

**641—39.3(136C) General regulatory requirements for incorporating CFR by reference.**

**39.3(1)** Congress authorized the NRC in Section 274b of the Atomic Energy Act to enter into agreements that allow states to assume, and the NRC to discontinue, regulatory authority over byproduct, source, and small quantities of special nuclear material. The state can then regulate byproduct, source, and small quantities of special nuclear materials that are covered in the agreement, using its own legislation, regulations, or other legally binding provisions.

**39.3(2)** The Commission will enter into an agreement if the Commission finds the state program adequate to protect public health and safety and compatible with the NRC's regulatory program. The NRC ensures that an agreement state program remains adequate and compatible through periodic review and assessment under the Integrated Materials Performance Evaluation Program (IMPEP) as amended to August 1, 2025. The state of Iowa is an agreement state as of January 1, 1986.

**39.3(3)** As an agreement state, the requirements of 10 CFR Parts 19, 20, 30, 32, 33, 34, 35, 36, 37, 39, 40, 70, and 71 as amended to August 1, 2025, are hereby adopted by reference, as specified in the corresponding subrules of this chapter, unless specifically exempted. Where Iowa HHS forms are required, as specified in this chapter, such forms shall be submitted to Iowa HHS. A copy of 10 CFR is available at no charge from the NRC website.

**39.3(4)** All Iowa RAM facilities and personnel shall comply with the applicable provisions of this chapter; the related portions of 641—Chapters 37, 38, 40 and 42; and the referenced 10 CFR parts. All CFR references in this chapter are as amended to August 1, 2025. Where differences exist, compliance with the most stringent applicable standard, whether CFR regulations or Iowa Administrative Code, shall apply.

[ARC 0179D, IAB 4/1/26, effective 7/1/26]