

(1) Amend Section 30195.1 to read as follows:

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

(a) The regulations governing financial assurance for decommissioning in Title 10, Code of Federal Regulations (10 CFR), ~~Section~~section 30.35 (January 1, 2007) and ~~Appendices A through E of 10 CFR Part 30, including as revised January 1, 1996, Appendix A, B and C to Part 30 of Title 10, Code of Federal Regulations, referenced in such Section~~section 30.35, are hereby incorporated by reference with the following exceptions:

- (1) Subsection 30.35(g) is not incorporated by reference.
- (2) The phrase "byproduct material" shall include all "radioactive material" as defined in Title 17, California Code of Regulations, ~~Section~~section 30100, except source material which shall be governed by subsection (b).
- (3) The date "January 1, 1996" is substituted for the date "July 27, 1990."
- (4) Any reference to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to the Department.
- (5) Any reference to ~~title 10, Code of Federal Regulations~~10 CFR section 30.37 shall be deemed to be a reference to section 30194.
- (6) The date "January 1, 1998" is substituted for the date "November 24, 1995."
- (7) The date "January 1, 2010" is substituted for the date "December 2, 2004."
- (8) The date "July 1, 2010" is substituted for the date "June 2, 2005."
- (9) The date "January 1, 2011" is substituted for the date "December 2, 2005."
- (10) The reference to 10 CFR section 20.303 found in the Note of Appendix B of 10 CFR Part 30 shall be deemed a reference to 10 CFR section 20.2003.
- (11) Provisions relating only to power reactor licensees found in the following appendices are not incorporated:
 - (A) Appendix A, II.A.1.(ii);
 - (B) Appendix A, II.A.1.(iv);
 - (C) Appendix A, II.A.2.(ii);
 - (D) Appendix A, II.A.2.(iv);
 - (E) Appendix C, II.A(1); and
 - (F) Appendix C, II.A(2).

(b) The regulations governing financial assurance for decommissioning in 10 CFR section 40.36 (January 1, 2007)~~Title 10, Code of Federal Regulations, Section 40.36, as revised January 1, 1996, including Appendix A to Part 40 of Title 10, Code of Federal Regulations, referenced in such Section 40.36, is~~are hereby incorporated by reference with the following exceptions:

- (1) Subsection 40.36(f) is not incorporated by reference.
- (2) The date "January 1, 1996" is substituted for the date "July 27, 1990."
- (3) Any reference to the ~~United States Nuclear Regulatory Commission~~NRC or any component thereof shall be deemed to be a reference to the Department.

(4) Any reference to ~~title 10, Code of Federal Regulations~~ 10 CFR section 40.43 shall be deemed to be a reference to section 30194.

(5) The date "January 1, 1998" is substituted for the date "November 24, 1995."

(6) The date "January 1, 2009" is substituted for the date "December 2, 2004."

(7) The date "July 1, 2009" is substituted for the date "June 2, 2005."

(8) Appendix A referenced in section 40.36 is not incorporated by reference.

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

(1) Persons authorized to possess no more than 1,000 times the quantity specified for each licensed material specified in Appendix B to Part 30 of Title 10, Code of Federal Regulations;

(2) Persons authorized to possess hydrogen-3 contained in hydrogen gas in a sealed source;

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

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

Note: Authority cited: Sections ~~100275~~, 115000, and ~~115091~~ and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115091, 115092, and 115235, 131050, 131051 and 131052, Health and Safety Code.