
**Unofficial Redline of the NRC's
Proposed Rule:
Modernizing NRC Regulations for Byproduct
Material Use**

NRC-2025-1205; RIN 3150-AL49

U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguards
Division of Rulemaking, Environmental, and Financial Support

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[ML25322A149]

Introduction

The Nuclear Regulatory Commission (NRC) is releasing this unofficial, informal redline to stakeholders in reviewing the changes that the proposed rule titled “Modernizing NRC Regulations for Byproduct Material Use” would make to the regulatory text of:

- 10 CFR Part 40, “Domestic Licensing of Source Material”

The NRC published the proposed rule in the *Federal Register* for public comment with a 45-day public comment period.

How to Read This Redline

- **Red text** indicates deletions.
- **Blue text** indicates additions.
- **Asterisks (*)** show omitted text that remains unchanged.

Important Note

This redline is for reference only. It does not replace the official proposed rule. If there are any differences, the version published in the *Federal Register* is the official and controlling document. Go to Regulations.gov, search the Docket ID, and use the “Comment Now” feature before the end of the comment period.

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

General Provisions

§ 40.53 Conditions for licenses issued for initial transfer of certain items containing source material: Quality control, labeling, and records ~~and reports.~~

(c)

(1) Each person licensed under [§ 40.52](#) shall maintain record of transfer. ~~file a report with the Director, Office of Nuclear Material Safety and Safeguards by an appropriate method listed in [§ 40.5\(a\)](#), including in the address: ATTN: Document Control Desk/Exempt Distribution.~~

(2) The ~~record/report~~ must clearly identify the specific licensee ~~submitting/preparing~~ the ~~report/record~~ and include the license number of the specific licensee and indicate that the products are transferred for use under [§ 40.13\(c\)](#), giving the specific paragraph designation, or equivalent regulations of an Agreement State.

(3) The ~~report/record~~ must include the following information on products transferred to other persons for use under [§ 40.13\(c\)](#) or equivalent regulations of an Agreement State:

(i) A description or identification of the type of each product and the model number(s), if applicable;

(ii) For each type of source material in each type of product and each model number, if applicable, the total quantity of the source material; and

(iii) The number of units of each type of product transferred during the reporting period by model number, if applicable.

~~(4) The licensee shall file the report, covering the preceding calendar year, on or before January 31 of each year. Licensees who permanently discontinue activities authorized by the license issued under [§ 40.52](#) shall file a report for the current calendar year within 30 days after ceasing distribution.~~

~~(5) If no transfers of source material have been made to persons exempt under [§ 40.13\(c\)](#) or the equivalent regulations of an Agreement State, during the reporting period, the report must so indicate.~~

~~(6)~~(4) The licensee shall maintain the record of a transfer and all information concerning transfers in accordance with [§ 40.61](#). ~~that support the reports required by this section for 1 year after each transfer is included in a report to the Commission.~~