

	State section	NRC Section	RATS ID	Category	Subject and Comment
1	<p><b>20.3.5.27 REPORTING REQUIREMENTS:</b></p> <p><b>C.</b> Any licensee or registrant conducting radiographic operations, or storing radioactive material or radiation machine(s), at any location not listed on the license for a period in excess of 180 days in a calendar year, shall notify the Department in writing prior to exceeding the 180 days.</p>	<p>§ 34.101 Notifications</p> <p>(c) Any licensee conducting radiographic operations or storing radioactive material at any location not listed on the license for a period in excess of 180 days in a calendar year, shall notify the appropriate <b>NRC regional office listed in § 30.6(b)(2)</b> of this chapter prior to exceeding the 180 days.</p>	2018-3	C	No change: we are the department that must be notified.
2	<p><b>20.3.3.307 FILING APPLICATION FOR SPECIFIC LICENSES:</b></p> <p><b>E.</b> An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with <b>10 CFR 37</b>. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement</p>	<p>In § 37.23(b)(2), after the second sentence, this final rule adds the sentence,</p> <p>"Provide oath or affirmation certifications to the ATTN: Document Control Desk; Director, Office of Nuclear Material Safety and Safeguards." to read as follows:</p> <p><b>§ 37.23 Access authorization program requirements.</b></p> <p>* * * * *</p> <p>(b) * * *</p> <p>(2) Each licensee shall name one or more individuals to be reviewing officials. After completing the background investigation on the reviewing official, the licensee shall provide under oath or</p>	2018-3	B	Incorporated by reference

<p>state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) the license required report of events or notification in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469.</p> <p><b>20.3.4.425 SECURITY AND CONTROL OF LICENSED OR REGISTERED SOURCES OF RADIATION:</b></p> <p><b>A.</b> The licensee shall secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas. The licensee possessing category 1 and category 2</p>	<p>affirmation, a certification that the reviewing official is deemed trustworthy and reliable by the licensee. Provide oath or affirmation certifications to the ATTN: Document Control Desk; Director, Office of Nuclear Material Safety and Safeguards. The fingerprints of the named reviewing official must be taken by a law enforcement agency, Federal or State agencies that provide fingerprinting services to the public, or commercial fingerprinting services authorized by a State to take fingerprints. The licensee shall recertify that the reviewing official is deemed trustworthy and reliable every 10 years in accordance with § 37.25(c).</p> <p>* * * * *</p>			
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<p>quantities of radioactive materials shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM</p>				
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87502-5469 address information.

**20.3.5.10 SPECIFIC LICENSE FOR INDUSTRIAL RADIOGRAPHY:**

**B.** An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:

- (1) any reference to the commission or NRC shall be deemed a reference to the department;
- (2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;
- (3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and
- (4) for any reporting or notification requirements that the licensee must follow in 10

<p>CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p><b>20.3.7.700</b> <b>GENERAL REGULATORY REQUIREMENTS:</b> <b>E.(3)</b> An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <ul style="list-style-type: none"><li>(a) any reference to the commission or NRC shall be deemed a reference to the department;</li><li>(b) 10 CFR 37.5 Definitions of: agreement state, byproduct material, commission and person shall not be applicable,</li><li>(c) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a)</li></ul>				
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<p>and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;  (d) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico environment department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p><b>20.3.12.9 SPECIFIC LICENSES FOR WELL LOGGING:</b></p> <p><b>B.</b> An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:  (1) any reference to the commission or NRC shall be deemed a</p>				
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<p>reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p><b>20.3.15.1502 SPECIFIC LICENSES FOR IRRADIATORS:</b> The department will approve an application for a specific license for the use</p>				
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<p>of licensed material in an irradiator if the applicant meets the requirements contained in this section.</p> <p><b>B.</b> An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through</p>				
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	(d), 10 CFR 37.81, the licensee shall use New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.				
3	<p><b>20.3.3.307 FILING APPLICATION FOR SPECIFIC LICENSES:</b></p> <p><b>E.</b> An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.105, and 10 CFR</p>	<p>In § 37.43, paragraphs (d)(2) and (3), and paragraphs (d)(5) through (8), this final rule has been revised to add the phrase "the list of individuals that have been approved for unescorted access" to provide the full list of information required to be protected as follows:</p> <p>§ 37.43 General security program requirements.</p> <p>* * * * *</p> <p>(d) * * *</p> <p>(2) Efforts to limit access shall include the development, implementation, and maintenance of written policies and procedures for controlling access to, and for proper handling and protection against unauthorized disclosure of, the security plan, implementing procedures, and the list of individuals that have been approved for unescorted access.</p> <p>(3) Before granting an individual access to the security plan, implementing procedures, or the list of individuals that</p>	2018-3	C	Incorporated by reference

<p>37.107 shall not be applicable; and  (4) the license required report of events or notification in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 shall use the following address:  New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469.</p> <p><b>20.3.4.425  SECURITY AND CONTROL OF LICENSED OR REGISTERED SOURCES OF RADIATION:</b></p> <p><b>A.</b> The licensee shall secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas. The licensee possessing category 1 and category 2 quantities of radioactive materials shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p>	<p>have been approved for unescorted access, licensees shall:</p> <p>(i) Evaluate an individual's need to know the security plan, implementing procedures, or the list of individuals that have been approved for unescorted access; and  * * * * *</p> <p>(5) The licensee shall document the basis for concluding that an individual is trustworthy and reliable and should be granted access to the security plan, implementing procedures, or the list of individuals that have been approved for unescorted access.</p> <p>(6) Licensees shall maintain a list of persons currently approved for access to the security plan, implementing procedures, or the list of individuals that have been approved for unescorted access. When a licensee determines that a person no longer needs access to the security plan, implementing procedures, or the list of individuals that have been approved for unescorted access, or no longer meets the access authorization requirements for access to the information, the licensee shall remove the person from the approved list as soon as possible, but no later than 7 working days, and take prompt measures to ensure that the individual is unable to obtain the security plan, implementing procedures, or the list of individuals that</p>			
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<p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p><b>20.3.5.10 SPECIFIC LICENSE FOR INDUSTRIAL RADIOGRAPHY:</b></p>	<p>have been approved for unescorted access.</p> <p>(7) When not in use, the licensee shall store its security plan, implementing procedures, and the list of individuals that have been approved for unescorted access in a manner to prevent unauthorized access. Information stored in nonremovable electronic form must be password protected.</p> <p>(8) * * *</p> <p>(ii) The list of individuals approved for access to the security plan, implementing procedures, or the list of individuals that have been approved for unescorted access.</p>			
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<p><b>B.</b> An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 the licensee shall use the following address: New Mexico Environment</p>				
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Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.

**20.3.7.700**

**GENERAL REGULATORY REQUIREMENTS:**

**E.(3)** An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with

10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:

- (a) any reference to the commission or NRC shall be deemed a reference to the department;
- (b) 10 CFR 37.5 Definitions of: agreement state, byproduct material, commission and person shall not be applicable,
- (c) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;
- (d) for any reporting or notification

<p>requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico environment department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p><b>20.3.12.9 SPECIFIC LICENSES FOR WELL LOGGING:</b></p> <p><b>B.</b> An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p>				
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<p>(3) 10 CFR 37.7, 10 CFR 37.9, 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p><b>20.3.15.1502 SPECIFIC LICENSES FOR IRRADIATORS:</b> The department will approve an application for a specific license for the use of licensed material in an irradiator if the applicant meets the requirements contained in this section.</p> <p><b>B.</b> An application for a specific license of category 1 and category 2</p>				
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<p>quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), 10 CFR 37.81, the licensee shall use New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p>				
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4	<p>20.3.3.307 FILING APPLICATION FOR SPECIFIC LICENSES:</p> <p>E. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) the license required report of events or notification in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 shall use</p>	<p>In § 37.45(b), remove the reference “§ 30.6(a)(2)” and add in its place the reference “§ 30.6(b)(2)”.</p>	2018-3		Incorporated by reference

<p>the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469.</p> <p>20.3.4.425 SECURITY AND CONTROL OF LICENSED OR REGISTERED SOURCES OF RADIATION:</p> <p>A. The licensee shall secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas. The licensee possessing category 1 and category 2 quantities of radioactive materials shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material,</p>				
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<p>commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p>20.3.5.10 SPECIFIC LICENSE FOR INDUSTRIAL RADIOGRAPHY:</p> <p>B. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p>				
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<p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p>20.3.7.700 GENERAL REGULATORY REQUIREMENTS:</p>				
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<p>E.(3) An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <ul style="list-style-type: none"><li>(a) any reference to the commission or NRC shall be deemed a reference to the department;</li><li>(b) 10 CFR 37.5 Definitions of: agreement state, byproduct material, commission and person shall not be applicable,</li><li>(c) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</li><li>(d) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico environment</li></ul>				
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<p>department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p>20.3.12.9 SPECIFIC LICENSES FOR WELL LOGGING:</p> <p>B. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(4) for any reporting or notification</p>				
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<p>requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p>20.3.15.1502 SPECIFIC LICENSES FOR IRRADIATORS: The department will approve an application for a specific license for the use of licensed material in an irradiator if the applicant meets the requirements contained in this section.</p> <p>B. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a</p>				
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	<p>reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), 10 CFR 37.81, the licensee shall use New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p>				
5	<p>20.3.3.307 FILING APPLICATION FOR SPECIFIC LICENSES:</p> <p>E. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with</p>	<p>In § 37.77(a)(1), remove the title “Division of Material Safety, State, Tribal, and Rulemaking Programs” and add in its place the title “Division of Materials Safety, Security, State, and Tribal Programs”.</p>	2018-3		Incorporated by reference



<p>10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) the license required report of events or notification in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469.</p> <p>20.3.4.425 SECURITY AND CONTROL OF LICENSED OR</p>				
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<p>REGISTERED SOURCES OF RADIATION:</p> <p>A. The licensee shall secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas. The licensee possessing category 1 and category 2 quantities of radioactive materials shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) for any reporting or notification</p>				
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<p>requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p>20.3.5.10 SPECIFIC LICENSE FOR INDUSTRIAL RADIOGRAPHY:</p> <p>B. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p>				
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<p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable; and</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81 the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p>20.3.7.700 GENERAL REGULATORY REQUIREMENTS: E.(3) An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows: (a) any reference to the commission or NRC</p>				
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<p>shall be deemed a reference to the department;</p> <p>(b) 10 CFR 37.5 Definitions of: agreement state, byproduct material, commission and person shall not be applicable,</p> <p>(c) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(d) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico environment department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p> <p>20.3.12.9 SPECIFIC LICENSES FOR WELL LOGGING: B. An application for a specific license of category</p>				
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<p>1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <ul style="list-style-type: none"><li>(1) any reference to the commission or NRC shall be deemed a reference to the department;</li><li>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</li><li>(3) 10 CFR 37.7, 10 CFR 37.9, 37.11(a) and (b), 10 CFR 37.13, 10 CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</li><li>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), and 10 CFR 37.81, the licensee shall use the following address: New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM</li></ul>				
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<p>87502-5469 address information.</p> <p>20.3.15.1502 SPECIFIC LICENSES FOR IRRADIATORS: The department will approve an application for a specific license for the use of licensed material in an irradiator if the applicant meets the requirements contained in this section.</p> <p>B. An application for a specific license of category 1 and category 2 quantities of radioactive material shall comply with 10 CFR 37. The licensee shall comply with 10 CFR 37 except as follows:</p> <p>(1) any reference to the commission or NRC shall be deemed a reference to the department;</p> <p>(2) 10 CFR 37.5 definitions of agreement state, byproduct material, commission and person shall not be applicable;</p> <p>(3) 10 CFR 37.7, 10 CFR 37.9, 10 CFR 37.11(a) and (b), 10 CFR 37.13, 10</p>				
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	<p>CFR 37.71, 10 CFR 37.105, and 10 CFR 37.107 shall not be applicable;</p> <p>(4) for any reporting or notification requirements that the licensee must follow in 10 CFR 37.45, 10 CFR 37.57, 10 CFR 37.77(a) through (d), 10 CFR 37.81, the licensee shall use New Mexico Environment Department/RCB, P.O. Box 5469, Santa Fe, NM 87502-5469 address information.</p>				
6	<p>20.3.3.306 TRANSPORTATION OF RADIOACTIVE MATERIAL:</p> <p>A. Except as specified in Subsection D of this section, the regulations of the United States NRC set forth in 10 CFR 71 are hereby incorporated by reference.</p> <p>B. Shipment and transport of radioactive material shall be in accordance with the provisions of Subsection A of this section.</p>	<p>In § 71.97(c)(3)(iii), remove the title “Division of Material Safety, State, Tribal, and Rulemaking Programs” and add in its place the title “Division of Materials Safety, Security, State, and Tribal Programs”.</p>	2018-3		Incorporated by reference



<p>C. The following modifications are made to the incorporated federal regulations in this section:</p> <p>(1) “commission” means the department or NRC;</p> <p>(2) “act” means the Radiation Protection Act, Sections 74-3-1 through 74-3-16 NMSA 1978; and</p> <p>(3) “byproduct material” means radioactive material as defined in 20.3.1.7 NMAC.</p> <p>D. The following provisions contained in 10 CFR 71 are not incorporated in this section: 71.14(b), 71.19, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.43, 71.45, 71.51, 71.55, 71.59, 71.61, 71.63, 71.64, 71.65, 71.71, 71.73, 71.74, 71.75, 71.77, 71.101(c)(2), (d), and (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, and 71.125.</p>				
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