) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior histories, see Registers 62, No. 1 and 62, No. 8.
2. Repealer and new section filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
3. Change without regulatory effect of subsection (ac)(2) (Register 88, No. 6).
4. Amendment of subsection (j), relettering of former subsections (p)-(ap) to subsections (q)-(aq), and new subsection (p) filed 9-5-89; operative 10-5-89 (Register 89, No. 36).
5. New subsection (k) and redesignation of former sections (k) through (aq) to subsections (l) through (ar) filed 4-19-91; operative 5-19-91 (Register 91, No. 20).
6. Editorial correction of printing error in subsections (q)-(ar) (Register 91, No. 30).
7. Change without regulatory effect amending subsection (an) filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
8. Amendment of section and NOTE filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
10. Amendment of subsection (a), new subsection (c) and subsection relettering filed 10-16-95 as an emergency; operative 10-16-95 (Register 95, No. 42). A

Certificate of Compliance must be transmitted to OAL by 2-13-96 or emergency language will be repealed by operation of law on the following day.

11. Certificate of Compliance as to 10-16-95 order, including amendment of subsections (a), (f) and (k) and of NOTE, transmitted to OAL 2-9-96 and filed 3-25-96 (Register 96, No. 13).
12. Amendment of subsection (q) and NOTE filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-20-2005 or emergency language will be repealed by operation of law on the following day.
13. Certificate of Compliance as to 6-22-2005 order transmitted to OAL 9-20-2005 and filed 10-18-2005 (Register 2005, No. 42).
14. Amendment of subsection (a) filed 7-20-2006; operative 8-19-2006 (Register 2006, No. 29).
15. Amendment of subsections (d) and (f) and NOTE filed 4-24-2009; operative 5-24-2009 (Register 2009, No. 17).
16. Repealer of subsections (j)-(j)(6), subsection relettering, amendment of newly designated subsections (k), (s)(2), (y) and (aa) and amendment of NOTE filed 10-13-2010; operative 1-1-2011 (Register 2010, No. 42).

### § 30102. Registration Requirement. [Repealed]

#### HISTORY

1. Renumbering and amendment of former Section 30102 to Section 30108 filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

### § 30103. Communications. [Repealed]

#### HISTORY

1. Amendment filed 1-22-76; effective thirtieth day thereafter (Register 76, No. 4).
2. Repealer filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

## Article 2. Exemptions and Enforcement

### § 30104. Exemptions.

(a) The Department may, upon application by any user, or upon its own initiative, grant such exemptions from the requirements of this regulation as it determines are authorized by law and will not result in undue hazard to health, life or property. Applications for exemptions shall specify why such exemption is necessary.

(b) Before granting an exemption, the Department shall determine that there is reasonable and adequate assurance that:

- (1) the doses to any individual in any controlled area will not exceed those specified in Section 30265;
- (2) the dose to the whole body of any individual in an uncontrolled area will not exceed 0.5 rem in a year;
- (3) The deposition of radioactive material in the body of any individual will not likely result in a greater risk to the individual than would be expected from the dose specified in Section 30104 (b)(1) or (2), as appropriate, based on guidance from such bodies as the International Commission on Radiological Protection, and the National Council on Radiation Protection and Measurements; and
- (4) there is no significant hazard to life or property.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 115060, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Renumbering and amendment of former section 30345 to article 2 (section 30104) filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
2. Change without regulatory effect of subsection (b)(3) (Register 87, No. 4).
3. Change without regulatory effect amending subsections (b) and (b)(3) filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
4. Repealer and new NOTE filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).

### § 30105. Deliberate Misconduct.

(a) A user, applicant for a license or registration, employee of a user or applicant, or any contractor (including a supplier or consultant), subcontractor, employee of a contractor or subcontractor of any user or applicant for a license or registration, who knowingly provides to any user, applicant, contractor, or subcontractor, any components, equipment, ma-

terials, or other goods or services that relate to a user's or applicant's activities subject to this regulation, shall not:

(1) Engage in deliberate misconduct, as defined in subsection (c), that causes or would have caused, if not detected, a user or applicant to be in violation of any rule, regulation, or order; or any term, condition, or limitation of any license issued by the Department; or

(2) Deliberately submit to the Department, a user, an applicant, or a user's or applicant's contractor or subcontractor, information that the person submitting the information knows to be incomplete or inaccurate in some respect material to the Department.

(b) A person who violates subsection (a) shall be subject to enforcement action in accordance with the Act.

(c) For the purposes of subsection (a), deliberate misconduct by a person means an intentional act or omission that the person knows:

(1) Would cause a user or applicant to be in violation of any rule, regulation, or order, or any term, condition, or limitation, or any license or registration issued by the Department; or

(2) Constitutes a violation of a requirement, procedure, instruction, contract, purchase order, or policy of a user, applicant, contractor, or subcontractor.

NOTE: Authority cited: Sections 100170, 100275, 115000, 115230 and 115235, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115215, 115230 and 115235, Health and Safety Code.

#### HISTORY

1. New section filed 12-29-2005; operative 1-28-2006 (Register 2005, No. 52). For prior history of former article 2 (section 30105), see Register 85, No. 48.

## Group 1.5. Registration of Sources of Radiation

### Article 1. Registration Procedure

#### § 30108. Registration Requirement.

Every person possessing a reportable source of radiation shall register with the Department in accordance with the provisions of this Group.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 115060, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Renumbering and amendment of former Section 30102 to Section 30108 and designation of new Group 1.5 (Sections 30108-30146, not consecutive) filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
2. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

#### § 30108.1. Registration and General Provisions for Persons Possessing Devices Under Sections 30192.1 and 30192.6.

(a) A person required to register pursuant to sections 30192.1(d)(1) or 30192.6(b)(1) shall, within 30 calendar days of taking possession of a device or product, submit to the Department the following:

(1) Legal name, mailing address, and telephone number of the registering person. If renewing registration, the registration number previously issued to the registrant shall also be included;

(2) For each device subject to section 30192.1:

(A) The manufacturer's name, serial number, model number, the radioisotope, and the radioisotope's activity (as indicated on the device's label). For devices used in a fixed location, the physical address of each location where a device is used and the total number of devices at each location shall be submitted. For portable devices, the physical address of each primary place of storage and the total number of devices stored at each location shall be submitted. If renewing registration and there has been no change in the previously indicated devices, indicate that no change has occurred;

(B) Name, title, and telephone number, if different than the number specified in subsection (a)(1), of the individual appointed pursuant to section 30192.1(d)(15);

(C) Name and license number of the distributor from whom the device was obtained; and

(D) Signature and date of signature of the individual identified in subsection (a)(2)(B), attesting to the following statement:

"I [insert name as it appears in response to subsection (a)(2)(B)] attest that I am aware of the requirements of the general license specified in section 30192.1 of title 17, California Code of Regulations, and that the information provided concerning the device or product has been verified through a physical inventory and checking of label information."

(3) For persons possessing devices subject to section 30192.6:

(A) A statement that the registrant has, pursuant to section 30192.6(b)(3), developed, implemented, and will continue to maintain procedures designed to establish physical control over the depleted uranium described in section 30192.6(a), and designed also so as to prevent transfer of such depleted uranium in any form, including metal scrap, to persons not authorized to receive the depleted uranium; and

(B) Name, title, and telephone number, if different than the number specified in subsection (a)(1), of the individual appointed pursuant to section 30192.6(b)(4);

(4) Except for persons possessing devices pursuant to section 30192.6, the registration fee specified in section 30145.

(b) Each person shall renew registration annually on or before the current registration's expiration date, by submitting to the Department all required items in subsection (a).

(c) In lieu of the requirements in section 30115, within 30 calendar days of the occurrence of the event, each person registered pursuant to this section shall notify the Department of any change in the information submitted in response to subsection (a), including discontinuance of use of a device or product.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 115000, 115060, 115065, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

### § 30110. Initial Registration.

(a) Every person not already registered who acquires a reportable source of radiation shall register with and pay the fee as specified in Section 30145 to the Department within 30 days of the date of acquisition.

(b) Every person who intends to acquire a radiation machine capable of operating at a potential in excess of 500 kVp shall notify the Department at least 60 days prior to his/her possession of the machine or at least 60 days prior to the commencement of construction or reconstruction of the room which will house the machine, whichever occurs first. This equipment shall not be used to treat patients until written approval of provisions for radiation safety has been obtained by the user from the Department.

(c) Every person who registers or renews a registration shall complete a separate registration form furnished by the Department for each separate installation.

NOTE: Authority cited: Sections 114975, 115000(c), 115080, 115085 and 131200, Health and Safety Code. Reference: Sections 115060(b), 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Amendment filed 6-24-80; effective thirtieth day thereafter (Register 80, No. 26).
2. Amendment filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
3. Amendment of subsection (a) filed 11-1-93 as an emergency; operative 11-1-93 (Register 93, No. 45). A Certificate of Compliance must be transmitted to OAL by 3-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 11-1-93 order transmitted to OAL 2-24-94; disapproved by OAL 4-7-94 (Register 94, No. 27).
5. Amendment of subsection (a) refiled 7-6-94 as an emergency; operative 7-6-94 (Register 94, No. 27). A Certificate of Compliance must be transmitted to OAL by 11-3-94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 7-6-94 order transmitted to OAL 6-30-94 and filed 7-20-94 (Register 94, No. 29).

7. Repealer and new NOTE filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).

### § 30111. Renewal of Registration.

Every person already registered pursuant to 30110 shall renew such registration annually and pay the fee as specified in Section 30145 to the Department on or before the registration renewal date.

NOTE: Authority cited: Sections 100275 and 115000(c), Health and Safety Code. Reference: Section 115060(b), Health and Safety Code.

#### HISTORY

1. Amendment filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
2. Repealer and new section and amendment of NOTE filed 1-20-99; operative 2-19-99 (Register 99, No. 4).

### § 30112. Registration Form. [Repealed]

#### HISTORY

1. Repealer filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

### § 30113. Separate Installations. [Repealed]

#### HISTORY

1. Repealer filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

### § 30115. Report of Change.

Except for persons subject to section 30108.1, the registrant shall report in writing to the Department, within 30 days, any change in: registrant's name, registrant's address, location of the installation, or receipt, sale, transfer, disposal, or discontinuance of use of any reportable source of radiation.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 115060, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Amendment filed 6-24-80; effective thirtieth day thereafter (Register 80, No. 26).
2. Amendment filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
3. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

### § 30116. Report of Discontinuance. [Repealed]

#### HISTORY

1. Repealer filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

### § 30117. Registration Shall Not Imply Approval. [Repealed]

#### HISTORY

1. Repealer filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

### § 30118. Vendor Obligation.

(a) Any manufacturer, distributor, retailer, agent, or any other person who sells, leases, transfers or lends a radiation machine to any person who may be required to register such machine shall notify the Department on a form approved by the Department no later than 30 days after the end of each calendar quarter of:

(1) The names and addresses of persons who have received such machines.

(2) The manufacturer and model of each such machine.

(3) The date of transfer of each radiation machine.

(4) Other related information as may be required by the Department.

(b) The vendor shall inform the receiver of each machine of the registration requirements of Section 30108 of these regulations.

NOTE: Authority cited: Sections 114975, 115000(c) and 131200, Health and Safety Code. Reference: Sections 115060(b), 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 9-4-73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11-30-73.
2. Certificate of Compliance filed 12-28-73 (Register 73, No. 52).
3. Editorial correction of NOTE filed 7-12-84 (Register 84, No. 28).
4. Change without regulatory effect of subsection (b) (Register 88, No. 6).
5. Repealer and new NOTE filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).

**§ 30120. Reportable Sources of Radiation. [Repealed]****HISTORY**

1. Repealer of Article 4 (Section 30120) filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

**Article 2. Exclusions from Registration****§ 30125. Excluded Material and Devices.**

The following devices and materials do not require registration:

(a) Electrical equipment that produces radiation incidental to its operation for other purposes, but which does not produce radiation in any area accessible to individuals such that there is a reasonable likelihood that any individual will receive a radiation dose to the whole body, head and trunk, gonads, or lens of the eye or active blood-forming organs in excess of 0.5 rem in a year.

(b) All radioactive materials except as specified in sections 30192.1 and 30192.6.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 115060(c), 131050, 131051 and 131052, Health and Safety Code.

**HISTORY**

1. New NOTE filed 7-12-84 (Register 84, No. 28).
2. Editorial renumbering of former article 5 to article 2 (Register 85, No. 48).
3. Change without regulatory effect amending subsection (b) filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
4. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

**§ 30126. Exempt Possessors.**

Common and contract carriers are exempt from the requirement to register to the extent that they transport or store reportable sources of radiation in the regular course of their carriage for another or storage incident thereto.

NOTE: Authority cited: Sections 114975, 115000(c) and 131200, Health and Safety Code. Reference: Sections 115060(b), 131050, 131051 and 131052, Health and Safety Code.

**HISTORY**

1. Amendment filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
2. Repealer and new NOTE filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).

**Article 3. Records [Repealed]****§ 30130. Radiation Protection Standards. [Repealed]****HISTORY**

1. Repealer of Section 30130 and renumbering of Article 6 to Article 3 filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

**§ 30131. Records to be Maintained. [Repealed]**

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Section 115060, Health and Safety Code.

**HISTORY**

1. Amendment filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
2. Repealer of section and amendment of NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).

**§ 30140. Violations. [Repealed]****HISTORY**

1. Repealer of Article 7 (Section 30140) filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

**Article 4. Fees****§ 30145. Registration Fees.**

(a) Each radiation machine that is a reportable source of radiation as defined in section 30100, is classified as one of the following:

(1) "High priority radiation machine," a radiation machine, which has high potential for exposing humans by means of heavy use, high radiation exposure, specialized use for radiosensitive areas of the human body, or misadjustment or malfunction of radiation safety features. A high priority radiation machine is further defined as one of the following machine types, or a machine that is used by any of the following categories of users:

- (A) Orthopedist.
- (B) Radiologist.
- (C) Chiropractor.
- (D) Hospital.
- (E) Medical clinic.
- (F) Portable X-ray service (human use).
- (G) Fluoroscope used on humans.
- (H) Chest photofluorography (minifilm unit).

(I) Non-human use particle accelerator with maximum energy capable of equaling or exceeding 10 MeV.

(J) Non-human use radiation machine used in field radiography, as defined in section 30330.

(2) "Medium priority radiation machine," a radiation machine not covered by subsections (a)(1), (a)(3) or (a)(4).

(3) "Dental priority radiation machine," a radiation machine used exclusively in dental radiography of human beings.

(4) "Special priority radiation machine," a radiation machine used for mammography.

(b) When a radiation machine is equipped with two or more tubes that can be used separately, each tube shall be considered as a single radiation machine.

(c) For registration or renewal of registration as a general licensee pursuant to section 30192.1, the fee shall be \$104.00 for each device in possession, except that persons possessing such devices under a specific license shall be exempt from this fee.

(d) Except as provided in subsection (e), initial registration shall be valid for a period of one year.

(e) The initial registration period for a reportable source of radiation being registered by a person who has a reportable source of radiation already registered with the Department shall be coterminous with the existing registration.

(f) Any fees collected for a radiation machine or a device for any registration period shall be transferred to any replacement radiation machine or device for the remainder of the registration period.

(g) For initial registration or renewal of registration, the fees shall be \$319.00 annually for each high priority radiation machine, \$256.00 annually for each medium priority radiation machine, \$118.00 annually for each dental priority radiation machine and, except as provided in section 30145.1, \$709.00 annually for each special priority radiation machine. Where the initial registration period is less than one year pursuant to subsection (e), the initial registration fee shall be prorated, based on the priority classification and number of full months in the initial registration period in accordance with the following formula:

$$\text{Initial Registration Fee} = A \times [B / (12 \text{ Months})]$$

Where:

A = Annual fee as specified above, dollars per year

B = Number of full months remaining in coterminous period

(h) The total registration fee paid by a registrant for high priority, medium priority, special priority, and dental priority radiation machines, which are at the same installation, shall not exceed \$8,949.00 per year.

(i) A late fee of 25% of the annual fee shall be charged for any registration fee which is 30 days past due.

(j) Fees required by this section shall be nonrefundable.

NOTE: Authority cited: Sections 114975, 115000, 115060, 115065, 115080, 115085 and 131200, Health and Safety Code. Reference: Sections 114980, 115065, 115080, 115085, 115165, 131050, 131051 and 131052, Health and Safety Code.

**HISTORY**

1. Amendment of subsection (a) filed 7-1-75; effective thirtieth day thereafter (Register 75, No. 27).

2. Amendment filed 4-30-76; effective thirtieth day thereafter (Register 76, No. 18).
3. Amendment filed 7-3-79 as an emergency; effective upon filing (Register 79, No. 27).
4. Certificate of Compliance transmitted to OAL 10-26-79 and filed 11-2-79 (Register 79, No. 44).
5. Amendment filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).
6. Change without regulatory effect of subsections (a) and (a)(1)(k) (Register 88, No. 6).
7. Amendment of subsection (a) filed 4-19-91; operative 5-19-91 (Register 91, No. 20).
8. Amendment of subsection (a) and NOTE, and adoption of subsections (d)-(f) filed 11-1-93 as an emergency; operative 11-1-93 (Register 93, No. 45). A Certificate of Compliance must be transmitted to OAL by 3-1-94 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 11-1-93 order transmitted to OAL 2-24-94; disapproved by OAL 4-7-94 (Register 94, No. 27).
10. Amendment of subsection (a) and NOTE and new subsections (d)-(f) refiled 7-6-94 as an emergency; operative 7-6-94 (Register 94, No. 27). A Certificate of Compliance must be transmitted to OAL by 11-3-94 or emergency language will be repealed by operation of law on the following day.
11. Certificate of Compliance as to 7-6-94 order transmitted to OAL 6-30-94 and filed 7-20-94 (Register 94, No. 29).
12. Amendment of section and NOTE filed 1-20-99; operative 2-19-99 (Register 99, No. 4).
13. Amendment of section heading, section and NOTE filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-20-2005 or emergency language will be repealed by operation of law on the following day.
14. Certificate of Compliance as to 6-22-2005 order transmitted to OAL 9-20-2005 and filed 10-18-2005 (Register 2005, No. 42).
15. New subsection (c), subsection relettering, amendment of newly designated subsections (d), (f) and (g) and amendment of NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).
16. Amendment of subsections (a), (c), (g) and (h) filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).
17. Amendment of subsections (a)(1)(B), (a)(1)(J), (c), (g) and (h) filed 3-15-2018; operative 3-15-2018. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2018, No. 11).

#### § 30145.1. Registration Fee, Mammography Exception.

The fee shall be \$421.00 annually for each special priority radiation machine accredited by an independent accrediting agency recognized under the federal Mammography Quality Standards Act [42 U.S.C. 263(b)].

NOTE: Authority cited: Sections 114975, 115000(c), 115080, 115085 and 131200, Health and Safety Code. Reference: Sections 115080, 115085, 131050, 131051 and 131052, Health and Safety Code.

##### HISTORY

1. New section filed 1-20-99; operative 2-19-99 (Register 99, No. 4).
2. Amendment filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-20-2005 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 6-22-2005 order transmitted to OAL 9-20-2005 and filed 10-18-2005 (Register 2005, No. 42).
4. Amendment of section and NOTE filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).
5. Amendment filed 3-15-2018; operative 3-15-2018. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2018, No. 11).

#### § 30146. Payment of Fee.

Each registration or registration renewal which reports possession of a radiation machine, and each report of change reporting the receipt of an additional radiation machine, shall be accompanied by an amount to pay the fee for the period to the next regularly scheduled registration renewal date.

NOTE: Authority cited: Sections 114975, 115000(c) and 131200, Health and Safety Code. Reference: Sections 115080, 131050, 131051 and 131052, Health and Safety Code.

##### HISTORY

1. Amendment filed 7-1-75; effective thirtieth day thereafter (Register 75, No. 27).
2. Amendment filed 4-30-76; effective thirtieth day thereafter (Register 76, No. 18).

3. New NOTE filed 7-12-84 (Register 84, No. 28).
4. Repealer and new NOTE filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).

## Group 2. Licensing of Radioactive Materials

### Article 1. General [Repealed]

#### HISTORY

1. Repealer of Article 1 (Sections 30170 through 30173) and new Article 1 (Sections 30170, 30172 and 30173) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Registers 62, No. 1 and 62, No. 8.
2. Repealer of article 1 (Sections 30170-30173) filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

### Article 2. Definitions [Repealed]

#### HISTORY

1. Repealer and new section filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Registers 62, No. 1 and 62, No. 8.
2. Amendment filed 1-22-76; effective thirtieth day thereafter (Register 76, No. 4).
3. Repealer of article 2 (section 30175) filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

### Article 3. Exemptions

#### § 30180. Carriers, Federal Licensees and Prime Contractors.

(a) Common and contract carriers, freight forwarders, warehousemen, and the U.S. Postal Service are exempt from the requirements for a license specified in section 30190 and sections 30191 through 30235, and from Group 3 of this subchapter, to the extent that they transport or store radioactive material in the regular course of carriage for another entity or storage incident thereto. Such carriers are subject to the provisions of Group 4, Transportation of Radioactive Material. This exemption does not authorize the export from, or import into, the United States of byproduct, source, or special nuclear material.

(b) A person is exempt from this Group if that person is licensed by the United States Nuclear Regulatory Commission (NRC) under Title 10, Code of Federal Regulations, Part 150, Section 150.15, Continued Commission Regulatory Authority in Agreement States, or as otherwise specified per an agreement between the Department and NRC.

(c) A person is exempt from the requirements for a license set forth in the Act and from section 30190 and sections 30191 through 30235, and from Group 3 of this subchapter to the extent that such person, operating within the confines of the person's prime contract with the NRC or the United States Department of Energy (DOE), manufactures, produces, transfers, receives, acquires, owns, possesses, or uses radioactive material for:

- (1) The performance of work for the NRC or DOE at a United States Government-owned (federally-owned) or controlled site, including the transportation of radioactive material to or from such site;
- (2) The performance of contract services during temporary interruptions of the transportation of radioactive material under paragraph (1);
- (3) Research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or
- (4) The operation of nuclear reactors or other nuclear devices in a federally-owned vehicle or vessel.

(d) In addition to subsection (c), a prime contractor or subcontractor of the NRC or DOE is exempt from the requirements for a license set forth in the Act and from section 30190 and sections 30191 through 30235, and from Group 3 of this subchapter, to the extent that such prime contractor or subcontractor manufactures, produces, transfers, receives, acquires, owns, possesses, or uses radioactive material under his prime contract or subcontract, or to the extent that the Department and NRC or DOE jointly determine that the exemption of the prime contractor or sub-

contractor is authorized by law and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Amendment of subsection (c)(1) and new subsection (d)(7) filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42). For prior history, see Register 71, No. 30.
2. Amendment filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect of subsections (b)(15) and (c)(2)-(4) (Register 88, No. 6).
4. Change without regulatory effect amending subsections (b)(1), (b)(17), (b)(28), and (d)(2) filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
5. Editorial correction reinserting inadvertently omitted subsections (c)-(4) (Register 92, No. 44).
6. Editorial correction of subsection (b)(28)(B) (Register 2003, No. 29).
7. Amendment of section and repealer and new NOTE filed 7-28-2006; operative 8-27-2006 (Register 2006, No. 30).
8. Amendment of section heading, repealer and new section and amendment of NOTE filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30180.1. Exempt Concentrations.

(a) A person is exempt from the requirements for a license specified in section 30190, sections 30191 through 30235, and from Group 3 of this subchapter, to the extent that such person receives, possesses, uses, transfers, owns or acquires products or materials containing radioactive material in concentrations not in excess of those listed in section 30237.

(b) This section shall not be deemed to authorize the import of radioactive material or products containing radioactive material.

(c) A manufacturer, processor, or producer of a product or material is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30235, and from Group 3 of this subchapter, to the extent that such person transfers radioactive material contained in a product or material in concentrations not in excess of those specified in section 30237 and introduced into the product or material by a licensee holding a specific license issued by the U.S. Nuclear Regulatory Commission (NRC), expressly authorizing such introduction.

(d) The exemptions in this section do not apply to the transfer of radioactive material contained in any food, beverage, cosmetic, drug, or other commodity or product designed for ingestion or inhalation by, or application to, a human being.

(e) A person may not introduce radioactive material into a product or material, knowing or having reason to believe that it will be transferred to persons exempt under this section, except in accordance with a specific license issued by the NRC pursuant to section 32.11 in title 10, Code of Federal Regulations, Part 32 (10 CFR 32). This provision shall not be construed to incorporate by reference 10 CFR 32, section 32.11.

(f) A person is exempt from this subchapter to the extent that such person receives, possesses, uses, transfers, owns or acquires naturally occurring radioactive material in concentrations which occur naturally. Refining and processing are not exempt.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30180.2. Certain Items Containing Radioactive Material.

(a) A person who possesses or transfers a timepiece, or a component thereof, which is described as follows is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, notwithstanding the fact that the timepiece or component contains radioactive material:

(1) The timepieces or its component hands or dials contains tritium which does not exceed:

- (A) 25 millicuries of tritium per timepiece;

(B) Five millicuries of tritium per hand;

(C) 15 millicuries of tritium per dial (bezels when used shall be considered as part of the dial).

(2) The timepiece, or its component hands or dials, contains promethium 147 which does not exceed:

(A) 100 microcuries per watch or 200 microcuries per any other timepiece;

(B) 20 microcuries per watch hand or 40 microcuries per other timepiece hand;

(C) 60 microcuries per watch dial or 120 microcuries per other timepiece dial (bezels when used shall be considered as part of the dial).

(3) The hands or dials of the timepiece contain promethium 147 which, when measured through 50 milligrams per square centimeter of absorber, does not exceed:

(A) 0.1 millirad per hour at 10 centimeters from any surface for wrist watches;

(B) 0.1 millirad per hour at one centimeter from any surface for pocket watches; and

(C) 0.2 millirad per hour at 10 centimeters from any surface for any other timepiece.

(4) An intact timepiece manufactured prior to November 30, 2007 containing radium-226 which does not exceed one microcurie.

(b) A person who possesses or transfers a device described as follows, or who possesses such a device received or acquired before December 30, 2014, under the general license then provided in section 30192, is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter:

(1) Static elimination devices containing not more than 500 microcuries of polonium-210 per device;

(2) Ion generating tubes designed for ionization of air containing not more than 500 microcuries of polonium-210 per device or not more than 50 millicuries of hydrogen-3 (tritium) per device;

(c) A person who possesses or transfers a balance of precision containing radioactive tritium is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, provided that the balance contains no more than 0.1 millicurie of tritium or no more than 0.5 millicurie of tritium per balance part, and was manufactured before December 17, 2007.

(d) A person who possesses or transfers a marine compass, or other marine navigational instrument, is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, provided that the marine compass contains no more than 750 millicuries of tritium gas and other marine navigational instruments contain no more than 250 millicuries of tritium gas, and was manufactured before December 17, 2007.

(e) A person who possesses or transfers a smoke detector containing americium-241 is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, provided that not more than one microcurie of americium-241 is incorporated into the detector in the form of a foil and designed to protect life and property from fires.

(f) A person who possesses or transfers an electron tube (tube) containing radioactive material is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter:

(1) Provided that the tube does not exceed the following microcurie limits:

(A) 10 millicuries for tubes containing tritium; except, if the tube is a microwave receiver protector tube, 150 millicuries of tritium;

(B) 1 microcurie for tubes containing cobalt-60;

(C) 5 microcuries for tubes containing nickel-63;

(D) 30 microcuries for tubes containing krypton-85;

(E) 5 microcuries for tubes containing cesium-137;

(F) 30 microcuries for tubes containing promethium-147; and

(2) Provided that the levels of radiation from the electron tube containing radioactive material do not exceed one millirad per hour at one centi-

meter from any surface when measured through seven milligrams per square centimeter of absorber.

(3) For purposes of subsection (f) "electron tubes" include spark gap tubes, power tubes, gas tubes including glow lamps, receiving tubes, microwave tubes, indicator tubes, pickup tubes, radiation detection tubes, and any other completely sealed tube that is designed to conduct or control electrical currents.

(g) A person who possesses or transfers a measuring instrument, which contains one or more sources of radioactivity for purposes of internal calibration or standardization is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, provided that:

(1) Each source of radioactivity in the instrument which is comprised of a single radionuclide does not exceed the limit set forth in section 30235 for that radionuclide; and

(2) Each instrument contains no more than 10 of the radionuclides listed in section 30235;

(3) For purposes of this subsection, an instrument's radioactive source(s) may contain either one type or different types of radionuclides and an individual exempt quantity may be composed of fractional parts of one or more of the exempt quantities in section 30235, provided that the sum of such fractions shall not exceed unity;

(4) For purposes of the exemptions provided in this subsection, the limit for a radioactive source consisting of americium-241 is 0.05 microcuries, and this limit is deemed to be an exempt quantity under section 30235.

(h) The exemptions provided in this section do not apply to persons who apply or incorporate radioactive material into any product described in this section during the manufacture of such product, or who transfer

— is this consistent w/ 30.15(a)(2)?

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or transport such a product up through its first sale. This subsection does not apply to subsequent transfers or sales of such a product.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30180.3. Exempt Quantities.

(a) Except as provided in subsections (c), (d) and (e), a person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30231 and 30237, and from Group 3 of this subchapter, to the extent that such person receives, possesses, uses, transfers, owns, or acquires radioactive material in individual quantities, each of which does not exceed the applicable quantity set forth in section 30235.

(b) A person, who possesses radioactive material received or acquired before November 12, 1972, under the general license then provided in section 30192(a)(2), is exempt from the requirements for a license specified in section 30190, sections 30191 through 30237, and from Group 3 of this subchapter to the extent that this person possesses, uses, transfers, or owns radioactive material.

(c) This section does not authorize, for purposes of commercial distribution, the packaging, repackaging, or transfer of radioactive material, or the incorporation of radioactive material into a product intended for commercial distribution.

(d) A person may not, for purposes of commercial distribution, transfer radioactive material in the individual quantities set forth in section 30235, knowing or having reason to believe that such quantities of radioactive material will be transferred to persons exempt under this section, except in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission pursuant to section 32.18 in title 10, Code of Federal Regulations, Part 32 (10 CFR 32). This provision shall not be construed to incorporate by reference 10 CFR 32, section 32.18.

(e) A person may not, for purposes of producing an increased radiation level, combine quantities of radioactive material covered by this exemption so that the aggregate quantity exceeds the limits set forth in section 30235, except for radioactive material combined within a device placed in use before May 3, 1999, or as otherwise specified in this regulation.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30180.4. Self-Luminous Products Containing Tritium, Krypton-85, or Promethium-147.

(a) A person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, to the extent that such person receives, possesses, uses, transfers, owns, or acquires a self-luminous product containing tritium, krypton-85, or promethium-147, provided that such product was manufactured, processed, produced, or initially transferred in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission pursuant to section 32.22 in title 10, Code of Federal Regulations, Part 32 (10 CFR 32). This provision shall not be construed to incorporate by reference 10 CFR 32, section 32.22.

(b) The exemption provided in subsection (a) does not apply to persons who manufacture or process such a product for sale or distribution.

(c) The exemption provided in subsection (a) does not apply to products primarily used for frivolous purposes or as toys or adornments, containing tritium, krypton-85, or promethium-147.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30180.5. Gas and Aerosol Detectors Containing Radioactive Material.

(a) A person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, to the extent that such person possesses or transfers radioactive material in gas and aerosol detectors designed to protect health, safety, or property, provided the detector is manufactured, processed, produced, or initially transferred in accordance with either a specific license issued by the Department prior to November 30, 2007, or by the U.S. Nuclear Regulatory Commission issued in accordance with section 32.26 in title 10, Code of Federal Regulations, Part 32 (10 CFR 32). This provision shall not be construed to incorporate by reference 10 CFR 32, section 32.26.

(b) The exemption in subsection (a) does not apply to persons who manufacture, process, or produce the product specified in subsection (a), or who initially transfer or distribute such a product.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30180.6. Radioactive Drug: Capsules Containing Carbon-14 Urea for "In Vivo" Diagnostic Use for Humans.

(a) A person who receives, possesses, uses, transfers, owns, or acquires capsules containing urea impregnated with carbon-14, which are manufactured for "in vivo" diagnostic use in humans, is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, provided that each capsule does not exceed one microcurie (allowing for nominal variation that may occur during the manufacturing process) of carbon-14.

(b) Any person who desires to use a capsule described in subsection (a) for research involving human subjects shall hold a specific license issued pursuant to section 30195 authorizing the medical use of radioactive material.

(c) This section shall not be deemed to authorize the manufacturing, preparation, processing, producing, packaging, repackaging, or transferring for commercial distribution of such capsules.

(d) Nothing in this section relieves persons from complying with applicable U.S. Food and Drug Administration requirements, or other Federal and State requirements, governing the receipt, administration, and use of drugs.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30180.7. Certain Industrial Products.

(a) A person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, to the extent that such person possesses or transfers radioactive material in industrial devices designed and manufactured for detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing an ionized atmosphere, provided the device is manufactured, processed, produced, or initially transferred in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission in accordance with section 32.30 in title 10, Code of Federal Regulations, Part 32 (10 CFR 32). This provision shall not be construed to incorporate by reference 10 CFR 32, section 32.30.

(b) The exemption in subsection (a):

(1) Does not cover radioactive material not incorporated into a device, such as calibration and reference sources; and

(2) Does not apply to persons who manufacture, process, or produce the device specified in subsection (a), or who initially transfer or distribute such a product.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

## HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30181. Products Containing and Quantities of Source Material.

(a) A person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, to the extent that such person receives, possesses, uses, transfers or delivers source material in any chemical mixture, compound, solution, or alloy in which the source material is by weight less than one-twentieth of one percent (0.05 percent) of the mixture, compound, solution or alloy.

(b) A person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, to the extent that such person receives, possesses, uses, or transfers unrefined and unprocessed ore containing source material, provided that, except as authorized in a specific license, such person shall not refine or process such ore.

(c) A person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, to the extent that such person receives, possesses, uses, or transfers:

(1) The following items or materials containing thorium or uranium:

(A) Incandescent gas mantles, vacuum tubes, welding rods, or electric lamps for illuminating purposes, which do not contain more than 50 milligrams of thorium per item;

(B) Germicidal lamps, sunlamps, and lamps for outdoor or industrial lighting, which do not contain more than 2 grams of thorium per item;

(C) Rare earth metals and compounds, mixtures, and products, which do not contain more than 0.25 percent by weight of thorium, uranium, or any combination of these two radioactive materials; or

(D) Neutron-detecting dosimeters, which do not contain more than 50 milligrams of thorium per dosimeter.

(2) Source material contained in the following products:

(A) Glazed ceramic tableware, provided that the glaze contains not more than 20 percent by weight source material;

(B) Piezoelectric ceramic containing not more than 2 percent by weight source material;

(C) Glassware containing not more than 10 percent by weight source material; but not including commercially manufactured glass brick, pane glass, ceramic tile, or other glass or ceramic used in construction;

(D) Glass enamel or glass enamel frit containing not more than 10 percent by weight source material imported or ordered for importation into the United States, or initially distributed by manufacturers in the United States, before July 25, 1983.

(3) Photographic film, negatives, and prints containing uranium or thorium.

(4) Any finished product or part fabricated of, or containing tungsten or magnesium-thorium alloys, provided that the thorium content of the alloy does not exceed 4 percent by weight. The exemption contained in this subparagraph shall not be deemed to authorize the chemical, physical or metallurgical treatment or processing of any such product or part.

(5) Subject to subsection (d), counterweights which contain uranium and which are designed for installation in aircraft, rockets, projectiles, and missiles, or stored or handled in connection with installation or removal of such counterweights, provided that the following requirements are met:

(A) The counterweights are manufactured in accordance with a specific license issued by the Department;

(B) Each counterweight manufactured on or after December 31, 1969 has been impressed with the following legend clearly legible through any plating or other covering: "Depleted Uranium"; and

(C) Each counterweight manufactured on or after December 31, 1969 is durably and legibly labeled or marked with the identification of the

manufacturer, and the statement: "Unauthorized Alterations Prohibited";

(6) A shipping container, or part thereof, containing uranium, whether or not depleted, provided that:

(A) The shipping container is conspicuously and legibly impressed with the legend: "CAUTION—RADIOACTIVE SHIELDING—URANIUM"; and

(B) The uranium metal is encased in mild steel or equally fire resistant metal of minimum wall thickness of one-eighth inch (3.2 mm);

(7) Subject to subsection (e), finished optical lenses containing thorium, provided that each lens does not contain more than 30 percent by weight of thorium.

(8) Any finished aircraft engine part containing thorium in a nickel-thoria alloy, provided that:

(A) The thorium is dispersed in the nickel-thoria alloy in the form of finely divided thoria (thorium dioxide); and

(B) The thorium content in the nickel-thoria alloy does not exceed four percent by weight.

(d) The exemption contained in subsection (c)(5) shall not be deemed to authorize the chemical, physical, or metallurgical treatment or processing of any such counterweights, other than the repair or restoration of any plating or other covering.

(e) The exemption contained in subsection (c)(7) shall not be deemed to authorize either:

(1) The shaping, grinding or polishing of such lens or manufacturing processes, other than the assembly of such lens into optical systems and devices without any alteration of the lens; or

(2) The receipt, possession, use, or transfer, of thorium contained in contact lenses, or in spectacles, or in eyepieces in binoculars or other optical instruments.

(f) The exemptions in subsection (c) do not authorize the manufacture of any of the products described therein.

(g) A person is exempt from the requirements for a license specified in section 30190 and sections 30191 through 30237, and from Group 3 of this subchapter, to the extent that such person receives, possesses, uses, or transfers detector heads, used in fire detection units, which contain uranium, provided that each detector head contains not more than 0.005 microcurie of uranium. This exemption does not authorize the manufacture of any detector head containing uranium.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

## HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1). For prior history, see Register 86, No. 28.

### § 30182. Other Exemptions. [Repealed]

## HISTORY

1. Repealer filed 11-25-85; effective thirtieth day thereafter (Register 85, No. 48).

## Article 4. Licenses

### § 30190. Types of Licenses.

(a) Department licenses for radioactive material are of two types: general and specific.

(b) General licenses provided in this regulation are effective without the filing of an application with the Department or the issuance of licensing documents to particular persons, except that any person to whom a general license is issued pursuant to sections 30192.1 and 30192.6 shall be subject to the registration requirements specified in section 30108.1.

(c) Specific licenses are issued to named persons upon approval of an application filed pursuant to this regulation. A specific license issued by the Department is required by any person to possess any radioactive material in this state, except as otherwise provided in sections 30180, 30180.1, 30180.2, 30180.3, 30180.4, 30180.5, 30180.6, 30180.7, 30181, 30191, 30192.1, 30192.2, 30192.3, 30192.4, 30192.5, 30192.6, 30192.7, 30225, or 30226.

(d) Every specific and general license is subject to all applicable provisions of this regulation and, except as otherwise specified, to the provisions of Group 3 of this subchapter (Standards for Protection Against Radiation).

NOTE: Authority cited: Sections 114970, 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114970, 115060, 115165, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. Repealer of Article 4 (Sections 30190 through 30205) and new Article 4 (Sections 30190 through 30198 and 30205) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 1.
2. Amendment of subsections (b) and (c) and new NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).
3. Amendment subsection (c) filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

§ 30191. General Licenses—Source Material. 40.22

(a) A general license is hereby issued to commercial firms, educational institutions, and medical institutions and government agencies, authorizing the possession, use, and transfer of not more than 15 pounds of source material at any one time, for research, development, educational, commercial or operational purposes. Persons authorized to possess, use, or transfer source material pursuant to this general license may not receive more than a total of 150 pounds of source material in any one calendar year. With respect to such source material, any person shall be exempt from the provisions of Group 3 of this subchapter, except for sections 30254 and 30293(a), unless such person also possesses source material under a specific license.

(b) A general license described in subsection (a) shall not authorize human use, or the use in any device or article which is intended to be placed on or in the human body, or the use of any instrument or apparatus (including component parts and accessories thereto) intended for human use.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115000, 115060, 115165, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. New NOTE filed 8-22-84 (Register 84, No. 34).
2. Amendment filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect inserting (a) to first paragraph filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
4. Amendment of subsection (a) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37). 30253 deleted.
5. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23). DAH-07-002

§ 30192. General Licenses—Static Elimination or Ion Generation Devices. [Repealed] — NOW EXPIRED

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115060, 115165, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. Amendment of subsection (c) and new subsection (f) filed 11-16-67; effective thirtieth day thereafter (Register 67, No. 46).
2. Amendment of subsection (c)(1) filed 5-13-66; effective thirtieth day thereafter (Register 69, No. 20).
3. Repealer of subsections (a)(1)(B) and (a)(1)(C), renumbering of (a)(1)(D) to (a)(1)(B), new subsection (a)(3) and amendment of subsection (b) filed 7-22-71; effective thirtieth day thereafter (Register 71, No. 30).
4. Repealer of subsections (a)(2) and (b)(2) filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42).
5. Amendment of subsection (a)(3) filed 10-11-74; effective thirtieth day thereafter (Register 74, No. 41).
6. Repealer and new section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
7. Amendment of subsection (b) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
8. Editorial correction restoring inadvertently deleted HISTORIES (Register 97, No. 45).
9. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).
10. Repealer filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

§ 30192.1. General Licenses—Gauging and Controlling. 31.5

(a) A general license is hereby issued to commercial and industrial firms, research, educational and medical institutions, individuals in the conduct of their business, and government agencies, to acquire, receive, possess, use or transfer, in accordance with this section, radioactive material contained in devices designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

(b) The general license issued pursuant to subsection (a) applies only to radioactive material contained in devices which have been manufactured or initially transferred and labeled in accordance with the provisions of:

- (1) A specific license, which authorizes distribution of the device, issued by the Department pursuant to section 30196;
- (2) An equivalent specific license issued by an Agreement State other than this State; or
- (3) A specific license issued by the United States Nuclear Regulatory Commission (NRC) under section 32.51 of title 10, Code of Federal Regulations (10 CFR), Part 32.

(c) Devices described in subsection (a) shall have been received from one of the specific licensees described in subsection (b), or through a transfer made pursuant to subsection (d)(12).

(d) Persons who acquire, receive, possess, use or transfer a device under the general license issued pursuant to subsection (a) shall:

(1) Register and renew registration pursuant to section 30108.1 any devices containing at least 10 millicuries (mCi) of cesium-137, 0.1 mCi of strontium-90, 1 mCi of cobalt-60, 0.1 mCi of radium-226, or 1 mCi of americium-241 or any other transuranic (i.e., an element with atomic number greater than uranium (92)), based on the activity indicated on the label. The licensee shall be subject to the reporting requirement in section 30108.1(c) for such devices;

(2) Ensure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained thereon, and comply with all instructions and precautions provided by such labels;

(3) Ensure that the device is tested for leakage of radioactive material and that the on-off mechanism and indicator, if any, operate as designed. These tests shall be performed at intervals no longer than six months or at such other intervals as are specified in the device's label. However:

(A) Devices containing only krypton need not be tested for leakage; and

(B) Devices containing only tritium, or not more than 100 microcuries (uCi) of other beta and/or gamma emitting material or 10 uCi of alpha emitting material, and devices held in storage in the original shipping container prior to initial installation, need not be tested for any purpose;

(4) Ensure that the tests required by subsection (d)(3) and any testing, installation, servicing, and removal from installation involving the radioactive material, its shielding, or containment, are performed:

(A) In accordance with the instructions provided by the device's labels; or

(B) By a person holding a specific license issued by the Department or an Agreement State other than this State, authorizing the licensee to perform those activities;

(5) Maintain records showing compliance with the requirements of subsections (d)(3) and (d)(4), to include the results of tests, the dates of performance of tests, and the names of the persons performing testing, installing, servicing, and removing from the installation radioactive material, its shielding, or containment. The licensee shall retain records of tests required by:

(A) Subsection (d)(3) for three years after the next required test for leakage and test of the on-off mechanism and indicator is performed, or until the sealed source is transferred or disposed of; and

(B) Subsection (d)(4) for three years from the date of the recorded event or other test, or until the device is transferred or disposed of;

(6) Immediately suspend operation of the device if there is a failure of, or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on-off mechanism or indicator, or upon the detection of 0.005 uCi or more of removable radioactive material. The device shall not be operated until it has been repaired by the manufacturer or a person holding a specific license issued by the Department, the NRC, or an Agreement State other than this State, authorizing the licensee to repair the device. The device, and any radioactive material from the device, may only be disposed of in accordance with subsection (d)(10);

(7) Within 30 calendar days of an event specified in subsection (d)(6), submit a report to the Department containing:

(A) A brief description of the event and the remedial action taken; and

(B) If removable radioactive material greater than or equal to 0.005 uCi has been detected, or failure of or damage to a sealed source is likely to result in contamination of the premises or the environs, a plan to ensure that the premises and environs are acceptable for unrestricted use;

(8) Not abandon the device;

(9) Not export the device except in accordance with an export license issued by the NRC pursuant to 10 CFR, Part 110. This provision shall not be construed to incorporate by reference 10 CFR, Part 110;

(10) Transfer or dispose of the device only:

(A) By export as provided by subsection (d)(9);

(B) By transfer to a specific licensee authorized to receive such device or another general licensee as authorized in subsection (d)(12); or

(C) After obtaining written Department approval authorizing transfer or disposal to any other specific licensee not specifically identified in subsection (d)(10)(A) or (B), except that a holder of a specific license may transfer a device for possession and use under its own specific license without prior approval, if the holder:

1. Verifies that the specific license authorizes the possession and use, or pursuant to section 30194.2 applies for and obtains an amendment to the license authorizing the possession and use;

2. Removes, alters, covers, or clearly and unambiguously augments the existing label (otherwise required by subsection (d)(2)), so that the device is labeled in compliance with section 20.1904 of 10 CFR, Part 20, incorporated by reference in section 30253; however, the manufacturer, model number, and serial number shall be retained;

3. Obtains the manufacturer's or initial transferor's information concerning maintenance that would be applicable under the specific license (such as leak testing procedures); and

4. Reports the transfer under subsection (d)(11);

(11) Within 30 calendar days after transfer of a device pursuant to subsection (d)(10), submit a report to the Department containing the:

(A) Identification of the device by manufacturer's (or initial transferor's) name, model number, and serial number;

(B) Name, address, and license number of the person receiving the device (license number not applicable if exported); and

(C) Date of the transfer;

(12) Transfer the device to another general licensee only if:

(A) The device remains in use at a particular location. In this case, the transferor shall give the transferee a copy of this section, sections 30108.1, 30254, 30257 and 30293(a) of this subchapter, sections 20.2201 and 20.2202 of 10 CFR, Part 20, incorporated by reference in section 30253, and any safety documents identified in the label of the device. Within 30 calendar days of the transfer, the transferor shall submit a report to the Department containing:

1. The manufacturer's (or initial transferor's) name;

2. The model number and the serial number of the device transferred;

3. The transferee's name and mailing address for the location of use; and

4. The name, title, and phone number of the responsible individual identified by the transferee pursuant to subsection (d)(15); or

(B) The device is held in storage by an intermediate person in the original shipping container at its intended location of use, prior to initial use by a general licensee;

(13) Comply with sections 20.2201 and 20.2202 of 10 CFR, Part 20, incorporated by reference in section 30253, for reporting radiation incidents, theft or loss of licensed material, but shall be exempt from other requirements in Group 3 of this subchapter, except for sections 30257 and 30293(a);

(14) Upon Department request, provide information relating to the general license within 30 calendar days of the date of the request, or other time specified in the request. If the general licensee is unable to provide the requested information within the allotted time, a request for extending that time shall be submitted prior to the end of the allotted time, and the request for an extension of time shall include a written justification as to why the allotted time should be extended;

(15) Appoint an individual responsible for having knowledge of required actions and authority for taking required actions, so as to comply with this section and all sections cited or referenced within this section. Appointment of the responsible individual does not relieve the general licensee of any of its own responsibility for complying with the Act and this subchapter; and

(16) Not hold devices that are not in use for longer than two years. If devices with shutters are not being used, the shutter shall be locked in the closed position. The testing required by subsection (d)(3) need not be performed during the period of storage. However, when devices are put back into service or transferred to another person, and have not been tested within the required test interval, they shall be tested for leakage before use or transfer, and the shutter tested before use. Devices kept in standby for future use are excluded from the two-year time limit if the general licensee performs quarterly physical inventories of these devices while they are in standby.

(e) The general license issued pursuant to this section does not authorize the manufacture or import of devices containing radioactive material.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. New section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
2. Change without regulatory effect of subsection (b)(5) (Register 88, No. 6).
3. Amendment of subsection (c) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
4. Repealer and new section and amendment of NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).
5. Amendment subsection (b)(1) filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

§ 30192.2. General Licenses—Aircraft Safety Devices. 317

(a) A general license is hereby issued to any person to possess, own, receive, acquire and use tritium or promethium-147 contained within luminous safety devices designed for use in aircraft, provided that each such device contains not more than 10 curies of tritium or 300 millicuries of promethium-147 and provided further that each such device has been manufactured, assembled, initially transferred or imported in accordance with a specific license authorizing distribution to general licensees.

(b) The general license issued pursuant to subsection (a) does not authorize:

(1) The manufacture, assembly, disassembly, repair, import or disposal of such devices;

(2) The export of luminous safety devices containing tritium or promethium-147;

(3) The use of such devices other than in aircraft; and

(4) The possession, ownership, receipt, acquisition, or use of promethium-147 contained in instrument dials.

(c) Persons who possess a device under the general license issued pursuant to subsection (a) shall, with respect thereto, be exempt from the requirements of Group 3 of this subchapter except for sections 30254 and 30293(a) of this subchapter and sections 20.2201 and 20.2202 of title 10, Code of Federal Regulations, Part 20, incorporated by reference in section 30253.

30254(a)

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115000, 115060, 115165, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

- 1. New section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
- 2. Amendment of subsection (c) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
- 3. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

§ 30192.3. General Licenses—Calibration or Reference Sources. 31.8

(a) A general license is hereby issued to persons who hold either a specific license issued by the Department for any radioactive material, or a specific license issued by the United States Nuclear Regulatory Commission for any radioactive material, to possess americium-241, plutonium, or radium-226 in the form of calibration or reference sources. Calibration or reference sources shall be manufactured in accordance with the specifications contained in an appropriate specific license, which authorizes distribution under a general license. Each source possessed pursuant to the general license or its storage container shall bear a label, which includes the information required in the following statement:

"The receipt, possession, use and transfer of this source, Model \_\_\_\_\_, Serial No. \_\_\_\_\_, are subject to a general license or its equivalent, and are further subject to the regulations of the United States Nuclear Regulatory Commission or a state with which the United States Nuclear Regulatory Commission has entered into an agreement for the exercise of regulatory authority. Removal of this label is prohibited.

CAUTION—RADIOACTIVE MATERIAL—THIS SOURCE CONTAINS (AMERICIUM-241, PLUTONIUM, OR RADIUM-226, whichever is appropriate). DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE.

(Name of Manufacturer or Importer)

(b) Persons who possess a source under the general license issued pursuant to subsection (a) shall:

- (1) Not have, at any one time, at any one location of storage or use, more than 5 microcuries of americium-241, 5 microcuries of plutonium, or 5 microcuries of radium-226 contained in such sources.
- (2) Not transfer, abandon or dispose of such sources, except by transfer to a person authorized by a license to receive the source.

(3) With respect to each such source when not in use, store the source in a closed container adequately designed and constructed to contain any of the radioactive material in the event the source is ruptured or leaks.

(4) Not use such source for any purpose other than calibration of radiation detectors or standardization of other sources.

(c) Persons who possess a source under the general license issued pursuant to subsection (a) shall, with respect thereto, be exempt from the requirement of Group 3 of this subchapter, except for sections 30253, 30254, 30255, 30275(a) and (b), 30293, and 30295.

(d) The general license issued pursuant to subsection (a) does not authorize the manufacture, import, or export of calibration or reference sources containing americium-241, plutonium, or radium-226 or the introduction of americium-241, plutonium, or radium-226 into any product or material.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

- 1. New section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
- 2. Amendment of subsection (c) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
- 3. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

§ 30192.4. General Licenses—Ice Detection Devices. 31.10

(a) A general license is hereby issued to any person to possess, own, receive, acquire, use, or transfer strontium-90 contained in ice detection devices, provided that each device contains not more than 50 microcuries of strontium-90, and provided further that each device has been manufactured or imported in accordance with a specific license which authorizes distribution under a general license.

(b) Persons who possess, own, receive, acquire, use or transfer a device under the general license issued pursuant to subsection (a) shall:

(1) Assure that all labels affixed to the device at the time of receipt, and which bear a statement that prohibits removal of the labels, are maintained thereon; and

(2) Immediately upon occurrence of damage, discontinue use of the device until it has been inspected, tested for leakage, and repaired by a person holding a specific license authorizing such testing or repair; or dispose of the device pursuant to section 20.2001 of title 10, Code of Federal Regulations, Part 20 (10 CFR 20), incorporated by reference in section 30253.

(c) Persons who possess, own, receive, acquire, use, or transfer a device under the general license issued pursuant to subsection (a) shall, with respect thereto, be exempt from the requirements of Group 3 of this subchapter, except for sections 30254 and 30293(a) of this subchapter and sections 20.2001, 20.2201 and 20.2202 of 10 CFR 20, incorporated by reference in section 30253.

(d) This general license does not authorize the manufacture, assembly, disassembly, repair, or import of ice detection devices containing strontium-90.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

- 1. New section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
- 2. Amendment of subsection (c) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
- 3. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

§ 30192.5. General Licenses—In Vitro Testing. 31.11

(a) A general license is hereby issued to any physician, veterinarian, clinical laboratory or hospital to possess and use radioactive material in prepackaged units for in vitro clinical testing, not exceeding the following:

Radionuclide	Maximum uCi* per unit	Maximum uCi total
Tritium	50	2,000
Carbon-14	10	2,000
Iron-59	20	200
Selenium-75	10	200
Cobalt-57	10	200
Iodine-125 or Iodine-131	10	200
Mock Iodine-125		
Reference Source		
Iodine-129	0.05	—
Americium-241	0.005	—

\* microcurie (uCi)

(b) The general licensee shall not possess or use radioactive material under the general license issued pursuant to subsection (a):

(1) Except as prepackaged units which are labeled in accordance with the provisions of a specific license issued by the United States Nuclear Regulatory Commission or a state with which the United States Nuclear Regulatory Commission has entered into an agreement for the exercise of regulatory authority; and

(2) Unless the prepackaged unit bears a label or is accompanied by a package insert containing the following or a substantially similar statement:

"This radioactive material may be received and used only by physicians, veterinarians, clinical laboratories or hospitals, and only for in vitro clinical or laboratory tests not involving internal or external administration of the material or the radiation therefrom to human beings or

animals. The receipt, possession, use and transfer of this material is subject to the regulations and general license of the United States Nuclear Regulatory Commission or a state with which the Commission has entered into an agreement for the exercise of regulatory authority.”

(c) Persons who possess radioactive material under the general license issued pursuant to subsection (a), shall, with respect thereto, be exempt from the requirements of Group 3 of this subchapter, except that persons using Mock Iodine-125 shall comply with sections 20.2001, 20.2201 and 20.2202 of title 10, Code of Federal Regulations, Part 20, incorporated by reference in section 30253.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
2. Amendment of subsection (c) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
3. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).
4. Editorial correction amending column heading in subsection (a) (Register 2011, No. 24).

### § 30192.6. General Licenses—Depleted Uranium. 40, 34 40-25

(a) A general license is hereby issued to any person to receive, acquire, transfer, possess or use depleted uranium contained in industrial products or devices, for the purpose of providing a concentrated mass of the product or device, when such products or devices are manufactured pursuant to a specific license authorizing distribution to general licensees.

(b) Persons who receive, acquire, use, transfer or possess depleted uranium under the general license issued pursuant to subsection (a) shall:

- (1) Register in accordance with section 30108.1;
- (2) Not introduce such depleted uranium into any chemical, physical or metallurgical treatment or process, other than a treatment or process for repair or restoration of any plating or other covering of the depleted uranium;
- (3) Develop, implement and maintain procedures designed to establish physical control over such depleted uranium in order to prevent its unauthorized use or transfer in any form, including metal scrap;
- (4) Appoint an individual responsible for having knowledge of required actions and authority for taking required actions, so as to comply with this section and all sections cited or referenced within this section. Appointment of the responsible individual does not relieve the general licensee of any of its own responsibility for complying with the Act and this subchapter;
- (5) Not abandon such depleted uranium;
- (6) Transfer or dispose of such depleted uranium only by transfer in accordance with sections 30210 and 30210.1.
- (7) Within 30 calendar days of any transfer, report in writing to the Department the transferee's name and address.

(c) Persons who possess, receive, acquire, transfer or use depleted uranium under the general license issued pursuant to subsection (a) shall, with respect thereto, be exempt from the requirements of Group 3 of this subchapter.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
2. Amendment of subsection (c) and NOTE filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
3. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

### § 30192.7. General Licenses — Items and Self-Luminous Products Containing Radium-226. 3, 12

(a) A general license is hereby issued to any person to acquire, receive, possess, use, or transfer, in accordance with subsections (b), (c), and (d), radium-226 contained in the following products manufactured prior to November 30, 2007:

(1) Antiquities originally intended for use by the general public. For the purposes of this paragraph, antiquities mean products originally intended for use by the general public and distributed in the late 19th and early 20th centuries, such as radium emanator jars, revigators, radium water jars, radon generators, refrigerator cards, radium bath salts, and healing pads;

(2) Intact timepieces containing greater than one microcurie, nonintact timepieces, and timepiece hands and dials no longer installed in timepieces;

(3) Luminous items installed in air, marine, or land vehicles;

(4) All other luminous products, provided that no more than 100 items are used or stored at the same location at any one time; and

(5) Small radium sources containing not more than one microcurie of radium-226. For purposes of this paragraph, "small radium sources" means discrete survey instrument check sources, sources contained in radiation measuring instruments, sources used in educational demonstrations (such as cloud chambers and spinthariscopes), electron tubes, lighting rods, ionization sources, static eliminators, or other sources as designated by the U.S. Nuclear Regulatory Commission (NRC).

(b) Persons who acquire, receive, possess, use, or transfer radioactive material under the general license issued pursuant to this section are exempt from the provisions of Group 3 of this subchapter, to the extent that the receipt, possession, use, or transfer of radioactive material is within the terms of the general license; provided, however, that this exemption shall not be deemed to apply to any such person specifically licensed under this subchapter.

(c) Any person who acquires, receives, possesses, uses, or transfers radioactive material in accordance with the general license issued pursuant to subsection (a) shall:

(1) Notify the Department should there be any indication of possible damage to the product so that it appears it could result in a loss of the radioactive material. A report containing a brief description of the event, and the remedial action taken, shall be submitted within 30 days of the event;

(2) Not abandon products containing radium-226. The product, and any radioactive material from the product, may only be disposed of by transfer to a person authorized pursuant to a specific license to receive the radium-226 in the product, or as otherwise approved by the Department;

(3) Not export products containing radium-226 except in accordance with an export license issued by NRC pursuant to 10 CFR Part 110. This provision shall not be construed to incorporate by reference 10 CFR Part 110;

(4) Dispose of products containing radium-226 by transfer to a person authorized to receive radium-226 pursuant to a specific license issued by the Department or NRC, or equivalent regulations of an Agreement State, or as otherwise approved by the Department; and

(5) Upon Department request, provide information relating to the general license within 30 calendar days of the date of the request, or such other time specified in the request. If the general licensee is unable to provide the requested information within the allotted time, a request for extending that time shall be submitted prior to the end of the allotted time, and the request for an extension of time shall include a written justification as to why the allotted time should be extended.

(d) The general license issued pursuant to this section does not authorize the manufacture, assembly, disassembly, repair, or import of products containing radium-226, except that timepieces may be disassembled and repaired.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

## HISTORY

New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30193. Application for Specific Licenses and Amendments. [Repealed]

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

## HISTORY

1. Repealer filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

### § 30194. Approval of Applications and Specific Terms and Conditions for Specific Licenses.

(a) An application for a new specific license or for renewal or amendment of an existing license will be approved if the Department determines that:

(1) the applicant or his specified personnel are qualified by reason of training and experience to use radioactive material of the kinds and quantities and for the purposes requested, in such a manner as to provide reasonable and adequate assurance of protection to health, life, and property;

(2) the applicant's equipment, facilities, proposed uses and procedures are such as to provide reasonable and adequate assurance of protection to health, life, and property;

(3) the issuance of the license will not jeopardize the health and safety of the public;

(4) the applicant satisfies all applicable requirements of the Act and regulations thereunder.

(b) Prior to issuing, amending or renewing a license pursuant to the provisions of this subchapter, the Department may inspect at any reasonable time the place of business, or premises and facilities of any applicant in order to verify information contained in the application or to obtain additional information for the purpose of completing the application.

(c) No license or any right under a license shall be assigned or otherwise transferred unless approved in advance by the Department. The request for transfer of a license shall include the identity and technical and financial qualifications of the proposed transferee, and the financial assurance for decommissioning information required by section 30195.1.

(d) Each licensee shall restrict possession of licensed material to the locations and conditions of the use authorized in the license.

(e) 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.

(f) Applications and documents submitted shall be made available for public inspection except where the applicant identifies portions of the application as "trade secret" and the Department finds that the information is "trade secret" pursuant to provisions of the Public Records Act and Evidence Code Section 1060.

(g) As provided by Section 30195.1, certain applications for specific licenses filed under Group 2 shall contain a proposed decommissioning funding plan or a certification of financial assurance for decommissioning.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

## HISTORY

1. Amendment filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

2. New subsection (g) filed 10-16-95 as an emergency; operative 10-16-95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2-13-96 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 10-16-95 order, including amendment of NOTE, transmitted to OAL 2-9-96 and filed 3-25-96 (Register 96, No. 13).

4. Amendment section heading, subsections (c) and (g) and NOTE filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

### § 30194.1. Criteria for Authorizing Multiple Locations of Use.

Criteria for authorizing more than one location of use on a specific license shall be as follows:

(a) All locations shall be under the same business entity.

(b) The radiation protection program required by section 20.1101 of Title 10, Code of Federal Regulations, Part 20 as incorporated by reference in section 30253 shall demonstrate that use of radioactive materials at each location shall be in accordance with this regulation.

(c) A single location where licensing and compliance records will be maintained for Department review shall be designated.

(d) The nature of radioactive materials use and the operations shall be the same at all locations.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060 and 115165, Health and Safety Code.

## HISTORY

1. New section filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-20-2005 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 6-22-2005 order transmitted to OAL 9-20-2005 and filed 10-18-2005 (Register 2005, No. 42).

### § 30194.2. Amendment Requests.

To amend an existing license, a licensee shall submit a written request to the Department containing:

(a) The licensee's name and license number as shown on the specific license;

(b) The nature and scope of the request.

(c) The reasons for the request and supporting justifications including any documents relied upon.

(d) If the request proposes to increase the maximum possession limit specified on the license, the request shall include the fee specified in section 30231(c).

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060 and 115165, Health and Safety Code.

## HISTORY

1. New section filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-20-2005 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 6-22-2005 order transmitted to OAL 9-20-2005 and filed 10-18-2005 (Register 2005, No. 42).

### § 30195. Special Requirements for Issuance of Specific Licenses.

In addition to the requirements set forth in Section 30194, specific licenses for certain specialized uses will be issued only if the following conditions are met:

(a) For human use of radioactive material limited to medical purposes, the applicant submits documentation demonstrating that they are capable of complying with the regulations governing the medical use of radioactive material in title 10, Code of Federal Regulations, Part 35 (10 CFR 35) (January 1, 2013), which is hereby incorporated by reference with the exceptions listed at subsections (a)(1) through (a)(15) below, and upon issuance of a license maintains compliance with said regulations:

(1) Title 10, Code of Federal Regulations, sections 35.1, 35.5, 35.7, 35.8, 35.10, 35.11(c), 35.12, 35.13, 35.14, 35.15, 35.18, 35.19, 35.26, 35.65, 35.4001, and 35.4002 are not incorporated by reference.

(2) Any references to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to the "Department" as defined in section 30100 of this regulation.

(3) Any reference to 10 CFR 35, section 35.5 shall be deemed to be a reference to section 30293 of this regulation.

(4) Any reference to "Person" in 10 CFR 35 shall be deemed to be a reference to the term "Person" as defined in section 114985(c) of the Health and Safety Code.

(5) Any reference to "Licensee" in 10 CFR 35 shall be deemed to be a reference to the term "User" as defined in section 30100 of this regulation.

(6) Any reference to "Byproduct material" in 10 CFR 35 is replaced by the term "Radioactive Material" as defined in section 30100 of this regulation.

(7) The definition of the term "Agreement State" in 10 CFR 35, section 35.2 is replaced by the definition of the term "Agreement State" as defined in section 30100 of this regulation.

(8) The definition of the term "Sealed source" in 10 CFR 35, section 35.2 is replaced by the definition of the term "Sealed source" as defined in section 30100 of this regulation.

(9) The definition of the term "Dentist" in 10 CFR 35, section 35.2 is modified to mean an individual possessing a current and valid license to practice as a dentist pursuant to the California Dental Practice Act specified in Business and Professions Code Section 1600 et seq.

(10) The definition of the term "Pharmacist" in 10 CFR 35, section 35.2 is modified to mean an individual possessing a current and valid license to practice as a pharmacist pursuant to the California Pharmacy Law specified in Business and Professions Code Section 4000 et seq.

(11) The definition of the term "Podiatrist" in 10 CFR 35, section 35.2 is modified to mean an individual possessing a current and valid license to practice as a podiatrist pursuant to California Business and Professions Code sections 2460 et seq.

(12) The definition of the term "Physician" in 10 CFR 35, section 35.2 is modified to mean an individual possessing a current and valid license to practice as a physician and surgeon or as an osteopathic physician and surgeon pursuant to the California Medical Practice Act specified in Business and Professions Code Section 2000 et seq.

(13) The reference to section 19.12 found in 10 CFR 35, section 35.27(b)(1) shall be deemed to be a reference to section 30255 of this regulation.

(14) The date January 1, 2011 is substituted for the date October 24, 2002 found in 10 CFR 35, section 35.57(a)(1) and (b)(1). Subdivisions (a)(2) and (b)(2) of 10 CFR 35, section 35.57 are replaced by the following:

(A) "An individual identified as a Radiation Safety Officer, an authorized medical physicist, or an authorized nuclear pharmacist, and physicians, dentists, or podiatrists identified as authorized users for the medical use of radioactive material on a license or an NRC or Agreement State license or a permit issued by a Department, NRC or Agreement State broad scope licensee or NRC master material license permit or by an NRC master material license permittee of broad scope before January 1, 2011 who perform only those medical uses for which they were authorized, need not comply with the training requirements of 10 CFR 35, sections 35.50, 35.51, or 35.55, and subparts D through H of 10 CFR 35, respectively."

(15) Nothing in this incorporation by reference shall be construed to authorize the Department to approve of specialty boards or medical specialty boards for meeting training requirements specified in 10 CFR 35.

(b) For use of multiple quantities of types of radioactive material for research and development or for processing for distribution:

(1) The applicant has a radiation safety committee of at least three members which must evaluate all proposals for, and maintain surveillance over, all uses of radioactive material. Committee members shall be knowledgeable and experienced in pertinent kinds of radioactive material use and in radiation safety.

(2) The applicant has a radiation safety officer, who is a member of the radiation safety committee, and who is supported by a staff of a size and degree of competence appropriate to deal with radiation safety problems that might be encountered.

(3) The applicant furnishes a detailed statement of the qualifications, duties, authority, and responsibilities of the radiation safety committee and of the staff radiation safety group.

(c) Except as provided in paragraphs (1), (2), and (3), for use of radioactive material in the form of a sealed source or in a device that contains

the sealed source, the application either identifies the source or device by the manufacturer and model number by which the source or device was registered with either the Department, pursuant to section 32.210 of title 10, Code of Federal Regulations, Part 32 (10 CFR 32.210), incorporated by reference in section 30196, the U.S. Nuclear Regulatory Commission (NRC), or an Agreement State other than this state; or provides the information identified in 10 CFR 32.210(c), incorporated by reference in section 30196:

(1) For sources or devices manufactured before October 23, 2012 that are not registered with the Department under 10 CFR 32.210, incorporated by reference in section 30196, or with an Agreement State, and for which the applicant is unable to provide all categories of information specified in 10 CFR 32.210(c), the applicant provides:

(A) All available information identified in 10 CFR 32.210(c), incorporated by reference in section 30196, regarding the source, and, if applicable, the device; and

(B) Sufficient additional information to demonstrate that there is reasonable assurance that the radiation safety properties of the source or device are adequate to protect health and minimize danger to life and property. Such information shall include a description of the source or device, a description of radiation safety features, the intended use and associated operating experience of the applicant, and the results of a recent leak test;

(2) For sealed sources and devices allowed to be distributed without registration of safety information in accordance with 10 CFR 32.210(g)(1), incorporated by reference in section 30196, the applicant may supply only the manufacturer, model number, and radionuclide and quantity; and

(3) If it is not feasible to identify each sealed source and device individually, the applicant may propose constraints on the number and type of sealed sources and devices to be used and the conditions under which they will be used, in lieu of identifying each sealed source and device.

(d) An application from a medical facility or educational institution to produce Positron Emission Tomography (PET) radioactive drugs for noncommercial transfer to licensees in its consortium, as defined in section 30195.4(b), that are authorized for medical use pursuant to subsection (a), includes:

(1) A request for authorization for the production of PET radionuclides, or evidence of an existing license issued by the Department, the NRC under 10 CFR 30, or an Agreement State other than this State for a PET radionuclide production facility within its consortium from which it receives PET radionuclides;

(2) Evidence that the applicant is qualified to produce radioactive drugs for medical use by meeting one of the criteria in 10 CFR 32.72(a)(2), incorporated by reference in section 30196;

(3) Information identified in 10 CFR 32.72(a)(3), incorporated by reference in section 30196 regarding the PET drugs to be noncommercially transferred to members of its consortium; and

(4) If the applicant is a pharmacy, in addition to satisfying the requirements in paragraphs (1), (2), and (3), the applicant shall also provide identification of all individuals authorized to prepare the PET radioactive drugs and documentation that each individual meets the requirements of an authorized nuclear pharmacist as specified in 10 CFR 32.72(b)(2), incorporated by reference in section 30196.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115165, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Repealer and new subsection (e) filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42).
2. Repealer of subsection (e) filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect amending subsection (d) filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
4. Repealer of subsections (a)-(b)(2), new subsections (a)-(a)(15), subsection relettering and amendment of NOTE filed 10-13-2010; operative 1-1-2011 (Register 2010, No. 42).
5. Editorial correction of subsection (a)(14) (Register 2010, No. 45).

6. Amendment subsections (a), (a)(14) and (a)(14)(A), repealer of subsections (c)–(c)(2) and new subsections (c)–(d)(4) filed 12–30–2014; operative 4–1–2015 (Register 2015, No. 1).

**§ 30195.1. Special Requirements for Issuance of Specific Licenses—Financial Surety for Decommissioning.**

(a) The regulations governing financial assurance for decommissioning in Title 10, Code of Federal Regulations (10 CFR), section 30.35 (January 1, 2007) and Appendices A through E of 10 CFR Part 30 referenced in section 30.35, are hereby incorporated by reference with the following exceptions:

- (1) Subsection 30.35(g) is not incorporated by reference.
- (2) The phrase “byproduct material” shall include all “radioactive material” as defined in Title 17, California Code of Regulations, section 30100, except source material which shall be governed by subsection (b).
- (3) The date “January 1, 1996” is substituted for the date “July 27, 1990.”
- (4) Any reference to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to the Department.
- (5) Any reference to 10 CFR section 30.37 shall be deemed to be a reference to Section 30194.
- (6) The date “January 1, 1998” is substituted for the date “November 24, 1995.”
- (7) The date “January 1, 2010” is substituted for the date “December 2, 2004.”
- (8) The date “July 1, 2010” is substituted for the date “June 2, 2005.”
- (9) The date “January 1, 2011” is substituted for the date “December 2, 2005.”
- (10) The reference to 10 CFR section 20.303 found in the Note of Appendix B of 10 CFR Part 30 shall be deemed a reference to 10 CFR section 20.2003.

(11) Provisions relating only to power reactor licensees found in the following appendices are not incorporated:

- (A) Appendix A, II.A.1.(ii);
- (B) Appendix A, II.A.1.(iv);
- (C) Appendix A, II.A.2.(ii);
- (D) Appendix A, II.A.2.(iv);
- (E) Appendix C, II.A.(1); and
- (F) Appendix C, II.A.(2).

(b) The regulations governing financial assurance for decommissioning in 10 CFR section 40.36 (January 1, 2007) are hereby incorporated by reference with the following exceptions:

- (1) Subsection 40.36(f) is not incorporated by reference.
- (2) The date “January 1, 1996” is substituted for the date “July 27, 1990.”
- (3) Any reference to the NRC or any component thereof shall be deemed to be a reference to the Department.
- (4) Any reference to 10 CFR section 40.43 shall be deemed to be a reference to Section 30194.
- (5) The date “January 1, 1998” is substituted for the date “November 24, 1995.”
- (6) The date “January 1, 2009” is substituted for the date “December 2, 2004.”
- (7) The date “July 1, 2009” is substituted for the date “June 2, 2005.”
- (8) Appendix A referenced in section 40.36 is not incorporated by reference.

(c) The following persons shall be exempt from the requirements of this section:

- (1) Persons authorized to possess no more than 1,000 times the quantity specified for each licensed material specified in Appendix B to Part 30 of Title 10, Code of Federal Regulations;
- (2) Persons authorized to possess hydrogen-3 contained in hydrogen gas in a sealed source;

(3) Persons authorized to possess radioactive noble gases in sealed sources with no radioactive daughter product with half-life greater than 30 days; or

(4) Persons authorized to possess no more than 10 mCi of source material in any form and source material in any quantity in a non-dispersible form.

NOTE: Authority cited: Sections 115000, 115091, 131055 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115091, 115092 and 115235, Health and Safety Code.

**HISTORY**

1. New section filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
2. Amendment of subsection (c) filed 7–12–89; operative 8–11–89 (Register 89, No. 28).
3. Renumbering of former section 30195.1 to new section 30195.3 and new section filed 10–16–95 as an emergency; operative 10–16–95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2–13–96 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 10–16–95 order, including amendment of subsection (c)(1) and NOTE, transmitted to OAL 2–9–96 and filed 3–25–96 (Register 96, No. 13).
5. Amendment of subsections (a) and (b), new subsections (a)(5), (a)(6), (b)(4) and (b)(5), and amendment of NOTE filed 9–9–97; operative 10–9–97 (Register 97, No. 37).
6. Amendment of subsections (a), (a)(2), (a)(4)–(5), (b) and (b)(3)–(4), new subsections (a)(7)–(11)(F) and (b)(6)–(8) and amendment of NOTE filed 12–30–2008; operative 1–29–2009 (Register 2009, No. 1).

**§ 30195.2. Special Requirements for Issuance of Specific Licenses—Emergency Plans.**

(a) In addition to meeting the requirements set forth in sections 30194, 30195, 30195.1 and 30195.3, specific licenses shall be issued only if the requirements specified in subsection (b) are met.

(b) The regulations governing application for specific licenses in Title 10, Code of Federal Regulations, section 30.32, subsection (i) (10 CFR 30.32(i)) (January 1, 2013) including section 30.72 referenced in 10 CFR 30.32(i), are hereby adopted by reference with the following exceptions:

(1) The phrase “radioactive material” as defined in Title 17, California Code of Regulations, section 30100 is substituted for the phrase “byproduct material.”

(2) Any reference to the Nuclear Regulatory Commission or any component thereof shall be deemed to be a reference to the Department.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

**HISTORY**

1. New section filed 10–16–95 as an emergency; operative 10–16–95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2–13–96 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 10–16–95 order, including amendment of NOTE, transmitted to OAL 2–9–96 and filed 3–25–96 (Register 96, No. 13).
3. Amendment of section and NOTE filed 12–30–2014; operative 4–1–2015 (Register 2015, No. 1).

**§ 30195.3. Special Requirements for Issuance of Specific Licenses for Use of Sealed Sources in Industrial Radiography.**

(a) The definitions of sections 30100 and 30330 apply to this section.

(b) An applicant for a specific license for the use of sealed sources in industrial radiography shall submit:

(1) A description of the applicant’s training program that meets the requirements of section 30333(a) and (b). Copies of typical examinations and correct answers shall be submitted. Instructors shall, at a minimum, meet the requirements of section 30333.05(a)(1). Instructor qualifications shall be submitted;

(2) If the applicant proposes to be a radiation safety training provider, the information required by section 30331(a)(3) through (a)(5) and the fee required by section 30331(a)(6) in addition to any fee required by section 30230. This information shall be clearly identified as being submitted for compliance with section 30331;

(3) Procedures for verifying and documenting the certification status of radiographers and ensuring that the certification of each radiographer remains valid;

(4) A description of the applicant's overall organizational structure as it applies to the radiation safety responsibilities in radiography using sealed sources, including specified delegation of authority and responsibility;

(5) Operating and emergency procedures that meet the requirements of section 30333.1;

(6) A description of the internal inspection system used to assure that radiographers and radiographers' assistants comply with Department regulations and license conditions and the applicant's operating and emergency procedures as required by section 30333(e);

(7) The name(s) and qualification(s) of the individual(s) designated as the radiation safety officer (RSO) and potential designees responsible for ensuring that the licensee's radiation safety program is implemented in accordance with Department regulations and license conditions and the applicant's operating and emergency procedures. The designated RSO shall, at a minimum, meet the requirements specified in section 30333.07. Potential designees shall, at a minimum, meet the requirements specified in section 30333.05; and

(8) The location and a description of the location of each field station and permanent radiographic installation.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115165, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. Renumbering of former section 30195.1 to new section 30195.3 filed 10-16-95 as an emergency; operative 10-16-95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2-13-96 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 10-16-95 order, including amendment of NOTE, transmitted to OAL 2-9-96 and filed 3-25-96 (Register 96, No. 13).
3. Amendment of section heading, section and NOTE filed 4-11-2008; operative 5-11-2008 (Register 2008, No. 15).
4. Amendment of subsection (b)(6) and NOTE filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

**§ 30195.4. Additional Requirements for Specific Licenses Authorized Pursuant to Section 30195(d).**

(a) Specific licenses authorizing, pursuant to section 30195(d), the production of positron emission tomography (PET) radioactive drugs for noncommercial transfer to licensees holding a specific license issued pursuant to section 30195(a) in its consortium, as defined in subsection (b), shall be subject to the following:

(1) Authorization does not relieve the licensee from complying with applicable FDA requirements, or other Federal, and State requirements governing radioactive drugs.

(2) The licensee shall:

(A) Satisfy the labeling requirements in title 10, Code of Federal Regulations section 32.72(a)(4) (10 CFR 32.72(a)(4)), incorporated by reference in section 30196, for each PET radioactive drug transport radiation shield and each syringe, vial, or other container used to hold a PET radioactive drug intended for noncommercial distribution to members of its consortium; and

(B) Possess and use instrumentation to measure the radioactivity of the PET radioactive drugs intended for noncommercial distribution to mem-

bers of its consortium and meet the procedural, radioactivity measurement, instrument test, instrument check, and instrument adjustment requirements in 10 CFR 32.72(c), incorporated by reference in section 30196.

(3) If the licensee is a pharmacy, the licensee shall require that any individual that prepares PET radioactive drugs be:

(A) An authorized nuclear pharmacist who meets 10 CFR 32.72(b)(2), incorporated by reference in section 30196; or

(B) An individual who is under the supervision of an authorized nuclear pharmacist as specified in 10 CFR 35.27, incorporated by reference in section 30195(a).

(4) If the licensee is a pharmacy who allows an individual to work as an authorized nuclear pharmacist, the licensee shall ensure the individual meets 10 CFR 32.72(b)(5), incorporated by reference in section 30196.

(b) For purposes of subsection (a) and section 30195(d), "consortium" means an association of licensees authorized for medical use pursuant to section 30195(a) and a PET radionuclide production facility in the same geographical area that jointly own or share in the operation and maintenance cost of the PET radionuclide production facility that produces PET radionuclides for use in producing radioactive drugs within the consortium for noncommercial distributions among its associated members for medical use. The PET radionuclide production facility within the consortium may only be located at an educational institution or a medical facility.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115165, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

**§ 30196. Special Requirements for Issuance of Specific Licenses to Manufacture or Transfer Certain Items Containing Radioactive Material.**

(a) The regulations governing manufacturing or initially transferring items containing radioactive material for sale or distribution in Title 10, Code of Federal Regulations (10 CFR), Part 32 (10 CFR 32) (January 1, 2013) are hereby incorporated by reference with the following exceptions:

(1) Title 10, Code of Federal Regulations, sections 32.1, 32.3, 32.8, 32.11, 32.12, 32.14, 32.15, 32.16, 32.18, 32.19, 32.20, 32.21, 32.21a, 32.22, 32.23, 32.25, 32.26, 32.27, 32.28, 32.29, 32.101, 32.102, 32.103, 32.110, 32.301, and 32.303 and NRC Form 653 referenced in section 32.52 are not incorporated by reference.

(2) Any reference to "byproduct material" in 10 CFR 32 is replaced by the term "radioactive material" as defined Title 17, California Code of Regulations (17 CCR), section 30100.

(3) Any reference to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to the Department.

(4) Any reference to the term "Agreement State" shall be deemed to be a reference to the term "Agreement State" as defined in 17 CCR section 30100.

(5) Any reference to the below identified federal regulation cited within 10 CFR 32 shall be deemed to be a reference to the below identified Department regulation in this subchapter:

Federal regulation cited within 10 CFR 32	Department regulation within this subchapter
§ 30.34(h)	§ 30257
§ 30.33	§ 30194
§ 30.36	§ 30256
§ 30.51	§ 30293
§31.2	§ 30190
§ 31.5	§ 30192.1
§ 31.7	§ 30192.2
§ 31.8	§ 30192.3
§ 31.10	§ 30192.4
§ 31.11	§ 30192.5
10 CFR 20 (any section)	§ 30253

(6) Any reference within 10 CFR 32 to sections found in 10 CFR 35 shall be deemed to be a reference to 17 CCR section 30195(a) except that 10 CFR 35.65 (January 1, 2013) cited within 10 CFR 32.74 is incorporated by reference in this section for the purpose of issuing a specific license pursuant to this section. Section 35.65 of 10 CFR is not incorporated by reference for purposes of issuing a specific license pursuant to 17 CCR section 30195(a).

NOTE: Authority cited: Sections 114975, 115000, 115091 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115091, 115092, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1). For prior history, see Register 87, No. 29.

### § 30197. Specific Terms and Conditions of Licenses. [Repealed]

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Amendment filed 11-16-67; effective thirtieth day thereafter (Register 67, No. 46).
2. Repealer filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

### § 30198. Expiration of Licenses. [Repealed]

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Repealer filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

### § 30205. Modification, Suspension, Revocation and Termination of Licenses.

(a) All licenses shall be subject to modification, suspension, or revocation by regulations or orders issued by the department.

(b) Any license may be modified, suspended, or revoked by the department:

- (1) for any material false statement in the application or in any required report;
- (2) because of conditions revealed by any means which would warrant refusal to grant such a license on an original application; or

(3) for violation of any terms and conditions of the Act, of the license, or of any relevant regulation or order of the department, including non-payment of license fee pursuant to Sections 30230-30232 of this regulation.

(c) Prior to the institution of proceedings to modify, suspend, or revoke a license, facts or conduct which may warrant such action shall be called to the attention of the licensee in writing and the licensee shall be accorded reasonable opportunity to demonstrate or achieve compliance, except in cases of willful violation or those in which the public health or safety requires otherwise.

(d) A specific license may be terminated by mutual consent between the licensee and the department.

NOTE: Authority cited: Sections 114975, 115000, 115060 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114980, 115060, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Amendment of subsection (b)(3) filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42).
2. New NOTE filed 8-22-84 (Register 84, No. 34).
3. Amendment of NOTE filed 3-15-2018; operative 3-15-2018. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2018, No. 11).

## Article 5. Transfer of Material

### § 30210. Authorization for Transfer.

(a) A licensee may transfer radioactive material only to persons listed below and only following acceptance of such transfer:

- (1) the Department;
- (2) any person who is exempt from this regulation to the extent permitted under such exemption; or

(3) any person licensed or authorized to receive the material by the United States Nuclear Regulatory Commission, the Department, or any other Agreement State.

(b) This section does not authorize the commercial distribution of radioactive material other than those items listed in Section 30192 through 30192.6, except when such distribution is authorized by a specific license.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25855, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Repealer of Article 5 (Section 30210 and 30211) and new Article 5 (Section 30210) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 1.
2. Amendment filed 11-16-67; effective thirtieth day thereafter (Register 67, No. 46).
3. Amendment filed 5-13-69; effective thirtieth day thereafter (Register 69, No. 20).
4. Amendment filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

#### § 30210.1. Verification Required.

(a) Before transferring radioactive material to a licensee, the licensee transferring the material shall verify license authorization for the receipt of the type, form and quantity of radioactive material to be transferred.

(b) The transferrer shall utilize methods of verification and maintain records of verification required by subsection (a) as specified in 10CFR30.41 (38FR33968).

NOTE: (1) Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25855, 25875 and 25876, Health and Safety Code.

(2) Copies of Title 10, Code of Federal Regulations —Energy, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

#### HISTORY

1. New section filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
2. Change without regulatory effect of NOTE (Register 88, No. 6).

#### § 30210.2. Labeling Requirements for the Manufacture, Preparation or Transfer for Commercial Distribution of Drugs Containing Radioactive Material for Human Use as Authorized by a Specific License. [Repealed]

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115165 and 115235, Health and Safety Code.

#### HISTORY

1. New section filed 10-13-99; operative 11-12-99 (Register 99, No. 42).
2. Repealer filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

## Article 6. Enforcement

#### § 30220. Violations. [Repealed]

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25855, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Repealer of Article 6 (Sections 30215 through 30217) and new Article 6 (Section 30220) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 21.
2. Repealer filed 7-8-87; operative 8-7-87 (Register 87, No. 29).

## Article 7. Reciprocal Recognition of Licenses

#### § 30225. Persons Specifically Licensed by Other Agencies.

(a) Any person who holds a specific license issued by the United States Nuclear Regulatory Commission (NRC), by any other Agreement State, or by any state that has been either provisionally or finally designated as a Licensing State by the Conference of Radiation Control Program Directors, Inc. (CRCPD), other than this State, may conduct activities of the kind therein authorized within this State for a period not in excess of 180 days in any calendar year without obtaining a specific license from the Department, provided that:

(1) The person maintains an office for directing the licensed activity, at which radiation safety records are normally maintained, in a location under jurisdiction of the agency which issued the specific license;

(2) The license does not limit the authorized activity to specified installations or locations;

(3) The person provides written notice to the Department at least three days prior to engaging in such activity. Such notice shall indicate the location, specific time period, and type of proposed possession and use within this state, and shall be accompanied by a copy of the pertinent license. If, for a specific case, the 3-day period would impose an undue hardship on the person, the person may make application to the Department to proceed sooner;

(4) The person complies with all applicable regulations of the Department and with all the terms and conditions of the license, except such terms and conditions as may be inconsistent with said regulations;

(5) The person supplies such other information as the Department may request; and

(6) The person pays a fee in accordance with section 30230(F) to the Department, prior to the engagement of activities within the state.

(b) Any person who holds a specific license issued by the NRC, by any other Agreement State or by any state that has been either provisionally or finally designated as a Licensing State by the CRCPD, other than this State, authorizing the holder to manufacture, install or service a device described in section 30192.1(a), is hereby issued a general license to install or service such device in this State, provided that:

(1) The person files a report with the Department within 30 days after the end of each calendar quarter in which any device is transferred to or installed in this State, identifying each device recipient by name and address, identifying the type of device transferred or installed, and identifying the quantity and type of radioactive material contained in each device;

(2) The device has been manufactured and labeled and is installed and serviced in accordance with applicable provisions of the specific license;

(3) The person assures that any labels required to be affixed to the device, under regulations of the authority which licensed manufacture of the device, are affixed and bear a statement that "Removal of this label is prohibited;" and

(4) The person furnishes to each device recipient in this State to whom he or she transfers such a device, or on whose premises he or she installs the device, a copy of the regulations contained in Group 1.5 of this subchapter and sections 30192.1, 30254, 30257, 30293(a)(2) and 30295 of Group 3 of this subchapter, and sections 20.2201 and 20.2202 of title 10, Code of Federal Regulations, Part 20, incorporated by reference in section 30253.

(c) The Department may withdraw, limit, or qualify its acceptance of any license specified in subsection (a) or (b) upon determining that such action is necessary to protect health or to minimize danger to life or property.

(d) Authorization granted pursuant to this section does not authorize a person to conduct activities in areas within this State that are under exclusive federal jurisdiction.

NOTE: Authority cited: Sections 114975, 115000, 115060 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114985, 114990, 115060, 115065, 115090, 115093, 115105, 115110, 115120, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Repealer of article 7 (section 30220) and new article 7 (section 30225) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 21.
2. Amendment of subsection (a) filed 7-22-71; effective thirtieth day thereafter (Register 71, No. 30).
3. Amendment of subsection (a) filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42).
4. New NOTE filed 8-22-84 (Register 84, No. 34).
5. Amendment filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
6. New subsection (a)(6) and amendment of NOTE filed 10-23-91; operative 11-22-91 (Register 92, No. 5).
7. Amendment of section and NOTE filed 10-15-2001; operative 11-14-2001 (Register 2001, No. 42).
8. Amendment of subsection (a)(6) filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be trans-

mitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.

9. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).
10. Amendment of section heading, section and NOTE filed 6–8–2011; operative 7–8–2011 (Register 2011, No. 23).

### § 30226. Persons Generally Licensed by Other Agencies.

(a) A person generally licensed by the United States Nuclear Regulatory Commission (NRC), or an Agreement State other than this State, is not subject to the registration requirements specified in section 30192.1(d)(1) if the device is used in areas subject to the Department's jurisdiction for a period less than 180 days in any calendar year.

(b) Authorization granted pursuant to this section shall not authorize a person to conduct activities in areas within this State that are under exclusive federal jurisdiction within this State.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 115060, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 6–8–2011; operative 7–8–2011 (Register 2011, No. 23).

## Article 8. License Fees

### § 30230. License Fees.

(a) Except as provided in subsection (b), each applicant for a specific license pursuant to the provisions of this group shall include with the application a nonrefundable fee, which is equal to the annual fee as set forth in section 30231, and if the specific license is granted, the application fee shall constitute the annual fee for the first year of the license.

(b) Each applicant for a specific license for commercial distribution of sealed sources or devices containing sealed sources, who requests evaluation of the information submitted pursuant to section 30195(d)(1) and (d)(2), shall include with the application, a nonrefundable fee, which is equal to the annual fee, and a nonrefundable evaluation fee as set forth in section 30231. If the specific license is granted, the fee equal to the annual fee shall constitute the annual fee for the first year of the license.

(c) Each licensee shall pay an annual fee, as set forth in section 30231, on or before the anniversary of the effective date of the license.

(d) Each licensee, who applies for an amendment to a specific license that increases the maximum possession limits of the license shall include with the request submitted pursuant to section 30194.2, an additional fee for each such amendment, as set forth in section 30231(c).

(e) Each licensee authorized pursuant to section 30195(d) to commercially distribute sealed sources or devices containing sealed sources shall, in addition to the annual fee specified in section 30231(a), pay:

- (1) The evaluation fees specified in section 30231(f)(1) through (3), specific to the type of evaluation, when a request for evaluation is submitted to the Department; and
- (2) The annual fee specified in section 30231(f)(4).

(f) Each person authorized to conduct activities within the state pursuant to section 30225(a) shall pay a fee as specified in section 30231(e).  
NOTE: Authority cited: Sections 100275, 115000, 115060 and 115065, Health and Safety Code. Reference: Sections 114965, 114970, 114980 and 115165, Health and Safety Code.

#### HISTORY

1. Amendment filed 8–1–62; effective thirtieth day thereafter (Register 62, No. 16).
2. Renumbering from article 9 to article 8, filed 11–29–65 (Register 65, No. 23).
3. New NOTE filed 8–22–84 (Register 84, No. 34).
4. New subsection (d) and amendment of NOTE filed 10–23–91; operative 11–22–91 (Register 92, No. 5).
5. Amendment of section and NOTE filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).

### § 30231. Fee Schedule.

(a) The annual fee shall be calculated in accordance with the following formula and shall not exceed \$37,290.00 for any one license:

Annual fee (rounded to the nearest dollar) =  $A + (A \times B \times C)$

Where:

A = [Sum of the license fee specified in subsection (b)(1), the fee for unsealed sources specified in subsection (b)(2) and the fee for sealed sources specified in subsection (b)(3)]

B = [Number of authorized use locations minus one as specified in subsection (b)(4)] -

C = [0.2 as specified in subsection (b)(4)].

(b) The annual fee for each specific license shall consist of the following components:

(1) A fee of \$1,658.00 for each license;

(2) A fee for the unsealed sources authorized to be possessed at any one time by the license provided such unsealed sources have a combined total strength of over 10 millicuries (mCi), as follows:

Over 10 mCi, but not over 100 mCi	\$948.00
Over 100 mCi, but not over 500 mCi	\$1,896.00
Over 500 mCi, but not over 1 curie (Ci)	\$3,793.00
Over 1 Ci, but not over 10 Ci	\$5,689.00
Over 10 Ci, but not over 100 Ci	\$7,585.00
Over 100 Ci	\$9,482.00;

(3) A fee for the sealed sources authorized to be possessed at any one time by the license provided such sealed sources have a combined total strength of over 100 mCi, as follows:

Over 100 mCi, but not over 1 Ci	\$948.00
Over 1 Ci, but not over 5 Ci	\$1,896.00
Over 5 Ci, but not over 10 Ci	\$3,793.00
Over 10 Ci, but not over 100 Ci	\$5,689.00
Over 100 Ci, but not over 1,000 Ci	\$7,585.00
Over 1,000 Ci	\$9,482.00; and

(4) A fee for each location of use greater than one, authorized in a specific license pursuant to section 30194.1, which is determined by multiplying the number of authorized use locations minus one by the sum of the values of subsections (b)(1) through (3) and by 0.2.

(c) The amount of additional fee required pursuant section 30230(d), except as limited by this section, shall be the difference between the current annual fee and the total annual fees required for the new limits requested.

(d) Any licensee who fails to pay the annual fee by the anniversary of the effective date of the license shall immediately cease use of all sources of radiation by placing the sources in storage until such time as the annual fee and a late fee of 25 percent of the annual fee has been paid.

(e) The fee for persons authorized to operate under section 30225(a) shall be equal to the annual fee as specified in subsection (a) for the combined total strength of radioactive material that will be possessed while in this state. The fees shall be effective for the period in which reciprocity is granted under section 30225.

(f) The fees required by subsections (b) and (e) of section 30230 shall be as follows:

(1) \$6,370.00 for evaluation of each device and sealed source;

(2) \$4,878.00 for evaluation of each device only;

(3) \$1,492.00 for evaluation of each sealed source only; and

(4) \$597.00, annually, for each registry certificate maintained by the Department indicating that the sealed source or device is commercially manufactured and/or distributed and includes evaluations of modifications of the source or device identified on the certificate.

(g) Fees required by this section shall be nonrefundable.

NOTE: Authority cited: Sections 114975, 115000, 115060, 115065 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114980, 115165, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Amendment filed 8–1–62; effective thirtieth day thereafter (Register 62, No. 16).
2. Amendment filed 7–2–82; effective thirtieth day thereafter (Register 82, No. 27).
3. Editorial correction of NOTE filed 8–22–84 (Register 84, No. 34).
4. Amendment filed 7–7–86 as an emergency; effective upon filing (Register 86, No. 28). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 11–4–86.

5. Certificate of Compliance transmitted to OAL 10-9-86 and filed 11-7-86 (Register 86, No. 45).
6. Amendment filed 3-6-89 as an emergency; operative 3-6-89 (Register 89, No. 10). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 7-5-89.
7. Certificate of Compliance transmitted to OAL 6-12-89 and filed 6-28-89 (Register 89, No. 26).
8. New subsection (e) and amendment of NOTE filed 10-23-91; operative 11-22-91 (Register 92, No. 5).
9. Amendment of subsections (a)-(c) and (e) and NOTE filed 3-1-94 as an emergency; operative 3-1-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 6-28-94 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 3-1-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
11. Repealer and new section and amendment of NOTE filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-20-2005 or emergency language will be repealed by operation of law on the following day.
12. Certificate of Compliance as to 6-22-2005 order transmitted to OAL 9-20-2005 and filed 10-18-2005 (Register 2005, No. 42).
13. Editorial correction of subsection (b)(2) (Register 2014, No. 38).
14. Amendment of subsections (a), (b)(1)-(3) and (f)(1)-(4) and amendment of NOTE filed 6-15-2015; operative 6-15-2015. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2015, No. 25).
15. Amendment of subsections (a), (b)(1)-(3) and (f)(1)-(4) filed 3-15-2018; operative 3-15-2018. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2018, No. 11).

**§ 30232. Fee Limitations. [Repealed]**

NOTE: Authority cited: Sections 208, 25811 and 25816, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25816, 25875 and 25876, Health and Safety Code.

## HISTORY

1. Amendment filed 7-2-82; effective thirtieth day thereafter (Register 82, No. 27).
2. Editorial correction of NOTE filed 8-22-84 (Register 84, No. 34).
3. Amendment filed 7-7-86 as an emergency; effective upon filing (Register 86, No. 28). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 11-4-86.
4. Certificate of Compliance transmitted to OAL 10-9-86 and filed 11-7-86 (Register 86, No. 45).
5. Amendment filed 3-6-89 as an emergency; operative 3-6-89 (Register 89, No. 10). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 7-5-89.
6. Certificate of Compliance transmitted to OAL 6-12-89 and filed 6-28-89 (Register 89, No. 26).
7. Amendment of subsections (a), (c)-(f) and NOTE filed 3-1-94 as an emergency; operative 3-1-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 6-28-94 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 3-1-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
9. Repealer filed 6-22-2005 as an emergency; operative 6-22-2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-20-2005 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 6-22-2005 order transmitted to OAL 9-20-2005 and filed 10-18-2005 (Register 2005, No. 42).

## Article 9. Schedules

### § 30235. Schedule A. Exempt Quantities.

Radionuclide	Microcuries
Antimony 122 (Sb 122)	100
Antimony 124 (Sb 124)	10
Antimony 125 (Sb 125)	10
Arsenic 73 (As 73)	100
Arsenic 74 (As 74)	10
Arsenic 76 (As 76)	10
Arsenic 77 (As 77)	100
Barium 131 (Ba 131)	10
Barium 133 (Ba 133)	10
Barium 140 (Ba 140)	10
Bismuth 210 (Bi 210)	1
Bromine 82 (Br 82)	10
Cadmium 109 (Cd 109)	10
Cadmium 115m (Cd 115m)	10
Cadmium 115 (Cd 115)	100
Calcium 45 (Ca 45)	10
Calcium 47 (Ca 47)	100
Carbon 14 (C 14)	100
Cerium 141 (Ce 141)	100
Cerium 143 (Ce 143)	100
Cerium 144 (Ce 144)	1

Cesium 129 (Cs 129)	100
Cesium 131 (Cs 131)	1,000
Cesium 134m (Cs 134m)	100
Cesium 134 (Cs 134)	1
Cesium 135 (Cs 135)	10
Cesium 136 (Cs 136)	10
Cesium 137 (Cs 137)	10
Chlorine 36 (Cl 36)	10
Chlorine 38 (Cl 38)	10
Chromium 51 (Cr 51)	1,000
Cobalt 57 (Co 57)	100
Cobalt 58m (Co 58m)	10
Cobalt 58 (Co 58)	10
Cobalt 60 (Co 60)	1
Copper 64 (Cu 64)	100
Dysprosium 165 (Dy 165)	10
Dysprosium 166 (Dy 166)	100
Erbium 169 (Er 169)	100
Erbium 171 (Er 171)	100
Europium 152 9.2 h (Eu 152 9.2 h)	100
Europium 152 13 yr (Eu 152 13 yr)	1
Europium 154 (Eu 154)	1
Europium 155 (Eu 155)	10
Fluorine 18 (F 18)	1,000
Gadolinium 153 (Gd 153)	10
Gadolinium 159 (Gd 159)	100
Gallium 67 (Ga 67)	100
Gallium 72 (Ga 72)	10

Germanium 68 (Ge 68)	10
Germanium 71 (Ge 71)	100
Gold 195 (Au 195)	10
Gold 198 (Au 198)	100
Gold 199 (Au 199)	100
Hafnium 181 (Hf 181)	10
Holmium 166 (Ho 166)	100
Hydrogen 3 (H 3)	1,000
Indium 111 (In 111)	100
Indium 113m (In 113m)	100
Indium 114m (In 114m)	10
Indium 115m (In 115m)	100
Indium 115 (In 115)	10
Iodine 123 (I 123)	100
Iodine 125 (I 125)	1
Iodine 129 (I 129)	1
Iodine 131 (I 131)	0.1
Iodine 132 (I 132)	10
Iodine 133 (I 133)	1
Iodine 134 (I 134)	10
Iodine 135 (I 135)	10
Iridium 192 (Ir 192)	10
Iridium 194 (Ir 194)	100
Iron 52 (Fe 52)	10
Iron 55 (Fe 55)	100
Iron 59 (Fe 59)	10
Krypton 85 (Kr 85)	100
Krypton 87 (Kr 87)	10

Lanthanum 140 (La 140)	10
Lutetium 177 (Lu 177)	100
Manganese 52 (Mn 52)	10
Manganese 54 (Mn 54)	10
Manganese 56 (Mn 56)	10
Mercury 197m (Hg 197m)	100
Mercury 197 (Hg 197)	100
Mercury 203 (Hg 203)	10
Molybdenum 99 (Mo 99)	100
Neodymium 147 (Nd 147)	100
Neodymium 149 (Nd 149)	100
Nickel 59 (Ni 59)	100
Nickel 63 (Ni 63)	10
Nickel 65 (Ni 65)	100
Niobium 93m (Nb 93m)	10
Niobium 95 (Nb 95)	10
Niobium 97 (Nb 97)	10
Osmium 185 (Os 185)	10
Osmium 191m (Os 191m)	100
Osmium 191 (Os 191)	100
Osmium 193 (Os 193)	100
Palladium 103 (Pd 103)	100
Palladium 109 (Pd 109)	100
Phosphorus 32 (P 32)	10
Platinum 191 (Pt 191)	100
Platinum 193m (Pt 193m)	100
Platinum 193 (Pt 193)	100

Platinum 197m (Pt 197m)	100
Platinum 197 (Pt 197)	100
Polonium 210 (Po 210)	0.1
Potassium 42 (K 42)	10
Potassium 43 (K 43)	10
Praseodymium 142 (Pr 142)	100
Praseodymium 143 (Pr 143)	100
Promethium 147 (Pm 147)	10
Promethium 149 (Pm 149)	10
Rhenium 186 (Re 186)	100
Rhenium 188 (Re 188)	100
Rhodium 103m (Rh 103m)	100
Rhodium 105 (Rh 105)	100
Rubidium 81 (Rb 81)	10
Rubidium 86 (Rb 86)	10
Rubidium 87 (Rb 87)	10
Ruthenium 97 (Ru 97)	100
Ruthenium 103 (Ru 103)	10
Ruthenium 105 (Ru 105)	10
Ruthenium 106 (Ru 106)	1
Samarium 151 (Sm 151)	10
Samarium 153 (Sm 153)	100
Scandium 46 (Sc 46)	10
Scandium 47 (Sc 47)	100
Scandium 48 (Sc 48)	10
Selenium 75 (Se 75)	10
Silicon 31 (Si 31)	100
Silver 105 (Ag 105)	10

Silver 110m (Ag 110m)	1
Silver 111 (Ag 111)	100
Sodium 22 (Na 22)	10
Sodium 24 (Na 24)	10
Strontium 85 (Sr 85)	10
Strontium 89 (Sr 89)	1
Strontium 90 (Sr 90)	0.1
Strontium 91 (Sr 91)	10
Strontium 92 (Sr 92)	10
Sulphur 35 (S 35)	100
Tantalum 182 (Ta 182)	10
Technetium 96 (Tc 96)	10
Technetium 97m (Tc 97m)	100
Technetium 97 (Tc 97)	100
Technetium 99m (Tc 99m)	100
Technetium 99 (Tc 99)	10
Tellurium 125m (Te 125m)	10
Tellurium 127m (Te 127m)	10
Tellurium 127 (Te 127)	100
Tellurium 129m (Te 129m)	10
Tellurium 129 (Te 129)	100
Tellurium 131m (Te 131m)	10
Tellurium 132 (Te 132)	10
Terbium 160 (Tb 160)	10
Thallium 200 (Tl 200)	100
Thallium 201 (Tl 201)	100
Thallium 202 (Tl 202)	100
Thallium 204 (Tl 204)	10

Thulium 170 (Tm 170)	10
Thulium 171 (Tm 171)	10
Tin 113 (Sn 113)	10
Tin 125 (Sn 125)	10
Tungsten 181 (W 181)	10
Tungsten 185 (W 185)	10
Tungsten 187 (W 187)	100
Vanadium 48 (V 48)	10
Xenon 131m (Xe 131m)	1,000
Xenon 133 (Xe 133)	100
Xenon 135 (Xe 135)	100
Ytterbium 175 (Yb 175)	100
Yttrium 87 (Y 87)	10
Yttrium 88 (Y 88)	10
Yttrium 90 (Y 90)	10
Yttrium 91 (Y 91)	10
Yttrium 92 (Y 92)	100
Yttrium 93 (Y 93)	100
Zinc 65 (Zn 65)	10
Zinc 69m (Zn 69m)	100
Zinc 69 (Zn 69)	1,000
Zirconium 93 (Zr 93)	10
Zirconium 95 (Zr 95)	10
Zirconium 97 (Zr 97)	10
Any radioactive material not listed above other than alpha emitting byproduct material.	0.1

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115255, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. New Schedule A filed 7-22-71; effective thirtieth day thereafter (Register 71, No. 30). For history of former section, see Register 62, No. 16.

2. Amendment filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42).
3. Amendment filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
4. Amendment of NOTE filed 7-28-2006; operative 8-27-2006 (Register 2006, No. 30).

5. Amendment of section and NOTE filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

**§ 30236. Schedule B, Table I, In Vitro Clinical Tests.  
[Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. New Schedule B filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28). For history of former Schedule B, see Registers 72, No. 42, and 67, No. 46.
2. Repealer filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).

## § 30237. Schedule C. Exempt Concentrations.

Element (atomic number)	Isotope	Column I	Column II
		Gas Concentration $\mu\text{Ci}/\text{ml}^1$	Liquid and Solid Concentration $\mu\text{Ci}/\text{ml}^2$
Antimony (51)	Sb 122		$3\text{E}-4^3$
	Sb 124		$2\text{E}-4$
	Sb 125		$1\text{E}-3$
Argon (18)	A 37	$1\text{E}-3$	
	A 41	$4\text{E}-7$	
Arsenic (33)	As 73		$5\text{E}-3$
	As 74		$5\text{E}-4$
	As 76		$2\text{E}-4$
	As 77		$8\text{E}-4$
Barium (56)	Ba 131		$2\text{E}-3$
	Ba 140		$3\text{E}-4$
Beryllium (4)	Be 7		$2\text{E}-2$
Bismuth (83)	Bi 206		$4\text{E}-4$
Bromine (35)	Br 82	$4\text{E}-7$	$3\text{E}-3$
Cadmium (48)	Cd 109		$2\text{E}-3$
	Cd 115M		$3\text{E}-4$
	Cd 115		$3\text{E}-4$
Calcium (20)	Ca 45		$9\text{E}-5$
	Ca 47		$5\text{E}-4$
Carbon (6)	C 14	$1\text{E}-6$	$8\text{E}-3$
Cerium (58)	Ce 141		$9\text{E}-4$
	Ce 143		$4\text{E}-4$
	Ce 144		$1\text{E}-4$
Cesium (55)	Cs 131		$2\text{E}-2$
	Cs 134m		$6\text{E}-2$
	Cs 134		$9\text{E}-5$
Chlorine (17)	Cl 38	$9\text{E}-7$	$4\text{E}-3$

Chromium (24)	Cr 51		2E-2
Cobalt (27)	Co 57		5E-3
	Co 58		1E-3
	Co 60		5E-4
Copper (29)	Cu 64		3E-3
Dysprosium (66)	Dy 165		4E-3
	Dy 166		4E-4
Erbium (68)	Er 169		9E-4
	Er 171		1E-3
Europium (63)	Eu 152 (T/2=9.2 hrs)		6E-4
	Eu 155		2E-3
Fluorine (9)	F 18	2E-6	8E-3
Gadolinium (64)	Gd 153		2E-3
	Gd 159		8E-4
Gallium (31)	Ga 72		4E-4
Germanium (32)	Ge 71		2E-2
Gold (79)	Au 196		2E-3
	Au 198		5E-4
	Au 199		2E-3
Hafnium (72)	Hf 181		7E-4
Hydrogen (1)	H 3	5E-6	3E-2
Indium (49)	In 113M		1E-2
	In 114M		2E-4
Iodine (53)	I 126	3E-9	2E-5
	I 131	3E-9	2E-5
	I 132	8E-8	6E-4
	I 133	1E-8	7E-5
	I 134	2E-7	1E-3

Iridium (77)	Ir 190		2E-3
	Ir 192		4E-4
	Ir 194		3E-4
Iron (26)	Fe 55		8E-3
	Fe 59		6E-4
Krypton (36)	Kr 85M	1E-6	
	Kr 85	3E-6	
Lanthanum (57)	La 140		2E-4
Lead (82)	Pb 203		4E-3
Lutetium (71)	Lu 177		1E-3
Manganese (25)	Mn 52		3E-4
	Mn 54		1E-3
	Mn 56		1E-3
Mercury (80)	Hg 197M		2E-3
	Hg 197		3E-3
	Hg 203		2E-4
Molybdenum (42)	Mo 99		2E-3
Neodymium (60)	Nd 147		6E-4
	Nd 149		3E-3
Nickel (28)	Ni 65		1E-3
Niobium (Columbium) (41)	Nb 95		1E-3
	Nb 97		9E-3
Osmium (76)	Os 185		7E-4
	Os 191M		3E-2
	Os 191		2E-3
	Os 193		6E-4
Palladium (46)	Pd 103		3E-3
	Pd 109		9E-4
Phosphorus (15)	P 32		2E-4

Platinum (78)	Pt 191		1E-3
	Pt 193M		1E-2
	Pt 197M		1E-2
	Pt 197		1E-3
Polonium (84)	Po 210		7E-4
Potassium (19)	K 42		3E-3
Praseodymium (59)	Pr 142		3E-4
	Pr 143		5E-4
Promethium (61)	Pm 147		2E-3
	Pm 149		4E-4
Radium (88)	Ra 223		1E-7
Radon (86)	Rn 222	1E-8	
	Rn 230	1E-7	
Rhenium (75)	Re 183		6E-3
	Re 186		9E-4
	Re 188		6E-4
Rhodium (45)	Rh 103M		1E-1
	Rh 105		1E-3
Rubidium (37)	Rb 86		7E-4
Ruthenium (44)	Ru 97		4E-4
	Ru 103		8E-4
	Ru 105		1E-3
	Ru 106		1E-4
Samarium (62)	Sm 153		8E-4
Scandium (21)	Sc 46		4E-4
	Sc 47		9E-4
	Sc 48		3E-4
Selenium (34)	Se 75		3E-3
Silicon (14)	Si 31		9E-3

Silver (47)	Ag 105		1E-3
	Ag 110M		3E-4
	Ag 111		4E-4
Sodium (11)	Na 24		2E-3
Strontium (38)	Sr 85		1E-4
	Sr 89		1E-4
	Sr 91		7E-4
	Sr 92		7E-4
Sulfur (16)	S 35	9E-8	6E-4
Tantalum (73)	Ta 182		4E-4
Technetium (43)	Tc 96M		1E-1
	Tc 96		1E-3
Tellurium (52)	Te 125M		2E-3
	Te 127M		6E-4
	Te 127		3E-3
	Te 129M		3E-4
	Te 131M		6E-4
	Te 132		3E-4
Terbium (65)	Tb 160		4E-4
Thallium (81)	Tl 200		4E-3
	Tl 201		3E-3
	Tl 202		1E-3
	Tl 204		1E-3
Thulium (69)	Tm 170		5E-4
	Tm 171		5E-3
Tin (50)	Sn 113		9E-4
	Sn 125		2E-4
Tungsten (Wolfram) (74)	W 181		4E-3
	W 187		7E-4
Vanadium (23)	V 48		3E-4

Xenon (54)	Xe 131M	4E-6	
	Xe 133	3E-6	
	Xe 135	1E-6	
Ytterbium (70)	Yb 175		1E-3
Yttrium (39)	Y 90		2E-4
	Y 91M		3E-2
	Y 91		3E-4
	Y 92		6E-4
	Y 93		3E-4
Zinc (30)	Zn 65		1E-3
	Zn 69M		7E-4
	Zn 69		2E-2
Zirconium (40)	Zr 95		6E-4
	Zr 97		2E-4
Beta and/or gamma emitting radioactive material not listed above with half-life less than three years		1E-10	1E-6

Footnotes to Schedule C.

1. Values are given only for those materials normally used as gases.
  2.  $\mu\text{Ci/gm}$  for solids.
  3. Numerical value expressed in "E notation" where the letter "E" represents "times ten raised to the power of," thus, replacing the "x 10" in scientific notation, followed by the value of the exponent. (e.g.  $1 \times 10^2 = 1\text{E}2$ ;  $1 \times 10^{-2} = 1\text{E}-2$ )
- NOTE: 1: Many radioisotopes disintegrate into isotopes which are also radioactive. In expressing the concentrations in Schedule C, the activity stated is that of the parent isotope and takes into account the daughters.
- NOTE: 2: Where there is involved a combination of isotopes, the limit for the combination should be derived as follows: Determine for each isotope in the product the ratio between the concentration present in the product and the exempt concentration established in Schedule C for the specific isotope when not in combination. The sum of such ratios may not exceed "1" (i.e., unity).

EXAMPLE:

$$\frac{\text{Concentration of Isotope A in Product}}{\text{Exempt concentration of Isotope A}} + \frac{\text{Concentration of Isotope B in Product}}{\text{Exempt concentration of Isotope B}} \leq 1$$

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. Amendment filed 7-22-71; effective thirtieth day thereafter (Register 71, No. 30).
2. Change without regulatory effect amending Arsenic and Beryllium and adoption of NOTE filed 11-1-91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
3. Amendment of listings for argon and platinum and amendment of footnote 2 and NOTE filed 7-28-2006; operative 8-27-2006 (Register 2006, No. 30).
4. Repealer and new section filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

**Group 3. Standards for Protection Against Radiation**

**Article 1. General**

**§ 30250. Authority. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of Article 1 and new Article 1 (30250 through 30255) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For former Article 1, see Register 62, No. 1.
2. Repealer filed 6-18-87; operative 7-18-87. (Register 87, No. 28).

**§ 30251. Purpose. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer filed 6-18-87; operative 7-18-87 (Register 87, No. 28).

**§ 30252. Scope and Purpose.**

(a) Group 3 regulations apply to all persons who possess sources of radiation, except as exempt from the licensing and registration requirements or otherwise specifically exempted by the provisions of Group 1 and Group 2 of this subchapter.

(b) The limits in Group 3 do not apply to doses due to background radiation, to exposure of patients to radiation for the purpose of medical diagnosis or therapy, or to voluntary participation in medical research programs.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

#### HISTORY

- Repealer and new subsection (b) filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 87, No. 28.
- Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
  - Editorial correction deleting HISTORY 1 and amending and redesignating HISTORY 2 (Register 94, No. 28).

### § 30253. Standards for Protection Against Radiation.

(a) The regulations governing standards for protection against radiation in title 10, Code of Federal Regulations, part 20, (10 CFR 20) sections 20.1001 through 20.2402 and Appendices A through G, (January 1, 2013) are hereby incorporated by reference with the following exceptions:

(1) Title 10, Code of Federal Regulations, sections 20.1001, 20.1002, 20.1006, 20.1007, 20.1008, 20.1009, 20.1401, 20.1402, 20.1403, 20.1404, 20.1405, 20.1406, 20.1905(g), 20.2106(d), 20.2203(c), 20.2206, 20.2302, 20.2401, and 20.2402, and Appendix D are not incorporated by reference.

(2) Any references to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to the California Department of Public Health.

(3) The definition of the term "Byproduct material" in 10 CFR 20, section 20.1003 is replaced by the definition of the term "radioactive material" as defined in section 30100 of this regulation.

(4) The definition of the term "License" in 10 CFR 20, section 20.1003 is replaced by the definition of the term "License" as defined in section 30100 of this regulation.

(5) The definition of the term "Licensed material" in 10 CFR 20, section 20.1003 is modified to mean any radioactive material (including source material, special nuclear material, or byproduct material) received, possessed, used, transferred or disposed of under a general or specific license issued by the NRC, or by any other Agreement State or by any state that has been either provisionally or finally designated as a Licensing State by the Conference of Radiation Control Program Directors, Inc. With respect to dose limits and reporting requirements, the term "Licensed material" is to be construed broadly in context to include any source of ionizing radiation subject to the requirements of this regulation.

(6) The definition of the term "Licensee" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "User" as set forth in section 30100 of this regulation.

(7) The definition of the term "Person" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Person" as set forth in section 114985(c) of the Health and Safety Code.

(8) The definition of the term "Radiation (ionizing radiation)" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Ionizing radiation" as set forth in section 114985(b) of the Health and Safety Code.

(9) The definition of the term "Special nuclear materials" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Special nuclear material" as set forth in section 114985(f) of the Health and Safety Code.

(10) Reports of transactions and inventories required in 10 CFR 20, section 20.2207 shall be submitted to the National Source Tracking System maintained by NRC as specified in section 20.2207. Methods of reporting specified in section 20.2207(f) are identified on NRC's form, referenced in section 20.2207(f)(4).

(11) Sections 30.35(g), 40.36(f), and 70.25(g), as cited in 10 CFR 20.1501(b), shall be deemed to reference section 30256(a); sections 50.75(g) and 72.30(d), as cited in 10 CFR 20.1501(b), are not incorporated by reference.

(b) The terms defined in 10 CFR 20, section 20.1003, as incorporated by reference, shall apply to this regulation, except that:

(1) The term "Act" as defined in 10 CFR 20, section 20.1003 is limited to the textual material incorporated by reference in subsection (a) above.

The meaning of the term "Act" elsewhere in this regulation, is as defined in section 30100 of this regulation.

(2) The term "Department" as defined in 10 CFR 20, section 20.1003 is limited to the provisions incorporated by reference in subsection (a). The meaning of the term "Department" elsewhere in this regulation, is as defined in section 30100 of this regulation.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114960, 114965, 114970, 114985, 114990, 115060, 115105, 115110, 115120, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

- Repealer and new section filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 86, No. 28.
- Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
- Editorial correction deleting HISTORY 1 and amending and redesignating HISTORY 3 (Register 94, No. 28).
- Editorial correction of section heading (Register 99, No. 8).
- Amendment of section and NOTE filed 10-15-2001; operative 11-14-2001 (Register 2001, No. 42).
- Change without regulatory effect amending subsection (a)(1) and repealing subsections (a)(10)-(12) filed 8-8-2002 pursuant to section 100, title 1, California Code of Regulations (Register 2002, No. 32).
- Amendment filed 7-20-2006; operative 8-19-2006 (Register 2006, No. 29).
- Amendment of subsections (a)-(a)(3) and (a)(5), new subsection (a)(10), amendment of subsections (b)(1)-(2) and amendment of NOTE filed 11-9-2010; operative 12-9-2010 (Register 2010, No. 46).
- Amendment of subsection (a), new subsection (a)(11) and amendment of NOTE filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

## Article 2. Notices, Instructions, and Reports to Workers; Inspections and Investigations

### § 30254. Inspection.

(a) Each user shall afford to the Department or other official agency specifically designated by the Department, at all reasonable times, opportunity to inspect materials, machines, activities, facilities, premises, and records pursuant to these regulations.

(b) During an inspection, inspectors may consult privately with workers as specified below. The user may accompany inspectors during other phases of an inspection.

(1) Inspectors may consult privately with workers concerning matters of occupational radiation protection and other matters related to applicable provisions of Department regulations and licenses to the extent the inspectors deem necessary for the conduct of an effective and thorough inspection.

(2) During the course of an inspection any worker may bring privately to the attention of the inspectors, either orally or in writing, any past or present condition which he has reason to believe may have contributed to or caused any violation of the Radiation Control Law, these regulations, or license condition, or any unnecessary exposure of an individual to radiation from licensed radioactive material or a registered radiation machine under the user's control. Any such notice in writing shall comply with the requirements of subsection (h) hereof.

(3) The provision of paragraph (b)(2) of this section shall not be interpreted as authorization to disregard instructions pursuant to Section 30255(b)(1).

(c) If, at the time of inspection, an individual has been authorized by the workers to represent them during inspections, the user shall notify the inspectors of such authorization and shall give the workers' representative an opportunity to accompany the inspectors during the inspection of physical working conditions.

(d) Each worker's representative shall be routinely engaged in work under control of the user and shall have received instructions as specified in Section 30255(b)(1).

(e) Different representatives of users and workers may accompany the inspectors during different phases of an inspection if there is no resulting

interference with the conduct of the inspection. However, only one workers' representative at a time may accompany the inspectors.

(f) With the approval of the user and the workers' representative, an individual who is not routinely engaged in work under control of the user, for example, a consultant to the user or to the workers' representative, shall be afforded the opportunity to accompany inspectors during the inspection of physical working conditions.

(g) Notwithstanding the other provisions of this section, inspectors are authorized to refuse to permit accompaniment by an individual who deliberately interferes with a fair and orderly inspection. With regard to any area containing proprietary information, the workers' representative for that area shall be an individual previously authorized by the user to enter that area.

(h) Any worker or representative of workers who believes that a violation of the Radiation Control Law, these regulations or license conditions exists, or has occurred in work under a license or registration with regard to radiological working conditions in which the worker is engaged, may request an inspection by giving notice of the alleged violation to the Department or other official agency specifically designated by the Department. Any such notice shall be in writing, shall set forth the specific grounds for the notice, and shall be signed by the worker or representative of the workers. A copy shall be provided to the user by the Department no later than at the time of inspection except that, upon the request of the worker giving such notice, his name and the name of individuals referred to therein shall not appear in such copy or on any record published, released, or made available by the Department except for good cause shown.

(i) If, upon receipt of such notice, the Chief, Radiologic Health Branch, of the Department, determines that the complaint meets the requirements set forth in subsection (h) hereof, and that there are reasonable grounds to believe that the alleged violation exists or has occurred, he shall cause an inspection to be made as soon as practicable, to determine if such alleged violation exists or has occurred. Inspections pursuant to this section need not be limited to matters referred to in the complaint.

(j) No user shall discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under these regulations or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of himself or others of any option afforded by this section.

(k) If the Chief, Radiologic Health Branch, of the Department, determines with respect to a complaint under subsection (h) hereof that an inspection is not warranted because there are no reasonable grounds to believe that a violation exists or has occurred, the complainant shall be notified in writing of such determination. The complainant may obtain review of such determination by submitting a written statement of position to the Director of the Department, who will provide the user with a copy of such statement by certified mail, excluding, at the request of the complainant, the name of the complainant. The user may submit an opposing written statement of position with the Director of the Department who will provide the complainant with a copy of such statement by certified mail. Upon the request of the complainant, the Director of the Department, or his designee, may hold an informal conference in which the complainant and the user may orally present their views. An informal conference may also be held at the request of the user, but disclosure of the identity of the complainant will be made only following receipt of written authorization from the complainant. After considering all written or oral views presented, the Director of the Department shall affirm, modify, or reverse the determination of the Chief, Radiologic Health Branch, of the Department, and furnish the complainant and the user a written notification of his decision and the reason therefor.

(l) If the Department determines that an inspection is not warranted because the requirements of subsection (h) hereof have not been met, it shall notify the complainant in writing of such determination. Such determination shall be without prejudice to the filing of a new complaint meeting the requirements of subsection (h) hereof.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Repealer and new section filed 8-19-75 as an emergency; effective upon filing (Register 75, No. 34). Approved by CAL/OSHA Standards Board 12-16-75.
2. Certificate of Compliance filed 11-28-75 (Register 75, No. 48).
3. Amendment of subsections (b)(3) and (d) filed 8-23-76; effective thirtieth day thereafter (Register 76, No. 35).
4. Amendment of subsections (h), (i) and (k) filed 6-18-87; operative 7-18-87 (Register 87, No. 28).
5. New article 2 heading and amendment of subsection (b)(3) filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
7. Amendment of subsection (d) and amendment of NOTE filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

#### § 30255. Notices, Instructions, and Reports to Personnel.

(a) This section establishes requirements for notices, instructions, and reports by users to individuals engaged in work under a license or registration and options available to such individuals in connection with Department inspections of licensees or registrants to ascertain compliance with the provisions of the Radiation Control Law and regulations, orders, and licenses issued thereunder regarding radiological working conditions. The requirements in this section apply to all persons who receive, possess, use, own or transfer material licensed by or registered with the Department.

(b) Each user shall:

(1) Inform all individuals working in or frequenting any portion of a controlled area of the storage, transfer, or use of radioactive materials or of radiation in such portions of the controlled area; instruct such individuals in the health protection problems associated with exposure to such radioactive materials or radiation, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed; instruct such individuals in, and instruct them to observe, to the extent within their control, the applicable provisions of Department regulations and license conditions for the protection of personnel from exposures to radiation or radioactive materials occurring in such areas; instruct such individuals of their responsibility to report promptly to the licensee or registrant any condition which may lead to or cause a violation of department regulations or license conditions or unnecessary exposure to radiation or radioactive material, and of the inspection provisions of Section 30254; instruct such individuals in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation or radioactive materials; and advise such individuals as to the radiation exposure reports which they may request pursuant to this section. The extent of these instructions shall be commensurate with potential radiological health protection problems in the controlled area.

(2) Conspicuously post a current copy of this regulation, a copy of applicable licenses for radioactive material, and a copy of operating and emergency procedures applicable to work with sources of radiation. If posting of documents specified in this paragraph is not practicable the user may post a notice which describes the document and states where it may be examined.

(3) Conspicuously post a current copy of Department Form RH-2364 (Notice to Employees) in a sufficient number of places to permit individuals working in or frequenting any portion of a controlled area to observe a copy on the way to or from such area.

(4) Conspicuously post any notice of violation involving radiological working conditions or any order issued pursuant to the Radiation Control Law and any required response from the user. Department documents posted pursuant to this paragraph shall be posted within two working days after receipt of the documents from the Department; the user's response, if any, shall be posted within two working days after dispatch by the user. Such documents shall remain posted for a minimum of five working days or until action correcting the violation has been completed, whichever is later.

(5) Assure that documents, notices, or forms posted pursuant to this section shall appear in a sufficient number of places to permit individuals engaged in work under the license or registration to observe them on the way to or from any particular work location to which the document applies, shall be conspicuous, and shall be replaced if defaced or altered.

(6) Provide reports to any individual of their radiation exposure data and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of that individual as specified in this section. The information reported shall include data and results obtained pursuant to Department regulations, orders, or license conditions, as shown in records maintained by the user pursuant to Department regulations. Each notification and report shall be in writing; include appropriate identifying data such as the name of the user, the name of the individual, the individual's Social Security number; include the individual's exposure information; and contain the following statement:

"This report is furnished to you under the provisions of the California State Department of Public Health Regulations: Standards for Protection Against Radiation. You should preserve this report for future reference."

These reports shall be provided as follows:

(A) Each user shall advise each worker annually of the worker's dose as shown in records maintained by the user pursuant to title 10, Code of Federal Regulations, part 20, (10 CFR 20), section 20.2106 as incorporated by reference in section 30253. The user shall provide an annual report to each monitored individual pursuant to section 20.1502, incorporated by reference in section 30253, of the dose received in that monitoring year if:

1. The individual's occupational dose exceeds 100 mrem total effective dose equivalent or 100 mrem to any individual organ or tissue; or
2. The individual requests his or her annual dose report.

(B) At the request of a worker formerly engaged in work controlled by the user, the user shall furnish to the worker a report of the worker's exposure to radiation or radioactive material as shown in records maintained by the user pursuant to 10 CFR 20, section 20.2106 that has been incorporated by reference in section 30253, for each year the worker was required to be monitored pursuant to section 20.1502 and for each year the worker was required to be monitored under the monitoring requirements in effect prior to March 3, 1994. Such report shall be furnished within 30 days from the time the request is made, or within 30 days after the exposure of the individual has been determined by the user, whichever is later. This report shall cover the period of time that the worker's activities involved exposure to radiation from radioactive material licensed by, or radiation machines registered with, the Department and shall include the dates and locations of work under the license or registration in which the worker participated during this period.

(C) When a user is required pursuant to 10 CFR 20, sections 20.2202, 20.2203, or 20.2204, as incorporated by reference in section 30253, to report to the Department any exposure of an individual to radiation or radioactive material, the user shall also provide the individual a report on his exposure data included therein. Such reports shall be transmitted at a time not later than the transmittal to the Department.

(D) At the request of a worker who is terminating employment with the user that involved exposure to radiation or radioactive materials, during the current calendar quarter or the current year, each user shall provide at termination to each worker, or to the worker's designee, a written report regarding the radiation dose received by that worker from operations of the user during the current year or fraction thereof. If the most recent individual monitoring results are not available at that time, a written estimate of the dose must be provided together with a clear indication that this is an estimate.

NOTE: Authority cited: Sections 114975, 115000, 131051, 131052, 131055 and 131200, Health and Safety Code. Reference: Sections 114940, 114965, 115000, 115060, 115110, 115230 and 115235, Health and Safety Code.

#### HISTORY

1. Renumbering and amendment of former section 30280 to section 30255 filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
3. Amendment of subsections (a)(6)-(a)(6)(D) and amendment of NOTE filed 11-9-2010; operative 12-9-2010 (Register 2010, No. 46).

#### § 30256. Vacating Installations: Records and Notice.

(a) Each person granted a specific license pursuant to Group 2 of this Subchapter shall keep records of information important to the decommissioning of a facility in an identified location until the site is released for unrestricted use by the Department. Before licensed activities are transferred or assigned in accordance with 30194(c), licensees shall transfer all records described in this section to the new licensee. In this case, the new licensee shall be responsible for maintaining these records until the license is terminated. If records important to the decommissioning of a facility are kept for other purposes, reference to these records and their locations may be used. The records shall include the following information important to decommissioning:

(1) Records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site. These records shall include but not be limited to a description of any instances when contamination remains after any cleanup procedures or when there is reasonable likelihood that contaminants may have spread to inaccessible areas, as for example, possible seepage into porous materials such as concrete. These records shall include any known information on identification of involved nuclides, quantities, forms, and concentrations.

(2) As-built drawings and modification drawings of structures and equipment in restricted areas where radioactive materials are used or stored, and of locations of possible inaccessible contamination such as buried pipes which may be subject to contamination. If required drawings are referenced, each relevant document need not be indexed individually. If drawings are not available, the licensee shall substitute appropriate records of available information concerning these areas and locations.

(3) Except for areas containing only sealed sources (provided the sources have not leaked or no contamination remains after any leak) or any radioactive materials having only half-lives of less than 65 days, a list contained in a single document and updated every 2 years, of the following:

(A) All areas designated and formerly designated restricted areas as defined in Title 10, Code of Federal Regulations, Section 20.1003 incorporated by reference pursuant to Title 17, California Code of Regulations, Section 30253;

(B) All areas outside restricted areas that require documentation under (a)(1);

(C) All areas outside of restricted areas where current and previous wastes have been buried as documented under Title 10, Code of Federal Regulations, Section 20.2108 incorporated by reference pursuant to Title 17, California Code of Regulations, Section 30253; and

(D) All areas outside of restricted areas which contain material such that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under Title 10, Code of Federal Regulations, Section 20.2002 incorporated by reference pursuant to Title 17, California Code of Regulations, Section 30253.

(4) Records of the cost estimate performed for the decommissioning funding plan or of the amount certified for decommissioning, and records of the funding method used for assuring funds if either a funding plan or certification is used pursuant to Section 30195.1.

(b) Each person granted a specific license pursuant to Group 2 of this Subchapter shall, no less than 30 days before vacating any installation which may have been contaminated with radioactive material as a result of the licensee's activities, notify the department in writing of intent to vacate. This notice shall be submitted on form CDPH 5314 (06/09), entitled "Certificate of Disposition of Materials," which is incorporated by reference herein, and shall address all requirements specified in subsection (c).

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(c) If a licensee does not submit an application for license renewal under section 30194, the licensee shall on or before the expiration date specified in the license:

- (1) Terminate use of radioactive material;
- (2) Remove radioactive contamination to the extent practicable except for those procedures covered by Subsection (d) of this section;
- (3) Dispose of radioactive material in accordance with applicable regulations;
- (4) Submit a completed form CDPH 5314 (06/09), which certifies information concerning the disposition of materials; and
- (5) 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 for unrestricted use in some other manner. The licensee shall, as appropriate:

(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 gram for solids such as soils or concrete; and

(B) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.

(d) In addition to the information required under Subsections (c)(4) and (5), 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 impacts to workers or to the public such as in any of the following cases:

- (1) Procedures would involve techniques not applied routinely during cleanup or maintenance operations; or
  - (2) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation; or
  - (3) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or
  - (4) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.
- (e) Procedures with potential health and safety impacts shall not be carried out prior to approval of the decommissioning plan.

(f) The proposed decommissioning plan, if required by Subsection (d) of this section or by license condition, shall include:

- (1) Description of planned decommissioning activities;
- (2) Description of methods used to assure protection of workers and the environment against radiation hazards during decommissioning;
- (3) A description of the planned final radiation survey;
- (4) The information required in (a) (3) and any other information required by (a) that is considered necessary to support the adequacy of the decommissioning plan for approval; and
- (5) 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.

(g) 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) 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).

(i) If the information submitted under subsection (c)(5) or (h) does not adequately demonstrate that the premises are suitable for release for un-

restricted use, the Department shall inform the licensee of the appropriate further actions required for termination of license.

(j) Each specific license continues in effect, beyond the expiration date if necessary, with respect to possession of residual radioactive material present as contamination until the Department notifies the licensee in writing that the license is terminated. During this time, the licensee shall:

- (1) Limit actions involving radioactive material to those related to decommissioning; and
- (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.

(k) Specific licenses shall be terminated by written notice to the licensee when the Department determines that:

- (1) Radioactive material has been properly disposed;
- (2) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and
- (3) A radiation survey has been performed which demonstrates that the premises are suitable for release for unrestricted use; or other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release for unrestricted use.

NOTE: Authority cited: Sections 114975, 115000, 131051, 131052, 131055 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115230 and 115235, Health and Safety Code.

#### HISTORY

1. Renumbering of former section 30298 to section 30256 filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
3. Amendment of section heading and section filed 10-16-95 as an emergency; operative 10-16-95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2-13-96 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 10-16-95 order, including amendment of subsections (a), (c)(4) and (f)(3), new (f)(4) and subsection renumbering, and amendment of subsection (h) and NOTE, transmitted to OAL 2-9-96 and filed 3-25-96 (Register 96, No. 13).
5. Amendment of subsection (a) filed 9-9-97; operative 10-9-97 (Register 97, No. 37).
6. Amendment of subsections (b), (c)(4) and (h) and amendment of NOTE filed 11-9-2010; operative 12-9-2010 (Register 2010, No. 46).

#### § 30257. Bankruptcy Notification.

(a) Each general licensee required to register pursuant to sections 30192.1(d)(1) or 30192.6(b)(1), and each specific licensee, shall notify the Department in writing immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of title 11 (Bankruptcy) of the United States Code (11 U.S.C.) by or against:

- (1) The licensee;
- (2) An entity (as that term is defined in 11 U.S.C. 101 (15)) controlling the licensee or listing the license or licensee as property of the estate; or
- (3) An affiliate (as that term is defined in 11 U.S.C. 101 (2)) of the licensee.

(b) The notification to the Department shall indicate:

- (1) The bankruptcy court in which the petition for bankruptcy was filed; and
- (2) The date of the filing of the petition.

NOTE: Authority cited: Sections 114975, 115000 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115175, 115205, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Renumbering of former section 30299 to section 30257 filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
3. Amendment of section and NOTE filed 6-8-2011; operative 7-8-2011 (Register 2011, No. 23).
4. Amendment of subsection (a)(2) filed 12-30-2014; operative 4-1-2015 (Register 2015, No. 1).

**§ 30258. General Definitions. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

**HISTORY**

1. Repealer of article 2 and new article 2 (section 30258) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For former article 2, see Register 62, No. 1.
2. Amendment filed 1-22-76; effective thirtieth day thereafter (Register 76, No. 4).
3. Repealer filed 6-18-87; operative 7-18-87 (Register 87, No. 28).
4. Editorial correction deleting article heading (Register 94, No. 15).

**Article 3. Surveys and Tests****§ 30265. Occupational Dose Limits. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

**HISTORY**

1. Repealer of article 3 and new article 3 (sections 30265 and 30266) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For prior history of article 3, see Register 62, No. 1.
2. Repealer of subsection (c) filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
3. Amendment of article heading and repealer of section filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

**§ 30265.1. Determination of Prior Dose. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

**HISTORY**

1. New section 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
2. Change without regulatory effect of subsection (b) (Register 87, No. 6).
3. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

**§ 30266. Exposure of Individuals to Concentrations of Radioactive Material in Controlled Areas. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

**HISTORY**

1. Amendment filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 8).
2. Change without regulatory effect of NOTE (Register 88, No. 6).
3. Repealer and amendment of NOTE filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

**§ 30268. Permissible Levels of Radiation in Uncontrolled Areas. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

**HISTORY**

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Change without regulatory effect of subsection (a) (Register 88, No. 6).
3. Editorial correction of printing error restoring inadvertently deleted HISTORY 2 (Register 92, No. 34).
4. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

**§ 30269. Concentrations in Effluents to Uncontrolled Areas. [Repealed]**

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

**HISTORY**

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Change without regulatory effect of subsection (a) (Register 88, No. 6).
3. Editorial correction of printing error restoring inadvertently deleted section (Register 92, No. 34).
4. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

**§ 30275. Surveys and Tests.**

(a) Each user shall make or cause to be made such surveys as are necessary for compliance with all provisions of this regulation.

(b) Upon instruction from the Department or other official agency specifically designated by the Department, each user shall perform or cause to have performed, and shall permit the Department or said agency to perform, such reasonable tests as the Department or said agency deems necessary for the protection of life, health, or property, including, but not limited to, tests of:

- (1) Sources of radiation.
- (2) Facilities wherein sources of radiation are used or stored.
- (3) Radiation detection and monitoring instruments.
- (4) Other equipment and devices used in connection with utilization or storage of sources of radiation.

(c) Each sealed source other than sources listed below, shall be tested for contamination prior to initial use and for leakage at least every six months:

- (1) Hydrogen-3 or krypton-85 sources.
- (2) Sealed sources containing licensed radioactive material in gaseous form.
- (3) Source material.
- (4) Sources containing radioactive material with a half life of 30 days or less.
- (5) Sources of beta- and/or gamma-emitting radioactive material with an activity of 100 microcuries or less.
- (6) Sources of alpha and/or neutron-emitting radioactive material with an activity of 10 microcuries or less.

In the absence of a certificate from a transferor indicating that a test has been made prior to the transfer, the sealed source shall not be put into use until tested. If there is reason to suspect that a source might have been damaged, it shall be tested for leakage before further use. Contamination and leak tests shall be capable of determining the presence of 0.005 microcuries of removable contamination. When any contamination or leak test reveals the presence of 0.005 microcuries or more of removable contamination the user shall immediately withdraw the source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with applicable provisions of Group 2 of this subchapter. Two copies of a report shall be filed, within 5 days of the test, with the Department or other official agency specifically designated by the Department, describing the source involved, the test results, and the corrective action taken.

(d) The test sample shall be taken from the surface of the source, or source holder, or from the surface of the device in which the source is stored or mounted and on which one might expect contamination to accumulate. Where sealed sources are permanently mounted in devices or equipment, alternate tests for contamination and leakage may be approved by the Department.

(e) Tests for contamination and leakage, decontamination, and repair of sealed sources shall be performed only by persons specifically authorized by the Department to do so in accordance with provisions of Group 2 of this subchapter.

(f) Records of leak tests shall be maintained as specified in United States, title 10, Code of Federal Regulations, part 20, subpart L as incorporated by reference in section 30253.

NOTE: Authority cited: Sections 114975, 115000, 115060 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114980, 115060, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. Repealer of article 4 and new article 4 (sections 30275 through 30281) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For former article 4, see Register 62, No. 1.
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Amendment filed 11-4-91; operative 12-4-91 (Register 92, No. 5).
4. Editorial correction of printing error restoring inadvertently deleted article heading (Register 92, No. 34).
5. Repealer of article heading and amendment of subsection (f) filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).
7. Amendment of NOTE filed 3-15-2018; operative 3-15-2018. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2018, No. 11).

#### § 30276. Personnel Monitoring. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Amendment of subsection (a), new subsection (b) and subsection renumbering filed 10-10-91; operative 11-9-91 (Register 91, No. 52).
3. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30277. Bio-Assays and Medical Review. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Amendment filed 9-4-73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11-30-73.
2. Certificate Compliance filed 12-28-73 (Register 73, No. 52).
3. Change without regulatory effect adding NOTE (Register 87, No. 11).
4. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30278. Caution Signs and Labels. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Amendment filed 11-16-67; effective thirtieth day thereafter (Register 67, No. 46).
2. Change without regulatory effect adding NOTE (Register 87, No. 10).
3. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30278.1. Removal of Caution Labels from Empty Containers.

Each user shall, prior to disposal of an empty uncontaminated container to unrestricted areas, remove or deface the radioactive material label or otherwise clearly indicate that the container no longer contains radioactive materials.

NOTE: Authority cited: Sections 114975, 115000, 115060 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 114980, 115060, 115230, 115235, 131050, 131051 and 131052, Health and Safety Code.

#### HISTORY

1. New section filed 3-6-87; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 87, No. 10).
2. Amendment of NOTE filed 3-15-2018; operative 3-15-2018. Submitted to OAL for filing and printing only pursuant to Health and Safety Code section 100425 (Register 2018, No. 11).

#### § 30279. Special Requirements for High Radiation Areas and Radiation Machines Capable of Producing High Radiation Areas. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Amendment filed 7-22-71; effective thirtieth day thereafter (Register 71, No. 30).
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30279.1. Additional Special Requirements for Very High Radiation Areas. [Repealed]

NOTE: (1) Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. New section 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
2. Change without regulatory effect of NOTE (Register 88, No. 6).
3. Repealer and amendment of NOTE filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30280. Notices, Instructions, and Reports to Personnel. [Renumbered]

NOTE: Authority cited: Section 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25826, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Amendment filed 8-19-75 as an emergency; effective upon filing (Register 75, No. 34). Approved by CAL/OSHA Standards Board 12-16-75.
2. Certificate of Compliance filed 11-28-75 (Register 75, No. 48).
3. Amendment filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
4. Change without regulatory effect of subsections (b)(4) and (b)(6)(B) (Register 88, No. 6).
5. Renumbering of former section 30280 to new section 30255 filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30281. Storage and Control of Radioactive Material. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Amendments filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).
2. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30282. Procedures for Opening Packages. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. New section filed 6-19-73; effective thirtieth day thereafter (Register 73, No. 25).
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

#### § 30285. General Requirement. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25812 and 25815, Health and Safety Code.

## HISTORY

1. Repealer of article 5 and new article 5 (sections 30285, 30287, 30288) filed 11-29-65; effective thirtieth day thereafter (Register 65, No. 23). For former article 5, see Register 62, No. 1.
2. Amendment filed 6-18-87; operative 7-18-87 (Register 87, No. 28).
3. Repealer of article heading and section filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

### § 30287. Disposal by Release into Sanitary Sewerage Systems. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

## HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

### § 30288. Disposal by Burial in Soil. [Repealed]

## HISTORY

1. Repealer filed 7-7-86; effective thirtieth day thereafter (Register 86, No. 28).

### § 30289. Treatment or Disposal by Incineration. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

## HISTORY

1. New section filed 7-22-71; effective thirtieth day thereafter (Register 71, No. 30).
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

## Article 3.1. Records and Notification

### § 30293. Records.

(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:

(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.

(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.

(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.

(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.

(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.

(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.

(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:

(1) Records of disposal of licensed 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

(2) Records required by Title 10, Code of Federal Regulations section 20.2103(b)(4), incorporated by reference in section 30253.

(f) If licensed activities are transferred or assigned in accordance with section 30194(c), 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:

(1) Records of disposal of licensed 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

(2) Records required by Title 10, Code of Federal Regulations, section 20.2103(b)(4), incorporated by reference in section 30243.

(g) Prior to license termination, each licensee shall, if requested by the Department, forward the records required by section 30256(a) to the Department.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115105, 115110, and 115235, Health and Safety Code.

## HISTORY

1. New article 3.1 (sections 30293 and 30295) and section filed 9-9-97; operative 10-9-97 (Register 97, No. 37). For prior history, see Register 94, No. 28.

### § 30294. Reports of Theft or Loss of Sources of Radiation. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

## HISTORY

1. Amendment of subsections (a) and (c) filed 6-19-73; effective thirtieth day thereafter (Register 73, No. 25).
2. Amendment filed 1-22-76; effective thirtieth day thereafter (Register 76, No. 4).
3. Amendment filed 6-18-87; operative 7-18-87 (Register 87, No. 28).
4. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

### § 30295. Notification of Incidents.

(a) Each user shall notify the Department as soon as possible but not later than four hours after the discovery of an event that prevents immediate protective actions necessary to avoid exposures to radiation or radioactive materials that could exceed regulatory limits.

(b) Each user shall notify the Department within 24 hours after the discovery of any of the following events involving radiation or radioactive materials:

(1) An unplanned contamination event involving licensed radioactive material that:

(A) Requires access to the contaminated area by workers or the public, to be restricted for more than 24 hours by imposing additional radiological controls or by prohibiting entry into the area;

(B) Involves a quantity of material greater than five times the lowest annual limit on intake specified in Appendix B of Title 10, Code of Feder-

al Regulations, part 20, incorporated by reference in section 30253 for the material; and

(C) Has access to the area restricted for a reason other than to allow isotopes with a half-life of less than 24 hours to decay prior to decontamination.

(2) An event in which equipment is disabled or fails to function as designed when:

(A) The equipment is required by regulation or license condition to prevent releases exceeding regulatory limits, to prevent exposures to radiation and radioactive materials exceeding regulatory limits, or to mitigate the consequences of an accident;

(B) The equipment is required to be available and operable when it is disabled or fails to function; and

(C) No redundant equipment is available and operable to perform the required safety function.

(3) An event that requires unplanned medical treatment at a medical facility of an individual with spreadable radioactive contamination on the individual's clothing or body.

(4) An unplanned fire or explosion damaging any licensed material or any device, container, or equipment containing licensed material when:

(A) The quantity of material involved is greater than five times the lowest annual limit on intake specified in Appendix B of Title 10, Code of Federal Regulations, part 20, incorporated by reference in section 30253 for the material; and

(B) The damage affects the integrity of the licensed material or its container.

(c) Reports made by users in response to the requirements of this section shall be made as follows:

Each user shall make reports required by subsections (a) and (b) by telephone to the Department. To the extent that the information is available at the time of notification, the information provided in these reports shall include:

(1) The caller's name and call back telephone number;

(2) A description of the event, including date and time;

(3) The exact location of the event;

(4) The isotopes, quantities, and chemical and physical form of the licensed material involved; and

(5) Any personnel radiation exposure data available.

(d) Each user who makes a report required by this section shall submit a written follow-up report within 30 days of the initial report. These written reports shall be sent to the Department and include:

(1) A description of the event, including the probable cause and the manufacturer and model number (if applicable) of any equipment that failed or malfunctioned;

(2) The exact location of the event;

(3) The isotopes, quantities, and chemical and physical form of the licensed material involved;

(4) Date and time of the event;

(5) Corrective actions taken or planned and the results of any evaluation or assessment; and

(6) The extent of exposure of individuals to radiation or to radioactive materials without identification of individuals by name.

NOTE: Authority cited: Sections 114975, 115000, 131050, 131051 and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115105, 115110, and 115235, Health and Safety Code.

#### HISTORY

1. New section filed 9-9-97; operative 10-9-97 (Register 97, No. 37). For prior history, see Register 94, No. 28.

2. Amendment of section and NOTE filed 4-11-2008; operative 5-11-2008 (Register 2008, No. 15).

### § 30297. Reports of Overexposures and Excessive Levels and Concentrations. [Repealed]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. New subsections (c) and (d) filed 5-13-69; effective thirtieth day thereafter (Register 69, No. 20).

2. Amendment of subsections (a) and (b) filed 10-12-72; effective thirtieth day thereafter (Register 72, No. 42).

3. Amendment of subsection (a) filed 1-22-76; effective thirtieth day thereafter (Register 76, No. 4).

4. Amendment of subsection (a) filed 6-18-87; operative 7-18-87 (Register 87, No. 28).

5. Repealer filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.

6. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

### § 30298. Vacating Installations. [Renumbered]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).

2. Renumbering of former section 30298 to new section 30256 filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

### § 30299. Bankruptcy Notification. [Renumbered]

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 28501, 28502, 25815, 25860, 25863, 25875 and 25876, Health and Safety Code.

#### HISTORY

1. New section filed 4-19-91; operative 5-19-91 (Register 91, No. 20).

2. Renumbering of former section 30299 to new section 30257 filed 3-3-94 as an emergency; operative 3-3-94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7-1-94 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 3-3-94 order transmitted to OAL 6-7-94 and filed 7-14-94 (Register 94, No. 28).

## Article 4. Special Requirements for the Use of X-Ray in the Healing Arts

### § 30305. General Provisions.

(a)(1) This article pertains to use of X-rays in medicine, dentistry, osteopathy, chiropractic, podiatry, and veterinary medicine. The provisions of this article are in addition to, and not in substitution for, other applicable provisions of this regulation and of Group 1 of this subchapter.

(2) Any existing machine or installation need not be replaced or substantially modified to conform to the requirements of this regulation provided that the user demonstrates to the Department's satisfaction achievement of equivalent protection through other means.

(3) No person shall make, sell, lease, transfer, lend, or install X-ray or fluoroscopic equipment or the supplies used in connection with such equipment unless such supplies and equipment, when properly placed in operation or properly used, will meet the requirements of this regulation. This includes responsibility for the delivery of cones or collimators, filters, adequate timers and fluoroscopic shutters (where applicable).

(4) For X-ray equipment manufactured after July 31, 1974, the user shall provide sufficient maintenance to keep the equipment in compliance with all applicable radiation protection sections of the Code of Federal Regulations, Title 21, Chapter 1, Subchapter J, Part 1020, Sections 1020.30, 1020.31, and 1020.32.

(5) Each installation shall be provided with such primary barriers and/or secondary barriers as are necessary to ensure compliance with title 10, Code of Federal Regulations, part 20, (10 CFR 20) subparts C and D incorporated by reference in section 30253. Special requirements are contained in title 24, California Code of Regulations, Part 2, Chapter 31C, sections 3101C through 3104C.

(b) Use.