

State of Connecticut
REGULATION
of the

NAME OF AGENCY:

Department of Energy and Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION:

**Adoption of Sections 22a-153-1 through 22a-153-199, inclusive; and
Repeal of Sections 19-24-1 to 19-24-14, inclusive, Sections 19-25a-1 through 19-
25a-5, inclusive, and Sections 19-25d-1 through 19-25d-11, inclusive,
of the
Regulations of Connecticut State Agencies (RCSA)
Use and Control of Ionizing Radiation**

(NEW) Section 22a-153-1. **General Provisions.**

(a) Applicability.

- (1) This section, except as otherwise specifically provided, applies to all persons who produce, transport, store, possess or dispose of radioactive materials.
- (2) A person, shall obtain a license for radioactive materials in the possession or control of the person.
- (3) As established in Sections 22a-153(g) and 22a-154 of the Connecticut General Statutes this rule does not regulate materials or activities reserved to the Nuclear Regulatory Commission (NRC) under 42 USC, Chapter 2021, Subchapter (c) and 10 CFR.150.
- (4) The regulations contained in 10 CFR 19, 20, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 70, 71,150, 170 and 171 are incorporated by reference with the exceptions set forth in Table 1.0 of this section.

Table 1.0 – Incorporation by Reference of 10 CFR 19, 20, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 70, 71, 150, 170 and 171 with Exceptions.

10 CFR	Title	Exceptions	Applicable Connecticut Regulation	Date of Adoption
19	Notices, instructions and reports to workers: inspection and investigations	Sections 19.4; 19.5; 19.8; 19.11(a)(4), (b) and (e); 19.14(a); 19.30 and 19.40 are not incorporated. In 10 CFR. 19.3, the portion of the definition of “regulated entities” related to applicants for or holders of standard design approval under subpart E of part 52 or a standard design certification under subpart B is not incorporated.		
20	Standards for protection against radiation	Sections 20.1006; 20.1009; 20.1402 20.1405(b); 20.1406(b); 20.1905 (g); 20.2203(c); 20.2206(a)(1), (3), (4), (5) and (6); 20.2401 and 20.2402 are not incorporated.	22a-153-20 Standards for Protection Against Radiation	
30	Rules of general applicability to domestic licensing of byproduct material	Sections 30.5, 30.6, 30.8, 30.21(c), 30.34(d) and (e)(1) and (3), 30.41(b)(6), 30.55, 30.63 and 30.64 are not incorporated. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 30.4 are not incorporated. In 10 CFR 30.10(b), the reference to 10 CFR 2 relating to deliberate misconduct is replaced with Section 22a-158c of the Connecticut General Statutes and Radioactive Material Program Procedure Section 902.1, Enforcement, Escalated Enforcement and Administrative Actions. In 10 CFR 30.50(c)(1), a reference to “NRC Operations Center” means “Department”.	22a-153-30 Rules of general applicability to licensing of radioactive materials.	
31	General domestic licenses for byproduct material	Sections 31.4, 31.22 and 31.23 are not incorporated. In 10 CFR 31.5(c)(7), the phrase “part 110” is replaced by “10 CFR part 110.	22a-153-31 General licenses for radioactive material	

10 CFR	Title	Exceptions	Connecticut Regulation to the Exception	Date of Adoption
32	Specific domestic licenses to manufacture or transfer certain items containing byproduct material	Sections 32.1(c)(1), 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, 32.30, 32.31 and 32.32 are not incorporated.	22a-153-32 Specific licenses to manufacture or transfer certain items containing radioactive material.	
33	Specific domestic licenses of broad scope for byproduct material	Sections 33.8, 33.21 and 33.23 are not incorporated.	22a-153-33 Specific Domestic Licenses of Broad Scope for Radioactive Material.	
34	Licenses for industrial radiography and radiation safety requirements for industrial radiographic operations	Sections 34.5, 34.8, 34.121 and 34.123 are not incorporated.		
35	Medical use of byproduct material.	Sections 35.8, 35.11(c)(1), 35.13(a)(1), 35.4001 and 35.4002 are not incorporated.	22a-153-35 Medical Use of Byproduct Material	
36	Licenses and radiation safety requirements for irradiators	Sections 36.5, 36.8, 36.91, 36.93 and the words "common defense and security" in the definitions for "Commencement of Construction" and "Construction" in 10 CFR 36.2 are not incorporated.	22a-153-36 Licenses and Radiation Safety Requirements for Irradiators	
37	Physical protection of category 1 and category 2 quantities of radioactive material	Sections 37.3(b)(2), 37.13, 37.73(d) and (e), 37.107 and 37.109 are not incorporated.		
39	Licenses and radiation safety requirements for well logging	Sections 39.5, 39.8, 39.101 and 39.103 are not incorporated.		

40	Domestic licensing of source material	Sections 40.6, 40.8, 40.12(b), 40.13(c)(5)(iv), 40.23, 40.27, 40.28, 40.31(j), (k), (l), (m) , 40.32(d), (e) and (g), 40.33, 40.38, 40.41(d), (e)(1) and (3) (g) and (h), 40.51(b)(6), 40.52, 40.53, 40.56, 40.64, 40.66, 40.67, 40.81, 40.82 and 10 CFR Part 40 Appendix A Criterion 11 A—F and Criterion 12 are not incorporated. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 40.4 are not incorporated. The definitions of “Foreign Obligation and “Reconciliation” are not incorporated.	22a-153-40 Licensing of source material	
10 CFR	Title	Exceptions	Connecticut Regulation to the Exception	Date of Adoption
70	Domestic licensing of special nuclear material	Sections 70.1(c), (d) and (e), 70.5, 70.6, 70.8, 70.13, , 70.14, 70.20a, 70.20b, 70.21(a)(1), (c), (f), (g) and (h), 70.22(b), (c), (f), (g), (h), (i), (j), (k), (l), (m) and (n), 70.23(a)(6), (7), (8), (9), (10), (11) and (12) and (b), 70.23a, 70.24, 70.25(a)(1), 70.31(c), (d) and (e), 70.32(a)(1), (4), (5), (6) and (7), 70.32(b)(1), (3) and (4), (c), (d), (e), (f), (g), (h), (i), (j) and (k), 70.37, 70.40, 70.42(b)(6), 70.44, 70.50(d), 70.51(c),), 70.52, 70.53, 70.54, 70.55(c)(1), (2) and (3), 70.59, 70.61, 70.62, 70.64, 70.65, 70.66, 70.72, 70.73, 70.74, 70.76, 70.82, 70.91, 70.92and 10 CFR Part 70 Appendix A are not incorporated. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 70.4 are not incorporated.	22a-153-70 Licensing of special nuclear material	
71	Packaging and transportation of radioactive material	Sections 71.2, 71.6, 71.11, 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, 71.70, 71.71, 71.73, 71.74, 71.75, 71.77, 71.85(a),(b), and (c), 71.91(b), 71.99, 71.100, 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 are not incorporated. The definitions of “certificate holder” and “certificate of compliance (CoC)” in section 71.4 are not incorporated. The term “applicant” when used in 10 CFR	22a-153-71 Transportation of licensed material	

		Part 71 is not incorporated.		
150.1 150.2 150.3 150.11 150.20	Exemptions and continued regulatory authority in Agreement States and in offshore waters under section 274	The definitions of “Foreign Obligations” and “Reconciliation” in section 150.3 are not incorporated.	22a-153-150 Reciprocal Recognition of Licenses.	
170	Fees for facilities, materials, import and export licenses, and other regulatory services under the atomic energy act of 1954, as amended	Sections 170.2(d), 170.2(e), 170.2(g) through 170.2(p), 170.2(r), 170.2(t), 170.4, 170.5, 170.8, 170.11(a)(1) through (3), 170.11(a)(5) through (12), 170.12(c)(1), 170.12(c)(3), 170.12(d) through 170.12(f), 170.21, 170.51, are not incorporated. The following categories of materials licenses and types of fees are also not incorporated from 10 CFR 170.31 and 171.16: 1.A, 1.B, 1.E, 1.F, 2.A.(1), 2.A.(2)(a) – 2.A.(2)(e), 2.A.(3), 2.A.(4), 2.C, 3.D, 3.H, 4.A, 9, 10, 11, 12, 13, 15, 17 and 18.	22a-153-6 Fees	
171	Annual fees for reactor licenses and fuel cycle licenses and materials licenses, including holders of certificates of compliance, registrations, and quality assurance program approvals and government agencies licensed by the NRC	Sections 171.8, 171.9, 171.11(b)(2), 171.11(d), 171.13, 171.15, 171.16(a)(1)(v), 171.17(a), 171.19, 171.23 and 171.25 are not incorporated. The following categories of materials licenses and types of fees are also not incorporated from 10 CFR 170.31 and 171.16: 1.A, 1.B, 1.E, 1.F, 2.A.(1), 2.A.(2)(a) – 2.A.(2)(e), 2.A.(3), 2.A.(4), 2.C, 3.D, 3.H, 4.A, 9, 10, 11, 12, 13, 15, 17 and 18.	22a-153-6 Fees	

(1) Availability and interpretation of referenced material.

- (A) This section incorporates by reference certain sections of 10 CFR relating to the implementation and the administration of the Radioactive Materials Program and subsequent requirements in the State of Connecticut. Table 1.0 lists the sections

of 10 CFR incorporated by reference and the respective adoption date for each section.

- (B) Copies of the relevant sections of 10 CFR incorporated by reference in this section are available by contacting:

Connecticut Department of Energy & Environmental Protection
 Bureau of Air Management
 Radiation Division
 79 Elm Street
 Hartford, Connecticut 06106
 (860) 424-3029

- (2) To reconcile differences between this section and the incorporated sections of Federal regulations, the following words and phrases shall be substituted for the language of 10 CFR:

- (A) With the exception of 10 CFR 30.4 and in the definition of Special Nuclear Material in 10 CFR 20.1003, a reference to “NRC” or “Commission” means the commissioner of the Connecticut Department of Energy and Environmental Protection (commissioner);
- (B) A reference to “NRC or agreement state” means the Connecticut Department of Energy and Environmental Protection, NRC, or agreement state;
- (C) The definition of “sealed source” means radioactive material that is permanently bonded or fixed in a capsule or matrix designed to prevent release and dispersal of the radioactive material under the most severe conditions which are likely to be encountered in normal use and handling;
- (D) A reference to “byproduct material” includes naturally occurring or accelerator-produced radioactive material (NARM). In 10 CFR 40.4, the definition of “Byproduct Material” includes naturally occurring or accelerator-produced material (NARM);
- (E) In 10 CFR 40.4, in the definition of “Special Nuclear Material”, the sentence “and any other material which the Commission, pursuant to the provisions of section 51 of the Act, determines to be special nuclear material”, remains preserved;
- (F) With the exception of criminal history records required by 10 CFR 37.27 (relating to requirements for criminal history checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material), notifications, reports and correspondence referenced in the incorporated parts of 10 CFR shall be directed to the Connecticut Department of Energy and Environmental Protection after agreement state status is in effect, and, for NRC licenses, to the NRC until agreement state status is in effect. Criminal history records required by 10 CFR 37.27 are to be sent to the NRC. Communications and reports concerning sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies and applications filed in response to

- such sections shall be addressed to the Connecticut Department of Energy & Environmental Protection, Bureau of Air Management, Radiation Division, 79 Elm Street, Hartford, Connecticut 06106;
- (G) Instructions in 10 CFR to use forms of the NRC means to use forms of the Department, which will be available on the Department website at <https://portal.ct.gov/deep> or available upon request from the Department at 79 Elm St Hartford, CT 06106;
 - (H) In 10 CFR 30.18(d), 30.32(g), 31.5(b)(1)(ii), 31.5(c)(3)(ii), 31.5(c)(8)(i), 31.6, 31.7(a), 31.10(a), 31.10(b)(1), 31.12(c)(4), 40.13(c)(10), 40.22(e), 40.25(b), 40.25(d)(3), 40.54, 40.55(c), (c)(1), (d)(1)(ii), (d)(2) and (d)(3), where a reference is made to “an Agreement State”, it means “an Agreement State or the NRC”;
 - (I) In 10 CFR 31, where the words “any non-agreement state” or “offshore waters” are used in 31.6 substitute the words “State of Connecticut”;
 - (J) In 10 CFR 40.4, the definition of “Byproduct Material” includes NORM;
 - (K) In 10 CFR 40.10, the reference to 10 CFR 2, relating to deliberate misconduct, is replaced with section 22a-6b of the Connecticut General Statutes and section 22a-158c of the Connecticut General Statutes;
 - (L) In 10 CFR 40.4 the terms “Foreign Obligations” and “Reconciliation” are not incorporated. In 10 CFR 40.4, the phrase “and any other material which the Commission, pursuant to the provision of section 51 of the Act, determines to be special nuclear material” is preserved without change;
 - (M) In 10 CFR 40.10(b) the reference to 10 CFR 2 subpart B is replaced with Section 22a-6b of the Connecticut General Statutes and section 22a-158c of the Connecticut General Statutes;
 - (N) In 10 CFR 40.60, reference to written reports means “Written reports must be sent to: Connecticut Department of Environmental Protection, Bureau of Air Management, Radiation Division, 79 Elm Street, Hartford, Connecticut 06106;
 - (O) Only the NRC can issue a license pursuant to 10 CFR 40.52;
 - (P) In section 70.10, the phrase “the procedures in 10 CFR part 2 subpart B” is replaced with section 22a-6b of the Connecticut General Statutes and section 22a-158c of the Connecticut General Statutes. The terms Commission and Atomic Energy Commission remain;
 - (Q) In 10 CFR 70.10, the reference to 10 CFR 2, relating to deliberate misconduct, is replaced with Section 22a-6b of the Connecticut General Statutes and section 22a-158c of the Connecticut General Statutes;
 - (R) In 10 CFR 70.19(a)(1) and 10 CFR 70.19(c)(3), the terms “Commission or the Atomic Energy Commission” remains and does not mean the “Department.” ;
 - (S) In 10 CFR 70.4, the phrase “and any other material which the Commission, pursuant to the provisions of section 51 of the Act, determines to be special nuclear material” is preserved without change;

- (T) In 10 CFR 70.42(b)(1) the word “Department” means the “US Department of Energy”;
- (U) In 10 CFR 70.50(c), preparation and submission of reports, all communications are to be made to the Connecticut Department of Energy & Environmental Protection, Bureau of Air Management, Radiation Division, 79 Elm Street, Hartford, Connecticut 06106, and by telephone at 860-424-3333 for immediate and 24-hour reports;
- (V) In 10 CFR 71 Subpart H the terms “Certificate of Compliance,” “certificate holder,” and “applicant for CoC” apply only to the NRC;
- (W) In 10 CFR 71.17(c)(3), the submission required before the first use of an NRC approved package should be sent to the NRC, ATTN: Document Control Desk, Director, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards, using an appropriate method listed in 10 CFR 71.1(a), the licensee’s name and license number and the package identification number specified in the package approval;
- (X) In 10 CFR 150.20, where the words “non-agreement states”, “areas of exclusive federal jurisdiction within agreement states”, or “offshore waters” are used in 150.20(a)(1)(i), (ii), (iii), (b), (b)(3), and (b)(4), substitute the words “the State of Connecticut”. Where the words “agreement state license” are used in 10 CFR 150.20, also add the words “Nuclear Regulatory Commission license”. Where the words “license issued by an agreement state” are used in 10 CFR 150.20 also add the words “license issued by the Nuclear Regulatory Commission”. Where the words “license from an agreement state” are used in 10 CFR 150.20 also add the words “license from the Nuclear Regulatory Commission”.

(b) Definitions.

Provided that any term related to the administration of the Radioactive Materials program not defined in this subsection shall be as defined or described in 10 CFR 19, 20, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 70, 71, 150, 170 and 171 for the purposes of this section:

- (1) “ALARA” or “as low as reasonably achievable” has the same meaning as provided in 10 CFR 20.1003.
- (2) “Agreement State” means any State with which the Atomic Energy Commission or the Nuclear Regulatory Commission has entered into an effective agreement under subsection 274b. of the Atomic Energy Act of 1954, as amended.
- (3) “Background radiation” has the same meaning as provided in 10 CFR 20.1003.
- (4) “By-product material” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (5) “Calendar quarter” means not less than twelve (12) consecutive weeks nor more than fourteen (14) consecutive weeks. The first calendar quarter of each year shall begin on January 1 and subsequent calendar quarters shall be so arranged such that no day is

included in more than one calendar quarter and no day in any one year is omitted from inclusion within a calendar quarter.

- (6) “CFR” has the same meaning as provided in section 22a-174-1 of the Regulations of Connecticut State Agencies.
- (7) “Critical group” has the same meaning as provided in 10 CFR 20.1003.
- (8) “Commissioner” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (9) “Decommission” has the same meaning as provided in 10 CFR 20.1003.
- (10) “Decommissioning” means the process of safely closing a facility or site at which the possession, use, processing or storage of radioactive material is or was authorized.
- (11) "Decommissioning plan" means a written document that includes the licensee's planned procedures and activities for decommissioning of the facility or site.
- (12) “Department” means the Connecticut Department of Energy and Environmental Protection unless the provision of the rule states that the term references the Department of Energy as referenced in 10 CFR 70.42(b)(1).
- (13) “Distinguishable from background” has the same meaning as provided in 10 CFR 20.1003.
- (14) “Dose” or "radiation dose" has the same meaning as provided in 10 CFR 20.1003.
- (15) “Exposure” has the same meaning as provided in 10 CFR 20.1003.
- (16) “Facility” means the location within one building, vehicle, or under one roof and under the same administrative control (A) at which the possession, use, processing or storage of radioactive material is or was authorized or (B) at which one or more radiation-producing machines or radioactivity-inducing machines are installed or located. "Facility" includes multiple such locations at a site or part of a site.
- (17) “General license” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (18) "Healing arts" has the same meaning as provided in Section 20-1 of the Connecticut General Statutes.
- (19) “Human use” has the same meaning as provided in 10 CFR 20.1003.
- (20) “Individual” has the same meaning as provided in 10 CFR 20.1003.
- (21) “Individual monitoring” has the same meaning as provided in 10 CFR 20.1003.
- (22) “Industrial radiography” or "radiography" means an examination of the structure of materials by the nondestructive utilization of ionizing radiation to make radiographic images.
- (23) "Inspection" means an official examination or observation including, but not limited to, tests, surveys, and monitoring to determine compliance by a registrant with applicable regulations, orders, requirements and conditions of the commissioner.

- (24) “License” has the same meaning as provided in 10 CFR 20.1003.
- (25) “Licensee” has the same meaning as provided in 10 CFR 20.1003.
- (26) “Medical use” means the intentional internal or external administration of radioactive material or the radiation from radioactive material to patients or human research subjects under the supervision of an authorized user, where “authorized user” is as defined in section 22a-153-8 of the Regulations of Connecticut State Agencies.
- (27) “Megabecquerel” or “MBq” means one million becquerels, an SI unit of activity where one becquerel is equal to 1 disintegration per second or one transformation per second of radioactive material.
- (28) “Microcurie” has the same meaning as provided in 10 CFR 30.4.
- (29) “Millicurie” has the same meaning as provided in 10 CFR 30.4.
- (30) “Millirem” or “mRem” means one thousandth of a Rem (Rem) which has the same meaning as provided in 10 CFR 20.1004.
- (31) “Milliroentgen” or “mR” means one thousandth of a roentgen (R) , the special unit of exposure which one roentgen is equals 2.58E-4 coulombs per kilogram of air.
- (32) “Millisievert” or “mSv” means one thousandth of a Sievert which has the same meaning as provided in 10 CFR 20.1004.
- (33) "NARM" or “naturally occurring or accelerator produced radioactive material” means any naturally occurring or accelerator-produced radioactive material. It does not include byproduct, source, or special nuclear material.
- (34) “Naturally occurring radioactive material” or “NORM” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (35) “Patient” means a person or animal subject to examination, diagnosis or treatment within the healing arts.
- (36) “Person” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (37) “Radiation” has the same meaning as provided in 10 CFR 20.1003.
- (38) “Radioactive material” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (39) “Radioactivity” means the transformation of unstable atomic nuclei by the emission of radiation.
- (40) “Radiographer” means any individual who performs or who, in attendance at the site where the sources of radiation are being used, personally supervises industrial radiographic operations and who is responsible to the registrant for assuring compliance with the requirements of sections 22a-153-1 through 22a-153-199 inclusive of the Regulations of Connecticut State Agencies and the conditions of a license issued by the commissioner.
- (41) “Regulated entity” means any individual, person, organization or corporation that is

subject to this section.

- (42) “Residual activity” means radioactivity in structures, materials, soils, groundwater, and other media at a site resulting from activities under the registrant’s control. “Residual radioactivity” includes radioactivity from all registered and unregistered sources used by the registrant and radioactive materials remaining at the site as a result of routine or accidental releases of radioactive material at the site and previous burials at the site. “Residual radioactivity” does not include background radiation.
- (43) “Restricted use” means that a limit or control has been placed on future use of the facility, and the facility is no longer under the control of the registrant or holder of the record of possession.
- (44) “Specific license” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (45) “Source material” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (46) “Special nuclear material” has the same meaning as provided in section 22a-151 of the Connecticut General Statutes.
- (47) “Temporary job site” has the same meaning as provided in 10 CFR 34.3.
- (48) “Unrestricted use” means that the facility or area: (A) May be used by individuals for any purpose without limits or controls; and (B) Is no longer under the control of the registrant or holder of the record of possession.
- (49) “Waste” or “low-level waste” means radioactive waste that is: (A) Neither high-level waste nor transuranic waste, nor spent nuclear fuel, nor byproduct material, as defined in Section 11e(2) of the Atomic Energy Act of 1954, as amended; and (B) Classified by the federal government as low-level waste, consistent with existing law, but does not include waste generated as a result of atomic energy defense activities of the federal government, as defined in the Low-Level Radioactive Waste Policy Act, Public Law 96-573, or federal research and development activities.
- (50) "Year" means the twelve-month period beginning January 1, unless the starting date is otherwise specified in a regulation or registration.

(NEW) Sec. 22a-153-2. **Compliance Monitoring**

- (a) **Applicability.**
 - (1) This section applies to all persons who produce, transport, store, possess or dispose of radioactive materials.
- (b) **Records.**
 - (1) Licensees shall maintain records showing the receipt, transfer and disposal of radioactive material as described in 10 CFR 30.51, relating to records.
- (c) **Inspections and investigations.**
 - (1) The commissioner may conduct inspections and investigations of the facilities and

regulated activities of radioactive material necessary to demonstrate compliance with sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies.

- (2) Licensees shall maintain records under this regulation and shall make records available for inspection by the Department at a permanent site or facility of use identified in a license issued under section 22a-153-30 of the Regulations of Connecticut State Agencies.
 - (3) Licensees shall allow the commissioner to take the following actions:
 - (A) Access books, papers, documents and other records and physical evidence pertinent to a matter under inspection or investigation;
 - (B) Require a licensee to make reports and furnish information; and
 - (C) Enter the premises of a licensee for the purpose of investigation or inspection of radioactive materials and the premises and facilities where radioactive materials are used or stored, as necessary to ascertain the compliance or noncompliance with sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies and to protect health, safety and the environment.
 - (4) The commissioner may conduct additional follow-up inspections and investigations if violations were noted at the time of the original inspection, or if a person presents information, or circumstances arise, which give the commissioner reason to believe that the health and safety of a person is threatened or that sections 22a-152-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies are being violated.
- (d) Tests.**
- (1) Licensees, upon instruction from the Department, shall perform, or permit the commissioner to perform reasonable tests as the commissioner deems appropriate or necessary including, but not limited to, tests of:
 - (A) Radioactive materials;
 - (B) Facilities in which radioactive materials are used or stored;
 - (C) Radiation detection and monitoring instruments; or
 - (D) Other equipment and devices in connection with utilization or storage of licensed radioactive materials.
 - (2) The commissioner may issue, modify or revoke any order to correct or abate any violation of sections 22a-148 to 22a-158 of the Connecticut General Statutes, inclusive, including any license issued pursuant to said sections and any regulation adopted pursuant to said sections. Any such order may include remedial measures that are necessary to correct or abate such violations.

(NEW) Sec. 22a-153-3. Prohibitions, Restrictions and Additional Requirements.

(a) Applicability.

(1) This section applies to all persons who produce, transport, store, possess or dispose of radioactive materials.

(b) Sale of radioactive materials.

(1) No person shall sell within the State of Connecticut radioactive materials unless such radioactive materials meet the requirements of sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies.

(c) Human use.

(1) No person shall use radioactive materials on humans except by individuals licensed the by State of Connecticut pursuant to Title 20 of the Connecticut General Statutes to practice the healing arts.

(d) Vacating premises.

(1) In addition to the decommissioning requirements of 10 CFR 30.36 that are incorporated by reference under section 22a-153-1 of the Regulations of Connecticut State Agencies , a licensee shall notify the Department in writing of intent to vacate at least 90 days before vacating or relinquishing possession or control of premises which may have been contaminated with radioactive material as a result of the licensee's activities. When deemed necessary by the Department, the licensee shall decontaminate the premises as the Department may specify.

(e) Improper use of a monitoring device.

(1) The deliberate exposure of, failure to use, or improper use of, an individual monitoring device or area monitoring device by an individual is prohibited.

(NEW) Sec. 22a-153-4 Exemptions.

(a) Applicability.

(1) This section applies to all persons who produce, transport, store, possess or dispose of radioactive materials.

(b) Granting Exemptions.

(2) The commissioner may, upon application therefore or upon its own initiative, grant exemptions from sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies when the commissioner makes a finding that the exemption(s) do not result in significant risk to the health and safety of the public, and safeguards that provide equivalent levels of protection to those are implemented.

(f) Exemptions

(1) The following sources, uses and types of users are exempt from sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies:

(A) Federal government agencies;

(B) The production, transportation, storage, use and disposal of naturally occurring radioactive materials of equivalent specific radioactivity not exceeding that of natural potassium (857 picocurie/gram or 31.72 becquerel /gram; NCRP Report No. 160, 2009);

(C) Excreta from individuals undergoing medical diagnosis or therapy with radioactive materials are exempt from any limitation contained in sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies;

(D) A material, product or use specifically exempted from licensing requirements by the NRC, the Department or an agreement state or authorized for distribution to persons exempt from license requirements; and

(E) Other sources of radioactive material that the commissioner finds should be exempt.

(NEW) Sec. 22a-153-5. **Enforcement**

(a) Applicability.

(1) This section applies to all persons who use produce, transport, store, possess or dispose of radioactive materials.

(b) Violations.

(1) If an inspection indicates that the regulated entity is not in compliance with the requirements of sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies, the commissioner shall notify the regulated entity in writing regarding any violations.

(2) The written notice of violation may include specific required corrective actions necessary for the regulated entity to take to regain compliance and may include interim corrective actions, such as requiring further investigation of the circumstances giving rise to the notice or ceasing use of radioactive materials until full compliance is restored, or such other action deemed necessary by the commissioner to protect the public health and safety is completed.

(3) If the commissioner determines that an enforcement action is appropriate, or if timely and satisfactory compliance with a notice issued pursuant to paragraph (a)(1) of this subsection has not been achieved, the Department shall issue a notice of violation in writing.

(c) Emergency orders.

(1) If the Department finds that an emergency exists that requires immediate action to protect the public health and safety the Department may, without notice or hearing, issue an order requiring such action as is necessary to address the emergency in accordance with Section 22a-7 of the General Statutes of Connecticut.

(NEW) Sec. 22a-153-6. **Fees.**

(a) Incorporation by reference.

(1) Notwithstanding the requirements incorporated by reference, the following subsection(s) shall apply.

(b) Applicability.

- (1) This subsection applies to all persons who is an applicant for or holder of a radioactive material license issued under 22a-153-30 (relating to licensing of radioactive materials) of the Regulations of Connecticut State Agencies.
- (2) For the purpose of this subsection, radioactive materials under the same administrative control in a single building are licensed as a single facility. Radioactive materials under the same administrative control at the same address or in a contiguous group of buildings may be licensed as a single facility if the Department determines that it is appropriate.
- (c) **Radioactive materials fees**
 - (1) Annual license fees for radioactive material shall be eighty percent (80%) of those set forth in 10 CFR 171 and other radioactive materials fees as described in 10 CFR 170.
 - (A) No refund will be made for termination of a license.
 - (B) If, by amendment or otherwise, a license changes to another fee category, the fee for the new category will take effect on the anniversary date of the license.
 - (2) An initial application for a license shall be accompanied by a check payable to the Department in accordance with eighty percent (80%) of the fees set forth in 10 CFR 170 and 10 CFR 171. Thereafter, the commissioner shall issue an annual fee invoice in accordance with the appropriate fee schedule at least two months prior to the license expiration. Fees shall be paid by the last day of the license expiration month as shown on the license fee invoice. This subdivision shall not apply to full cost recovery licenses.
 - (3) An application for a reciprocal recognition of a license shall be accompanied by a check payable to the Department in accordance with one hundred percent (100%) of the fees set forth in 10 CFR 170 and 10 CFR 171.
 - (4) The Department shall not accept an initial application for a license or reciprocal recognition of a license prior to payment of the fees required by paragraphs (c)(3) and (c)(4) of this subsection.
 - (5) If a license involves more than one of the categories in paragraph (c)(3) of this subsection, the highest applicable fee applies.
 - (6) Special provisions for calculating annual fees during agreement state transition period.
 - (A) The annual fees for the NRC licenses that are transferred to the State of Connecticut on the date the State of Connecticut becomes an agreement state shall be invoiced on the license's next anniversary date.
 - (B) During the first year after the date the Department attains agreement state status, the annual fee for each NRC license transferred to the State of Connecticut shall include a proportional amount, based on the schedule of fees in 10 CFR 171, for the period from the date agreement state status is attained until the license's next anniversary date, in addition to the amount assessed for the year following the license's anniversary date.

(NEW) Sec. 22a-153-7. **Other Radioactive Material.****(a) Applicability.**

Except as otherwise specifically provided, in sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies, this section applies to all persons who produce, transport, store, possess, or dispose of any radioactive material not defined as “byproduct material” (including NORM and NARM for industrial, commercial, or medical use), “source material”, or “special nuclear material” and is subject to the regulations of this sections 22a-153-1 to 22a-153-199 inclusive of the Regulations of Connecticut State Agencies.

(c) Registration requirements.

No radioactive material subject to the requirements of this section, shall be received, possessed, used, transferred, owned or disposed of unless registered with the commissioner as required in Section 22a-152-XX (Sources of Ionizing Radiation relating to registration requirements) of the Regulations of Connecticut State Agencies.

(c) Exempt quantities and items containing radioactive material.

(1) The following quantities and items containing radioactive material are exempt from the requirements of section 22a-153-7 of the Regulations of Connecticut State Agencies .

(A) Any quantity of radioactive material determined by the U.S. Nuclear Regulatory Commission or an agreement state to be an "exempt quantity" or any item determined by the U.S. Nuclear Regulatory Commission or an agreement state to be an "exempt item." See 10 CFR 30.11 to 30.22;

(B) The production, transportation, storage, use and disposal of naturally occurring or accelerator-produced radioactive materials (NARM) of equivalent specific radioactivity not exceeding the specific radioactivity of natural potassium (857 picocurie per gram or 31.72 becquerel per gram; NCRP Report No. 160, 2009);

(C) The operation of equipment that is primarily not intended to produce radiation and that, by nature of design, does not produce radiation at the point of nearest approach in quantities sufficient to produce radiologic damage to a person. For the purposes of this subsection, such equipment shall include: Time pieces, instruments, novelties or devices containing self-luminous elements, except during manufacture or repair of the self-luminous elements, and equipment that is not primarily intended to produce radiation and that does not produce radiation greater than one-half milliroentgen per hour at any readily accessible point five centimeters from the surface. Such equipment shall not be exempt if it is used or handled in such a manner that any individual might receive a radiation dose exceeding one-tenth the

limits established in section 22a-153-20 of the Regulations of Connecticut State Agencies. The production testing or production servicing of such equipment shall not be exempt;

- (D) The transportation of any radioactive material in conformity with regulations of the United States Department of Transportation or other agency of the federal government having jurisdiction;
- (E) Not more than 10 microcuries of any one or any combination of any unsealed source(s) of radioactive materials not already specified in section 22a-153-7 of the Regulations of Connecticut State Agencies; and
- (F) Other sources of radioactive material that the commissioner makes a find that the exemption(s) do not result in significant risk to the health and safety of the public, and safeguards that provide equivalent levels of protection to those are implemented.

(NEW) Sec. 22a-153-8 through 22a-153-19 **Reserved.**

(NEW) Sec. 22a-153-20. **Standards for Protection Against Radiation.**

(a) Incorporation by reference.

- (1) Notwithstanding the requirements incorporated by reference, the following subsection(s) shall apply.

(b) Applicability This section applies to all persons licensed by the commissioner to produce, transport, store, possess or dispose of radioactive materials.

- (1) The limits in this section do not apply to doses due to background radiation, to exposure of patients to radiation for the purpose of medical diagnosis or therapy, to exposure from individuals administered radioactive material in accordance with 10 CFR 35 or to voluntary participation in medical research programs.

(c) Radiological criteria for unrestricted use.

- (1) A site shall be considered acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a TEDE to an average member of the critical group that does not exceed 19 millirem (0.19 millisievert) per year, including that from groundwater sources of drinking water, and the residual radioactivity has been reduced to levels that are as low as reasonably achievable (ALARA). Determination of the levels which are ALARA shall consider of any detriments, such as deaths from transportation accidents, expected to potentially result from decontamination and waste disposal.

(d) Effect of incorporation of 10 CFR 20.1403 “Criteria for license termination under restricted conditions.”

- (1) The commissioner shall not terminate a license under the conditions of restricted release

as provided for in 10 CFR 20.1403 until the decommissioning plan required by 10 CFR 20.1403(d) is approved by the commissioner and has been in effect for a period of time demonstrating to the commissioner that continued implementation of the plan will be effective in maintaining compliance with the required conditions of the plan. The commissioner may choose to implement the license termination process in one or more of the following steps:

- (A) The license is amended to authorize activities necessary to begin decommissioning under the decommissioning plan;
- (B) After decommissioning activities are complete and the provisions of 10 CFR 20.1403 are in effect under the decommissioning plan, the license may be amended to end authorization of licensed activities. The license shall remain in effect for up to five years being limited to ownership or possession of the decommissioned material; or
- (C) At the end of the period prescribed in subdivision (1) of this subsection, the commissioner shall decide the effectiveness of the established decommissioning plan. If the decommissioning plan has demonstrated the ability to maintain compliance with 10 CFR 20.1403, the license will be terminated subject to the revisitation provision of 10 CFR 20.1401(c) (relating to general provision and scope) regarding new evidence of a significant threat to health and safety. Otherwise, the licensee shall be directed by the commissioner to take corrective actions as necessary to conform to 10 CFR 20.1403, and the process shall revert back to subdivision (1)(B) of this subparagraph.

(e) Reports of leaking or contaminated sealed sources.

- (1) If the test for leakage or contamination indicates a sealed source is leaking or contaminated, a report of the test shall be filed within five days with the Department describing the equipment involved, the test results and the corrective action taken.

(NEW) Sec. 22a-153-21 through 22a-153-29. **Reserved.**

(NEW) Sec. 22a-153-30. **Rules of General Applicability to Licensing of Radioactive Materials.**

(a) Incorporation by reference.

- (1) Notwithstanding the requirements incorporated by reference, the following subsection(s) shall apply.
- (2) In 10 CFR 30.50(c)(2), reference to written reports means written reports must be sent to: Radioactive Materials Program, Connecticut Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106.

- (3) Persons possessing a license for source, byproduct or special nuclear material in quantities not sufficient to form a critical mass on the date Connecticut becomes an Agreement State as published in the *Federal Register*.
- (A) On the date the State of Connecticut becomes an agreement state as published in the Federal Register, a person who possesses a general or specific license issued by the NRC for source, byproduct or special nuclear material in quantities not sufficient to form a critical mass, is deemed to possess a like license issued under section 22a-153-30 of the Regulations of Connecticut State Agencies . The license shall expire either 90 days after receipt from the Department of a notice of expiration of the license, or on the date of expiration specified in the NRC license, whichever is earlier.
- (b) Applicability.**
- (1) This section applies to all persons who produce, transport, store, possess or dispose of radioactive materials.
- (c) Filing applications for specific license.**
- (1) In addition to incorporation by reference, an application for a specific license shall be accompanied by the fee required under section 22a-153-6 of the Regulations of Connecticut State Agencies.
- (2) An application, amendment, or renewal of a specific license will be processed in a timely manner in accordance with 22a-6p of the Connecticut General Statutes
- (d) Renewal of licenses.**
- (1) An application for renewal of a specific license shall be filed under section 22a-153-30 of the Regulations of Connecticut State Agencies.
- (2) If a renewal application is filed prior to 30 days before the expiration of a license, the existing license shall not expire until definitive notice has been given by the commissioner of its action on the renewal application.
- (3) Section 22a-153-30 of the Regulations of Connecticut State Agencies shall apply to the incorporation of other existing licenses into a new license application.
- (e) Transfer of radioactive material.**
- (1) The requirements of 10 CFR 30.41 apply to NORM.
- (2) The commissioner may withdraw, limit or qualify their acceptance of a specific license or equivalent licensing document issued by another agency, or product distributed under the licensing document, upon determining that the action is necessary to prevent a public health hazard as defined in section 22a-154 of the General Statutes of Connecticut.
- (3) Implementation of the requirements of this subsection regarding byproduct, source and special nuclear material is subject to subdivision (3) of subsection (a) of this section.

(NEW) Sec. 22a-153-31. **General Licenses for Radioactive Material.**

(a) Incorporation by reference.

- (1) Notwithstanding the requirements incorporated by reference, the following subsection(s) shall apply.

(b) Applicability.

- (1) This section applies to all persons for the possession and use of byproduct material and a general license for ownership of byproduct material.

(c) Certain measuring, gauging or controlling devices.

- (1) In addition to the parts of 10 CFR 31.5 incorporated by reference, general licensees subject to registration under 10 CFR 31.5(c)(13)(i) or possessing general licensed devices containing 37 Megabecquerels (37 MBq) or one millicurie (mCi) or more of accelerator-produced material, as determined on the date of manufacture, or 3.7 Megabecquerels (3.7 MBq) or one tenth of a millicurie (0.1 mCi) or more of radium-226 shall also perform the actions identified in subdivision (2) of subsection (b).
- (2) A general licensee shall conduct a physical inventory every six months to account for all sources or devices, or both, received and possessed under this section and:
- (A) Maintain the physical inventory records for three years from the date of each inventory and
- (B) Furnish a report to the Department annually showing, to the extent practicable, the make, model, serial number, isotope, source radioactivity and location of each device. The report shall identify an individual to contact regarding questions about such report.

(d) Portable devices.

- (1) A person who initiates acquisition, transfer, or disposal of a portable device shall notify the commissioner within 15 days of the action. Sending a portable device for calibration, maintenance, or source replacement does not constitute transfer.
- (2) Portable devices shall only be used by or under the direct supervision of individuals who have been instructed in the operating and emergency procedures necessary to ensure safe use.
- (3) For each individual that the licensee permits to use a portable device, the licensee shall maintain a record showing the type of device use permitted and the basis, such as training certificates, for that authorization. An individual's record shall be kept for at least 3 years after the individual terminates association with the licensee.
- (4) Portable devices shall be secured from access by unauthorized personnel whenever an individual authorized to use the device is not immediately present or in close proximity to the portable gauge so as to prevent unauthorized removal of the device
- (5) The licensee shall maintain a current sign out log at the permanent storage location of the portable device. Log entries shall be available for inspection by the Department for 3 years from the date of entry. The following information shall be recorded for each portable device:

- (A) The model and serial number of the device;
 - (B) The name of the assigned user; and
 - (C) The locations and dates of use.
- (6) Emergency instructions shall accompany each portable device taken off the premises of the licensee.
- (e) Incidental radioactive material produced by a particle accelerator.**
- (1) A general license is issued to possess radioactive material produced incidentally to the operation of a particle accelerator. The general license is also subject to the applicable provisions of this subsection and sections 22a-153-1, 22a-153-20, inclusive of the Regulations of Connecticut State Agencies, and 10 CFR 19.
 - (2) A licensee may transfer radioactive material only under section 22a-153-20 and section 22a-153-71 of the Regulations of Connecticut State Agencies.
 - (3) A licensee may dispose of radioactive material only with commissioner's approval.

(NEW) Sec. 22a-153-32. **Specific Licenses to Manufacture or Transfer Certain Items Containing Radioactive Material.**

- (a) Incorporation by reference.**
- (1) Notwithstanding the requirements incorporated by reference, the following subsection shall apply.
- (b) Applicability.**
- (1) This section applies to all persons who manufacture or initially transfer items containing byproduct material for sale or distribution.
- (c) Issuance of licenses.**
- (1) Only the NRC can issue a license under 10 CFR 32.11, 32.22, 32.26 and 32.30.
 - (2) An application for a specific license authorizing the incorporation of NARM into gas and aerosol detectors to be distributed to persons exempt under Part I, Radioactive Material shall be approved if the application satisfies requirements equivalent to those in 10 CFR 32.26—32.29. The maximum quantity of radium-226 may not exceed 3.7 kilobecquerels (3.7 kBq) or one tenth of a microcurie (0.1 μ Ci).

(NEW) Sec. 22a-153-33. **Specific Domestic Licenses of Broad Scope for Radioactive Material.**

- (a) Incorporation by reference.**
- (1) Notwithstanding the requirements incorporated by reference, the following subsection(s) shall apply.

(b) Applicability.

- (1) This section applies to the issuance of specific licenses of broad scope for byproduct material.

(c) Inclusion of naturally occurring or accelerator-produced radioactive material (NARM).

The requirements of 10 CFR 33, relating to specific licenses of broad scope for radioactive material, also apply to NARM.

(NEW) Sec. 22a-153-34. enses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations.**(b) Incorporation by reference.**

- (1) Notwithstanding the requirements incorporated by reference, the following subsection shall apply.

(c) Applicability.

- (1) This section applies to any licensee authorized for sealed sources containing byproduct material used in industrial radiography.

(d) Prohibitions.

- (1) Use of radiography equipment covered under this subsection for diagnosis or therapy on humans or animals is not permitted.

(NEW) Sec. 22a-153-35. Medical Use of Byproduct Material.**(a) Incorporation by reference.**

- (1) Notwithstanding the requirements incorporated by reference, the following subsection shall apply.

(b) Applicability.

- (1) This section applies to any licensee authorized for the medical use of byproduct material.

(c) Authorization for calibration, transmission and reference sources

- (1) Notwithstanding the incorporation by reference of 10 CFR 35.65, a licensee authorized for medical use of radioactive materials shall not receive, possess or use radium in total quantity of 3.7 Megabecquerels (3.7 MBq) or one hundred microcuries (100 μ Ci) or more for check, calibration, transmission and reference use except as specifically authorized by the commissioner.

(NEW) Sec. 22a-153-36 to 22a-153-70. Reserved.**(NEW) Sec. 22a-153-71. Packaging and Transportation of Radioactive Material.**

(a) Incorporation by reference.

- (1) Notwithstanding the requirements incorporated by reference, the following subsection(s) will apply to the exception(s) of the incorporation by reference.

(b) Applicability.

- (1) This section applies to any licensee authorized by specific or general license issued by the commissioner to receive, possess, use, or transfer licensed material.

(c)**(d) Transportation of licensed material**

- (1) In addition to the incorporation by reference of 10 CFR Part 71, if Section XXX of the General Statutes of Connecticut or the regulations of the United States Department of Transportation in 49 CFR Parts 171 to 180 and 49 CFR 388 to 397 do not apply to a shipment of licensed material, the licensee shall conform to the standards and requirements of section XXX of the General Statutes of Connecticut or 49 CFR Parts 171 to 180 and 49 CFR 388 to 397 to the same extent as if the shipment was subject to the regulations.

(NEW) Sec. 22a-153-72 to 22a-153-149. **Reserved.**

(NEW) Sec. 22a-153-150. **Reciprocal Recognition of License.**

(a) Incorporation by Reference.

- (1) Notwithstanding the requirements incorporated by reference, the following subsection(s) will apply.

(b) Applicability.

- (1) This section applies to all persons who holds a specific license from the NRC or another Agreement State who will conduct activities in the state of Connecticut authorized in such licensing.

(c) Licenses of Byproduct, Source, and Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass.

- (1) Subject to these regulations, any person who holds a specific license from the NRC or another Agreement State, and issued by an agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within the state of Connecticut for a period not in excess of 180 days in any calendar year provided that:

- (A) The license does not limit the activity authorized by such document to specified installations or locations;
- (B) The out-of-state licensee notifies the commissioner in writing at least

three days prior to engaging in such activity. Such notification shall indicate the location, period, and type of proposed possession and use within the state of Connecticut, and shall be accompanied by a copy of the pertinent license. If, for a specific case, the three-day period would impose an undue hardship on the out-of-state licensee, the licensee may, upon application to the Department, obtain permission to proceed sooner. The commissioner may waive the requirement for filing additional written notifications during the remainder of the calendar year following the receipt of the initial notification from a person engaging in activities under the general license provided in this subsection.

- (C) The out-of-state licensee complies with all applicable regulations of the commissioner and with all the terms and conditions of the license;
 - (D) The out-of-state licensee supplies such other information as the commissioner may request; and
 - (E) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in section 22a-153-150(c)(1) except by transfer to a person:
 - (i) Specifically licensed by the commissioner or by the NRC to receive such material; or
 - (ii) Exempt from the requirements for a license for such material under NRC 10 CFR 30.14.
- (2) Notwithstanding the provisions of this subsection, any person who holds a specific license issued by the NRC or an Agreement State authorizing the holder to manufacture, transfer, install, or service a device described in NRC 10 CFR 40.22, 10 CFR 31.5(a), 10 CFR 31.6, and 10 CFR 31.9 within areas subject to the jurisdiction of the licensing body is hereby granted a general license to **es** all, transfer, demonstrate, or service such a device in the state of Connecticut provided that:
- (A) Such person shall file a report with the commissioner within 30 days after the end of each calendar quarter in which any device is transferred to or installed in the state of Connecticut. Each such report shall identify each general licensee to whom such device is transferred by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device;
 - (B) The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to such person by the NRC or an Agreement State;
 - (C) Such person shall assure that any labels required to be affixed to the device under regulations of the authority which licensed manufacture of the device bear a statement that "Removal of this label is prohibited"; and

- (D) The holder of the specific license shall furnish to each general licensee to whom the licensee transfers such device or on whose premises the licensee installs such device a copy of the general license contained in 10 CFR 31.5 or in equivalent regulations of the agency having jurisdiction over the manufacture and distribution of the device.
- (3) The commissioner may withdraw, limit, or qualify its acceptance of any specific license or equivalent licensing document issued by the NRC or an Agreement State, or any product distributed pursuant to such licensing document, upon determining that such action is necessary in order to prevent undue hazard to public health and safety or property.
- (d) Licenses of Naturally Occurring and Accelerator-Produced Radioactive Material.**
- (1) Any person who holds a specific license from a Licensing State, and issued by an agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within the state of Connecticut for a period not in excess of 180 days in any calendar year provided that:
- (A) The licensing document does not limit the activity authorized by such document to specified installations or locations;
- (B) The out-of-state licensee notifies the commissioner in writing at least three days prior to engaging in such activity. Such notification shall indicate the location, period, and type of proposed possession and use within the state of Connecticut, and shall be accompanied by a copy of the pertinent licensing document. If, for a specific case, the three-day period would impose an undue hardship on the out-of-state licensee, the licensee may, upon application to the Department, obtain permission to proceed sooner. The Department may waive the requirement for filing additional written notifications during the remainder of the calendar year following the receipt of the initial notification from a person engaging in activities under the general license provided in this subdivision;
- (C) The out-of-state licensee complies with all applicable regulations of the commissioner and with all the terms and conditions of the licensing document, except any such terms and conditions which may be inconsistent with applicable regulations of the commissioner;
- (D) The out-of-state licensee supplies such other information as the commissioner may request; and
- (E) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in This subdivision except by transfer to a person:
- (i) Specifically licensed by the commissioner or by another

Licensing State to receive such material, or

- (ii) Exempt from the requirements for a license for such material under NRC 10 CFR 30.14.
- (2) Notwithstanding the provisions of subdivision (1) of subsection (c) of this section, any person who holds a specific license issued by a Licensing State authorizing the holder to manufacture, transfer, install, or service a device described in NRC 10 CFR 40.22, 10 CFR 31.5(a), 10 CFR 31.6, and 10 CFR 31.9 within areas subject to the jurisdiction of the licensing body is hereby granted a general license to install, transfer, demonstrate or service such a device in the state of Connecticut provided that:
- (A) Such person shall file a report with the commissioner within 30 days after the end of each calendar quarter in which any device is transferred to or installed in the state of Connecticut. Each such report shall identify each general licensee to whom such device is transferred by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device;
 - (B) The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to such person by a Licensing State;
 - (C) Such person shall assure that any labels required to be affixed to the device under regulations of the authority which licensed manufacture of the device bear a statement that "Removal of this label is prohibited"; and
- (3) The holder of the specific license shall furnish to each general licensee to whom the licensee transfers such device or on whose premises the licensee installs such device a copy of the general license contained in 10 CFR 31.5 or in equivalent regulations of the agency having jurisdiction over the manufacture and distribution of the device.
- (4) The commissioner may withdraw, limit, or qualify its acceptance of any specific license or equivalent licensing document issued by a Licensing State, or any product distributed pursuant to such licensing document, upon determining that such action is necessary in order to prevent undue hazard to public health and safety or property.
- (e) Recognition of Agreement State Licenses.**
- (1) Before radioactive materials can be used at a temporary job site within the state of Connecticut at any Federal facility, the jurisdictional status of the job site shall be determined. If the jurisdictional status is unknown, the Federal agency should be contacted to determine if the job site is under exclusive Federal jurisdiction.
- (A) In areas of exclusive Federal jurisdiction, the general license is subject to all the applicable rules, regulations, orders and fees of the NRC, and

- (B) Authorizations for use of radioactive materials at job sites under exclusive Federal jurisdiction shall be obtained from the NRC by either:
 - (i) Filing a NRC Form-241 in accordance with 10 CFR 150.20(b); or
 - (ii) By applying for a specific NRC license.
- (2) Before radioactive material can be used at a temporary job site in another State, authorization shall be obtained for that State if it is an Agreement State, or from the NRC for any non-Agreement State, either by filing for reciprocal recognition of a license or applying for a specific license.

(NEW) Sec. 22a-153 through 22a-153-199. **Reserved.**