**PART S**

**PHYSICAL PROTECTION OF CATEGORY 1 AND CATEGORY 2**

**QUANTITIES OF RADIOACTIVE MATERIAL**

**1. Purpose**

A. For the purpose of these regulations, the requirements for the physical protection of category 1 and category 2 quantities of radioactive material as specified in 10 CFR Part 37, “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material”, are incorporated by reference. The requirements of this section are in addition to, and not in substitution for, the requirements of Parts A, B, C, D, and J of this rule.

B. Notwithstanding the requirements incorporated by reference,

10 CFR 37.11(b) (Specific exemptions), are not incorporated by reference.

**2. Effect of Incorporation of 10 CFR Part 37 (effective date March 19, 2013).** To reconcile differences between this part and the incorporated sections of 10 CFR Part 37 (Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material), the following words and phrases are substituted for the language in 10 CFR Part 37 as follows:

A. A reference to “NRC” or “Commission” means Agency.

B. A reference to “NRC or Agreement State” means “Agency, NRC, Agreement State or Licensing State”.

C. Where the words "NRC regional office" appear in 10 CFR 37.41(a)(3) and 37.81, substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

D. Where the words "appropriate NRC regional office listed in § 30.6(a)(2) of this chapter" appear in 10 CFR 37.45(b), substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

E. Where the words "NRC's Operational Center (301-816-5100)" appear in 10 CFR 37.57(a), 37.57(b), and 37.81, substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

F. Where the words "NRC's Operational Center" appear in 10 CFR 37.81, substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

G. Where the words "NRC's Director, Division of Security Policy, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. The notification to the NRC may be made by email to RAMQC\_SHIPMENTS@nrc.gov or by fax to 301-816-5151" appear in 10 CFR 37.77(a)(1), substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

H. Where the words "NRC's Director of Nuclear Security, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001" appear in 10 CFR 37.77(c)(1), substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

1. Where the words "NRC's Director, Division of Security Policy, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001" appear in 10 CFR 37.77(c)(2) and 37.77(d), substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

J. Where the words "Director, Division of Security Policy, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001" appear in 10 CFR 37.81(g), substitute the words "Maine Department of Health and Human Services, Radiation Control Program".

K. Requirements in 10 CFR part 37 that apply to "byproduct material" also apply to naturally occurring or accelerator-produced radioactive material.

L. "Act" includes 22 MRS Ch. 160 Radiation Protection Act.