

## SUPPLEMENTAL STATEMENT OF REASONS

The California Department of Public Health (Department) has instituted additional changes to these proposed regulations which are discussed below. These changes are either initiated by the Department or in response to public comments that were received during the 45-day public comment period, which ended on August 29, 2008.

**Section 30373(a):** Due to U.S. Nuclear Regulatory Commission's (NRC) comments indicating that the proposal did not meet the compatibility categories pertaining to title 10, Code of Federal Regulations, Part 71, section 71.0(c) (10 CFR 71.0(c)) and 10 CFR 71.3, section 30373(a) is amended by adding language that meets the NRC's designated compatibility category of [B] (69 Fed.Reg. 3770) for sections 71.0(c) and 71.3.

**Section 30373(a)(1):** Due to U.S. Nuclear Regulatory Commission's (NRC) comments indicating that the proposal did not meet the compatibility categories pertaining to 10 CFR 71.105, section 30373(a)(1) is amended by deleting provisions that were proposed to not be incorporated. The result is that those provisions would be incorporated by reference. It was noted that the Initial Statement of Reasons incorrectly stated on page 10 that the compatibility categories for 10 CFR 71.105(c) and (d) were category [D]. The correct category as designated by NRC is compatibility category C. (69 Fed.Reg. 3782 & 3787.)