

**Methodology to Indicate Changes to
DPH-08-008 – Standards for Protection Against Radiation**

Changes to the regulations are indicated as follows:

- Deleted text is indicated by double strike-through (~~strike-through~~).
- Additions to the regulation text are indicated by double underline (underline).

**TITLE 17, CALIFORNIA CODE OF REGULATIONS
DIVISION 1, CHAPTER 5, SUBCHAPTER 4.0
Group 3. Standards for Protection Against Radiation**

(1) Amend Section 30253 to read:

§ 30253. Standards for Protection Against Radiation.

(a) The regulations governing standards for protection against radiation in title 10, Code of Federal Regulations, part 20, (10 CFR 20) sections 20.1001 through 20.2402 and Appendices A through G, (January 1, ~~2005~~2008) are hereby incorporated by reference with the following exceptions:

(1) Title 10, Code of Federal Regulations, sections 20.1001, 20.1002, 20.1006, 20.1007, 20.1008, 20.1009, 20.1401, 20.1402, 20.1403, 20.1404, 20.1405, 20.1406, 20.1905(g), 20.2106(d), 20.2206, 20.2302, 20.2401, and 20.2402, and Appendix D are not incorporated by reference.

(2) Any references to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to ~~State~~the California Department of Public Health~~Services~~.

(3) The definition of the term "Byproduct material" in 10 CFR 20, section 20.1003 is replaced by the definition of the term "radioactive material" as defined in section 30100 of this regulation~~modified to mean any radioactive material, except special nuclear material, yielded in or made radioactive by exposure to the radiation incident to, the process of producing or utilizing special nuclear material.~~

(4) The definition of the term "License" in 10 CFR 20, section 20.1003 is replaced by the definition of the term "License" as defined in section 30100 of this regulation.

(5) The definition of the term "Licensed material" in 10 CFR 20, section 20.1003 is modified to mean any radioactive material (including source material, special nuclear material, or byproduct material) received, possessed, used, transferred or disposed of under a general or specific license issued by the NRC, or by any other Agreement State or by any state that has been either provisionally or finally designated as a Licensing State by the Conference of Radiation Control Program Directors, Inc. With respect to dose limits and reporting requirements, the term "Licensed material" is to be construed broadly in context to include any source of ionizing radiation subject to the requirements of this regulation.

(6) The definition of the term "Licensee" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "User" as set forth in section 30100 of this regulation.

(7) The definition of the term "Person" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Person" as set forth in section 114985(c) of the Health and Safety Code.

(8) The definition of the term "Radiation (ionizing radiation)" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Ionizing radiation" as set forth in section 114985(b) of the Health and Safety Code.

(9) The definition of the term "Special nuclear materials" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Special nuclear material" as set forth in section 114985(f) of the Health and Safety Code.

(10) Reports of transactions and inventories required in 10 CFR 20, section 20.2207 shall be submitted to the National Source Tracking System maintained by NRC as specified in section 20.2207. Methods of reporting specified in section 20.2207(f) are identified on NRC's form, referenced in section 20.2207(f)(4).

(b) The terms defined in 10 CFR 20, section 20.1003, as incorporated by reference, shall apply to this regulation, except that:

(1) The term "Act" as defined in 10 CFR 20, section 20.1003 is limited to the textual material incorporated by reference in subsection (a) above. The meaning of the term "Act" elsewhere in this regulation, is as defined in section 30100 of this regulation~~means the "Radiation Control Law," Health and Safety Code, Division 104, Part 9, chapter 8, sections 114960 et seq.~~

(2) The term "Department" as defined in 10 CFR 20, section 20.1003 is limited to the provisions incorporated by reference in subsection (a). The meaning of the term "Department" elsewhere in this regulation, is as defined in section 30100 of this regulation~~114985(j) of the Health and Safety Code.~~

Note: Authority cited: Sections ~~100275-114975, and 115000,~~ 131051, 131052, 131055, and 131200, Health and Safety Code. Reference: Sections 114960, 114965, 114970, 114985, 114990, 115060, 115105, 115110, 115120, 115165, 115230 and 115235, Health and Safety Code.

(2) Amend Section 30255 to read as follows:

§ 30255. Notices, Instructions, and Reports to Personnel.

(a) *No change to text*

(b) Each user shall:

(b)(1) through (b)(5) No change to text

(6) Provide reports to any individual of ~~his~~their radiation exposure data and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of that individual as specified in this section. The information reported shall include data and results obtained pursuant to Department regulations, orders, or license conditions, as shown in records maintained by the user pursuant to Department regulations. Each notification and report shall: be in writing; include appropriate identifying data such as the name of the user, the name of the individual, the individual's Social Security number; include the individual's exposure information; and contain the following statement:

"This report is furnished to you under the provisions of the California State Department of ~~Public Health Services~~ Regulations: Standards for Protection Against Radiation. You should preserve this report for future reference."

These reports shall be provided as follows:

(A) ~~At the request of any individual, each~~ Each user shall advise ~~each worker such individual~~ each annually of ~~his exposure~~ the worker's dose to radiation or radioactive material as shown in records maintained by the ~~licensee or registrant~~ user pursuant to ~~United States, title 10, Code of Federal Regulations, part 20, (10 CFR 20), section 20.2106 subpart M~~ as incorporated by reference in section 30253, including the results of any calculations and analyses of radioactive material deposited in the body of the individual. ~~If required to monitor an individual's exposure pursuant to that part of title 10, Code of Federal Regulations, part 20 (10 CFR 20), section 20.2106 that has been incorporated by reference in section 30253, the~~ The user shall provide an annual report to each monitored individual pursuant to section 20.1502, incorporated by reference in section 30253, of the dose received in that monitoring year if:

1. The individual's occupational dose exceeds 100 mrem total effective dose equivalent or 100 mrem to any individual organ or tissue; or
2. The individual requests his or her annual dose report.

(B) ~~At the request of an individual~~ a worker formerly engaged in work controlled by the user, the user shall furnish to the ~~individual~~ worker a report of ~~his~~ the worker's exposure to radiation or radioactive material as shown in records maintained by the user pursuant to 10 CFR 20, section 20.2106 that has been incorporated by reference in section 30253, for each year the worker was required to be monitored pursuant to

section 20.1502 and for each year the worker was required to be monitored under the monitoring requirements in effect prior to March 3, 1994. Such report shall be furnished within 30 days from the time the request is made, or within 30 days after the exposure of the individual has been determined by the user, whichever is later; shall cover, within the period of time specified in the request, each calendar quarter in which the individual's activities involved exposure to radiation from radioactive materials licensed by, or radiation machines registered with the Department; and shall include the dates and locations of work under the license or registration in which the individual participated during this period. This report shall cover the period of time that the worker's activities involved exposure to radiation from radioactive material licensed by, or radiation machines registered with, the Department and shall include the dates and locations of work under the license or registration in which the worker participated during this period.

(C) When a user is required pursuant to United States, title 10, Code of Federal Regulations, part 20, subpart M10 CFR 20, sections 20.2202, 20.2203, or 20.2204, as incorporated by reference in section 30253, to report to the Department any exposure of an individual to radiation or radioactive material, the user shall also provide the individual a report on his exposure data included therein. Such reports shall be transmitted at a time not later than the transmittal to the Department.

~~(D) At the request of an individual who is terminating employment or assignment to work involving radiation exposure in the user's facility in a given calendar quarter, the user shall furnish to the individual a written report of the individual's exposure to radiation or radioactive material received during that specifically identified calendar quarter. Such report shall contain an estimate of exposures if the final reports are not available at the time of termination. Estimated exposures shall be clearly indicated as such.~~
At the request of a worker who is terminating employment with the user that involved exposure to radiation or radioactive materials, during the current calendar quarter or the current year, each user shall provide at termination to each worker, or to the worker's designee, a written report regarding the radiation dose received by that worker from operations of the user during the current year or fraction thereof. If the most recent individual monitoring results are not available at that time, a written estimate of the dose must be provided together with a clear indication that this is an estimate.

Note: Authority cited: Sections 208 and 25814-114975, 115000, 131051, 131052, 131055, and 131200, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25826, 25875 and 25876, 114965, 114940, 115000, 115060, 115110, 115230 and 115235, Health and Safety Code.

(3) Amend Section 30256 to read as follows:

§ 30256. Vacating Installations: Records and Notice.

(a) *No change to text.*

(b) Each person granted a specific license pursuant to Group 2 of this Subchapter shall, no less than 30 days before vacating any installation which may have been contaminated with radioactive material as a result of ~~his~~the licensee's activities, notify the department in writing of intent to vacate. This notice shall be submitted on form ~~RHB 314 (12/95)~~RHCDPH 5314 (06/09), entitled "Certificate of Disposition of Materials," which is incorporated by reference herein, and shall address all requirements specified in ~~S~~subsection (c).

(c) If a licensee does not submit an application for license renewal under section 30194, the licensee shall on or before the expiration date specified in the license:

(1) through (3) *No change to text.*

(4) Submit a completed form ~~RHB 314 (12/95)~~RHCDPH 5314 (06/09), which certifies information concerning the disposition of materials; and

(5) *No change to text.*

(d) through (g) *No change to text.*

(h) Upon approval of the decommissioning plan by the Department, the licensee shall complete decommissioning in accordance with the approved plan. As a final step in decommissioning, the licensee shall again submit the information required in ~~S~~subsection (c)(5) and shall certify the disposition of accumulated wastes from decommissioning by completing form ~~RHB 314 (12/95)~~RHCDPH 5314 (06/09).

(i) through (k) *No change to text.*

Note: Authority cited: Sections ~~400275-114975~~, 115000, 131051, 131052, 131055, and 131200, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115230 and 115235, Health and Safety Code.