

January 27, 2000

Susan McClanahan, Supervisor  
Radiation Control Unit  
Section of Asbestos, Indoor Air,  
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Division of Environmental Health  
Department of Health  
121 E. Seventh Place, Suite 220  
P.O. Box 64975  
St. Paul, MN 55164-0975

Dear Ms. McClanahan:

As requested, we have reviewed the Minnesota draft regulations, which were provided to us in September 1999, in accordance with OSP Procedure SA-201, "Review of State Regulations." The regulations were reviewed by comparison to the equivalent NRC regulations in 10 CFR Parts 20, 30, 31, 32, 33, 34, 40, 71, and 150. We discussed aspects of our review of these regulations with you in an e-mail dated November 10, 1999 and in a telephone conference on January 3, 2000.

As a result of our review, we have 274 specific comments that have been identified in the enclosure. We believe that these comments can be easily addressed by the State. For example, 228 of the 274 comments enclosed are based upon the omission of definitions and other provisions that have been designated as a matter of compatibility or health and safety in OSP Procedure SA-200, "Compatibility Categories and Health and Safety Identification of NRC Regulations and Other Program Elements." Of the remaining 46 comments on the draft Minnesota regulations, over 50% (29 out of the 46) of these comments were a result of a misunderstanding regarding the need to adopt 10 CFR provisions designated as Compatibility Category B in an essentially identical manner.

In addition, our review included comments on the State's equivalent of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material." Please be advised that the we are currently considering whether Agreement States will be required to adopt these regulations. We will inform you of our resolution of this matter in the near future.

We have limited our review to regulations required for compatibility and/or health and safety. Under our current procedure, a finding that a State regulation meets the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final State regulation.

The Minnesota draft regulations did not include equivalents of 10 CFR Parts 19, 35, 36, 39, 61, and 70. The State needs to include these provisions in their proposed final regulations in order for us to make a complete review of the Minnesota regulations. We request that when the proposed final regulations are developed, a copy of the regulations should be provided to us for review. As requested in OSP Procedure SA-201, "Review of State Regulations" (November 10, 1998), please highlight the final changes and send one copy in a computer readable format, if possible.

Susan McClanahan

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If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me or Ms. Cardelia H. Maupin of my staff at (301) 415-2312 or you may e-mail Ms. Maupin at CHM@NRC.GOV.

Sincerely,

/S/ Frederick C. Combs

Frederick C. Combs, Deputy Director  
Office of State Programs

Enclosure:  
As stated

Susan McClanahan

- 2 -

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Sincerely,

/S/

Frederick C. Combs, Deputy Director  
Office of State Programs

Enclosure:  
As stated

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**COMMENTS ON MINNESOTA DRAFT REGULATIONS EQUIVALENT TO 10 CFR PARTS 20, 30, 31, 33, 34, 40, 71 and 150**

**Part 20 - STANDARDS FOR PROTECTION AGAINST RADIATION**

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§20.1003		Definitions			
	Not provided	Absorbed Dose	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Activity	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Adult	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Airborne radioactive material	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Airborne Radioactivity area	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	ALARA	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Annual limit on intake (ALI)	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Background Radiation	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Bioassay (radio bioassay)	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Byproduct material	[A]	This definition also appears in 10 CFR §150.3(c). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Class	A	Also referred to as "Lung Class or Inhalation Class"	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Collective Dose	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Committed dose equivalent	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Committed effective dose equivalent	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Constraint	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Critical group	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Declared Pregnant Woman	C and D - for estimated date of conception	The essential objective of this definition is the voluntary, written notification by a woman to her employer that she is pregnant. For various reasons, a woman may not wish to divulge the estimated date of conception to her employer. However, using good health physics practice, and without the date of conception, the dose to the embryo/fetus can be effectively managed.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Decommission	[C]	This definition also appears in 10 CFR 30.4. For purposes of compatibility, the language of the Part 30 definition should be used where it is assigned to Compatibility Category C.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Deep-dose equivalent	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Derived air concentration (DAC)	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Derived air concentration-hour (DAC-hour)	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Distinguishable from background	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Dose equivalent	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Effective dose equivalent	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Embryo/fetus	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Entrance or access point	C	This definition provides the minimum information needed for a common understanding and because differing definitions may jeopardize an orderly regulatory pattern in the regulation of agreement material.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Extremity	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	High radiation area	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Individual	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Individual monitoring	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Individual monitoring devices	C	This definition provides the minimum information needed for a common understanding of the term and because inconsistent definitions may jeopardize an orderly regulatory pattern for the regulation of agreement material.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Internal dose	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Limits	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Lost or missing licensed material	B	This term and definition are needed for a common understanding in collecting and reporting information on regulation of agreement material on a nationwide basis.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Minor	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Monitoring	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Nonstochastic effect	A	The term, "deterministic," if defined essentially identically to "nonstochastic" is an acceptable substitute.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be adopted by an Agreement State in an essentially identical manner to that of the NRC definition in 10 CFR.
	Not provided	Occupational Dose	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Person	[C]	This definition also appears in 10 CFR §150.3(g). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category C.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Public dose	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Quality Factor	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Radiation	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Radiation area	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Reference man	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Residual radioactivity	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Respiratory protective device	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Restricted area	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Sanitary sewerage	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Shallow-dose equivalent	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Source Material	[A]	This definition also appears in 10 CFR § 40.4. For purposes of compatibility, the language of the Part 40 definition should be used and it is assigned to Compatibility Category A. The Part 40 definition is used in the SSR's, as previously approved by NRC. The Part 150 definition contains an ambiguity that many States would be unable to adopt.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Special Nuclear Material	[A]	This definition also appears in 10 CFR § 70.4. For purposes of compatibility, the language of the Part 70 definition should be used and it is assigned to Compatibility Category A. The Part 70 definition is used in the SSR's, as previously approved by NRC.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Stochastic effects	A	The term "probabilistic," if defined essentially identically to "stochastic" is an acceptable substitute.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Survey	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Total Effective Dose Equivalent (TEDE)	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Unrestricted Area	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Very High Radiation Area	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Weighting factor	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Whole body	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Working level (WL)	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Working level month (WLM)	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Year	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
§20.1004	Not provided	Units of radiation dose	A		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.
§20.1005	Not provided	Units of radioactivity	A		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.
§20.1201	4730.304	Occupational dose limits for adults	A	In amendment, "Minor Corrections, Clarifying Changes, and a Minor Policy Change," 63 FR 393477, July 23, 1998 and 63 FR 45393, August 26, 1998 and effective October 26, 1998, Part 20 was revised to remove the term "eye dose equivalent" and to replace it with the term "lens dose equivalent." This change was made to avoid confusion.	In paragraph 2. a., the term "eye dose equivalent," should be deleted and the term "lens dose equivalent," should be inserted. These provisions are designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§20.1203	4730.306	Determination of external dose from airborne radioactive material	A	In amendment, "Minor Corrections, Clarifying Changes, and a Minor Policy Change," 63 FR 393477, July 23, 1998 and 63 FR 45393, August 26, 1998 and effective October 26, 1998, Part 20 was revised to remove the term "eye dose equivalent" and to replace it with the term "lens dose equivalent." This change was made to avoid confusion.	In paragraph A, the term "eye dose equivalent," should be deleted and the term "lens dose equivalent," should be inserted. These provisions are designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.
§20.1208	4730.311	Dose to an Embryo/fetus	A		In paragraph C.2, insert the term "equivalent" after the term "dose." These provisions are designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.
§20.1302	Not provided	Compliance with dose limits for individual members of the public	D/H&S - paragraphs (a) and (b) D - paragraph (c)		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§20.1401	Not provided	General provisions and scope	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§20.1402	Not provided	Radiological criteria for unrestricted use	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§20.1403	Not provided	Criteria for license termination under restricted use	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§20.1404	Not provided	Alternate criteria for license termination	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§20.1405	Not provided	Public notification and public participation	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§20.1406	Not provided	Minimization of contamination	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§20.1502	4730.315	Conditions requiring individual monitoring of external and internal occupational dose	D/H&S		Paragraph A.2 is missing some of the provisions provided in the 10 CFR. These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§20.2006	4730.332	Transfer for disposal and manifests	B		This section of the Minnesota rules was not consistent with the 10 CFR provisions. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§20.2106	4730.175	Records of individual monitoring results	C - paragraphs (a) and (e)  D - paragraphs (b), (c), (d) and (f)	<p>Agreement States should adopt paragraphs (a) and (e) to eliminate confusion in obtaining information in support of implementation of basic radiation protection standards since individuals may receive exposure in more than one licensee's facility or in more than one jurisdiction.</p> <p>In amendment, "Minor Corrections, Clarifying Changes, and a Minor Policy Change," 63 FR 393477, July 23, 1998 and 63 FR 45393, August 26, 1998 and effective October 26, 1998, Part 20 was revised to remove the term "eye dose equivalent" and to replace it with the term "lens dose equivalent." This change was made to avoid confusion.</p>	<p>In paragraph A 1., the term "eye dose equivalent," should be deleted and the term "lens dose equivalent," should be inserted.</p> <p>These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.</p>

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§20.2202	4730.184	Notification of Incidents	C - paragraphs (a), (b), (c) and (d)  D - paragraph (e)	<p>All of this provision, except paragraph (e), is needed for a common understanding in collecting and reporting information on the regulation of agreement material on a nationwide basis.</p> <p>Meeting the essential objective of this regulation for the purpose of compatibility means the State should adopt the numerical values noted in the regulation as the minimum level acceptable. If state adopts planned special exposure, then the state should adopt paragraph (e).</p> <p>In amendment, "Minor Corrections, Clarifying Changes, and a Minor Policy Change," 63 FR 393477, July 23, 1998 and 63 FR 45393, August 26, 1998 and effective October 26, 1998, Part 20 was revised to remove the term "eye dose equivalent" and to replace it with the term "lens dose equivalent." This change was made to avoid confusion.</p>	<p>In paragraph B.1.b., the term "eye dose equivalent," should be deleted and the term "lens dose equivalent," should be inserted.</p> <p>These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.</p>
§20.2203	4730.184 F. and 4730.185	Reports of exposures, etc, exceeding the limits.	C - paragraphs (a) and (b)  D - paragraph (d)  NRC - paragraph (c)	Paragraphs (a) and (b) provide requirements that are needed for a common understanding in collecting and reporting information on the regulation of agreement material on a nationwide basis.	<p>Section 4730.184 F., was cited as being the equivalent for 20.2203; however, there appears to be no similarities between this provision and that of 10 CFR. The correct reference appears to be 4730.185.</p> <p>Section 4730.185 does not contain an equivalent of paragraph 20.2203 (a)(vi). These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.</p>

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
Appendix A	Not provided	Protection Factors for Respirators	B	Assigned protection factors provide acceptable levels of protection to be afforded by respirators. Consistency is required in protection factors that are established as acceptable in NRC and Agreement State regulations to reduce impacts on licensees who may operate in multiple jurisdictions	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
Appendix B (Tables 1,2&3)	Not provided	Annual Limits on Intake (ALIs), Derived Air Concentrations (DACs), of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release to Sewerage	A		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.
Appendix C	Not provided	Quantities of licensed materials requiring labeling	A		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.
Appendix F	Not provided	Requirements for Low-level Waste Transfer for disposal at land disposal facilities and Manifest	B	The provisions are needed in order to provide consistency in regulating agreement material which cross multiple jurisdictions.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
Appendix G	Not provided	Requirements for Low-level radioactive waste intended for disposal at land disposal facilities and manifests	B, except definitions of forms 540, 540A, 541, 542, and 542A are D	These provisions are needed by Agreement States to provide consistency in regulating agreement material which cross multiple jurisdictions. However, Agreement States will adopt the definition of NRC forms as part of this section because they will establish their own forms consistent with their program. In addition, if the Agreement States have adopted the definitions of "package," "source material" and "special nuclear material" in accordance with 10 CFR in other provisions of their regulations, it is not necessary to adopt these provisions in this section.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

**Part 30 - RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF BYPRODUCT MATERIAL**

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§30.4		Definitions			
	Not provided	Agreement State	[B]	This definition also appears in 10 CFR §150.3(b). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category B.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Alert	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Byproduct material	[A]	This definition also appears in 10 CFR §150.3(b). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Curie	[A]	This definition also appears in 10 CFR §20.1005(b). For purposes of compatibility, the language of the Part 20 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Decommission	C	This definition is needed for effective communication regarding regulation of agreement material on a nationwide basis.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Effective dose equivalent	[A]	This definition also appears in 10 CFR §20.1003. For purposes of compatibility, the language of the Part 20 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Medical use	[C]	This definition also appears in 10 CFR §35.2. For purposes of compatibility, the language of the Part 35 definition should be used and it is assigned to Compatibility Category C.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Person	[C]	This definition also appears in 10 CFR §150.3(g). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category C.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Sealed source	B	This definition is needed for a common understanding because of transboundary effects.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Site area emergency	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Source material	[A]	This definition also appears in 10 CFR §150.3(i). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Special nuclear material	[A]	This definition also appears in 10 CFR §150.3(j). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§30.12	Not provided	Persons using byproduct material under certain Department of Energy and Nuclear Regulatory Commission contracts	B	This provision should be adopted by Agreement States in an essentially identical manner since it is required by Federal law.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.13	Not provided	Carriers	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.14	Not provided	Exempt concentrations	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.15	4730.203c.1	Certain items containing byproduct material	B		This section of the Minnesota rules was not consistent with the 10 CFR provisions. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.16	4730.c.4	Resins containing scandium-46 and designed for sand-consolidation in oil wells	B		This section of the Minnesota rules was not consistent with the 10 CFR provisions. For example, the phrase “or persons who initially transfer for sale or distribution” was omitted. In addition, “radiation dose rate” or “radiation rate” should be deleted and “levels of radiation” should be inserted. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.19	4730.c.2	Self-luminous products containing tritium, krypton-85, or promethium-147	B		This section of the Minnesota rules was not consistent with the 10 CFR provisions. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.20	4730.c.3	Gas and aerosol detectors containing byproduct material	B		This section of the Minnesota rules was not consistent with the 10 CFR provisions. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§30.21	Not provided	Radioactive drug: Capsules containing carbon-14 urea for "in vivo" diagnostic use for humans	B	This section was designated a Category B because of the need for nationwide consistency in the use of products which are widely distributed. The Agreement States will need to make appropriate provisions in their programs to allow any person to receive capsules containing one microcurie of carbon-14 urea for in vivo diagnostic use in humans without need for a license.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.33	4730.209	General requirements for issuance of specific licenses	D, except D/H&S - paragraphs (a)(2) and (a)(3)		Paragraphs A and B need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§30.36	4730.213	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	D/H&S - paragraphs (c), (d), (e), (g), (h), (j) and (k) D- paragraphs (a), (b), (f), and (i)		Paragraphs 3.a. needs to be revised to be consistent with the 10 CFR regulation. In addition, the proposed Minnesota regulations did not include equivalents of 30.36 paragraphs (g), (j), and (k). These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§30.41	4730.215	Transfer of byproduct material	C, except (a)(6) is NRC	This provision is needed for coherent regulation of agreement material on a nationwide basis. Paragraph (a)(6) authorizes transfer by export, a function reserved to NRC	The proposed Minnesota regulations did not include an equivalent of paragraph 30.41(b)(2). These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§30.50	Not provided	Reporting Requirements	C - paragraphs (a), (b) and (c), except D - paragraph (c)(3)	States have the flexibility to require additional event reporting information. This information would depend on local conditions, laws, etc.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§30.51	Not provided	Records	C - paragraphs (a) & (b)  D - paragraph (c)  D/H&S - paragraphs (d), (e) & (f)	The time required for record retention under paragraph (b) may vary in accordance with the type of activity being licensed. The H&S designation for paragraph (e) is warranted by the requirement for transfer of certain records (e.g. spills or spread of contamination) important for decommissioning to a subsequent licensee at the same facility and termination.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§30.70	Not provided	Schedule A - exempt concentrations table	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.71	Not provided	Schedule B - exempt quantity table	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§30.72	Not provided	Schedule C- Quantities of radioactive materials requiring consideration of the need for an emergency plan for responding to a release	D/H&S		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.
Appendix B	Not provided	Quantities of Licensed Material Requiring Labeling	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

**Part 31 - GENERAL DOMESTIC LICENSES FOR BYPRODUCT MATERIAL**

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§31.3	4730.207.A.	Certain devices and equipment	B	Agreement States should adopt this provision because it contains requirements for devices and equipment which are distributed nationwide.	These provisions need to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§31.6	Not provided	General license to install devices generally licensed in § 31.5	C	Agreement States should adopt this provision because it recognizes the need for reciprocity of licenses from one jurisdiction to another for this activity. States may require notification as a part of these provisions.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§31.7	4730.207.C.	Luminous safety devices for use in aircraft	B	Agreement States should adopt this provision because it contains requirements for devices that are distributed nationwide and because of their nature they frequently cross multiple jurisdictions.	These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§31.9	4730.207.D.	General license to own byproduct material	C		These provisions need to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§31.10	4730.207.G	General license for strontium 90 in ice detection devices	B	Agreement States should adopt this provision because it contains requirements for devices that are distributed nationwide.	These provisions need to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

**Part 32 - SPECIFIC DOMESTIC LICENSES TO MANUFACTURE OR TRANSFER CERTAIN ITEMS CONTAINING BYPRODUCT MATERIAL**

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§32.2		Definitions			
	Not provided	Dose commitment	[A]	This term and definition are superseded by the new term and definition in 10 CFR Part 20, "committed dose equivalent," which is stated in more current radiation protection terminology and is assigned to compatibility Category A. The Part 20 term and definition should be used for purposes of compatibility and States should adopt this terminology consistently throughout their requirements.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC provisions in 10 CFR.

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
	Not provided	Lot Tolerance Percent Defective	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.12	4730.211.A.2	Same: Records and material transfer reports	C	The time required for record retention may vary in accordance with the type of activity being licensed.	These provisions need to be revised to be consistent with the 10 CFR regulation. The phrase "shall maintain records of transfer of material" was not included. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§32.13	Not provided	Same: Prohibition of introduction	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§32.17	Not provided	Resins containing scandium-46 and designed for sand-consolidations in oil wells: Requirements for license to manufacture, or initially transfer for sale or distribution	B	This provision was previously designated as an area reserved to the NRC. A review of the Statements of Considerations for this rule (32 FR 4241, 3/18/67) indicates that this activity can be licensed by an Agreement State. The Commission considered that scandium-46 resins were not a product intended for use by the general public. Therefore, the transfer of such resins in an Agreement State by any manufacturer licensed by that Agreement State would not be licensed or regulated by the Commission.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.51	4730.211.D.1	Byproduct material contained in devices for use under §31.5: Requirements for license to manufacture or initially transfer	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.51a	4730.211.D.4	Same: Conditions of licenses	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§32.52	4730.211.D.4	Same: Material transfer reports and records	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.53	4730.211.E	Luminous safety devices for use in aircraft: Requirements for license to manufacture, assemble, repair or initially transfer	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.54	Not provided	Same: Labeling of devices	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.55	Not provided	Same: Quality assurance; prohibition of transfer	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.56	Not provided	Same: Material transfer reports	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.58	Not provided	Same: Labeling of devices	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.59	Not provided	Same: Leak testing of each source	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.62	Not provided	Same: Quality Assurance; prohibition of transfer	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§32.71	4730.211.G	Manufacture and distribution of byproduct material for certain in vitro clinical or laboratory testing under general license	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.72	4730.211.I	Manufacture, preparation or transfer for commercial distribution of radioactive drugs containing byproduct material for medical use under Part 35	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.74	4730.211.J	Manufacture and distribution of sources or devices containing byproduct material for medical use	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.101	Not provided	Schedule B-prototype tests for luminous safety devices for use in aircraft	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.102	Not provided	Schedule C-prototype tests for calibration or reference sources containing americium-241	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.103	Not provided	Schedule D-prototype tests for ice detection devices containing strontium 90	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§32.110	Not provided	Acceptance sampling procedures under specific licenses	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§32.210	Not provided	Registration of product information	B - for States that perform SS&D evaluations  D - for States that do not perform SS&D evaluations	Changed to clarify that States that do not have an SS&D evaluation program do not need to adopt this section for purposes of compatibility.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B for States that perform SS&D evaluations. If the State of Minnesota plans to assume authority to regulate a SS&D regulatory program, then these provisions should be adopted by the State, and should be essentially identical to the NRC provisions in 10 CFR.

**Part 34 - LICENSES FOR RADIOGRAPHY AND RADIATION SAFETY REQUIREMENTS FOR RADIOGRAPHIC OPERATIONS**

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§34.2		Definitions			
	Not provided	ALARA	[A]	This definition also appears in 10 CFR §20.1003. For purposes of compatibility, the language of the Part 20 definition should be used where it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Annual refresher safety training	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Associated equipment	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Becquerel	[A]	This definition also appears in 10 CFR 20.1005. For purposes of compatibility, the language of the Part 20 definition should be used where it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Certifying entity	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Collimator	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Control (drive) cable	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Control drive mechanism	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Control tube	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Exposure head	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Field Station	C	The categorization of this section was changed to a Category C from Category D because this is a technical term used in the radiography industry and the essential objectives of this term should be adopted by the States.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Gray	[A]	This definition also appears in 10 CFR 20.1004. For purposes of compatibility, the language of the Part 20 definition should be used where it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Guide tube (projection sheath)	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Hands-on experience	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Independent certifying organization	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Industrial radiography (radiography)	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Lay-barge radiography Lay- barge radiography	B - for States that authorize licensees to perform lay- barge radiography  D- for other States		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B. If the State of Minnesota plans to regulate lay barge radiography, then these provisions should be adopted by the State, and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Offshore platform radiography	B - for States that authorize platform radiography in inland waters or tidal waters subject to the States jurisdiction  D- for other States		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B. If the State of Minnesota plans to regulate platform radiography, then these provisions should be adopted by the State, and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Permanent radiographic installation	C	The categorization of this section was changed to a Category C from Category D because this is a technical term used in the radiography industry and the essential objectives of this term should be adopted by the States.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Practical examination	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Radiation safety officer for industrial radiography	C	The categorization of this section was changed to a Category C from Category D because this is a technical term used in the radiography industry and the essential objectives of this term should be adopted by the States.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Radiographer	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Radiographer's assistant	B -for States that authorize the use of radiographer's assistants  D - for other States		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B. If the State of Minnesota plans to authorize the use of radiographer's assistants, then these provisions should be adopted by the State, and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Radiographic exposure device	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Radiographic operations	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Radiography	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	S-tube	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Sealed source	[A]	This definition also appears in 10 CFR §30.4. For purposes of compatibility, the language of the Part 30 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Shielded position	C	The categorization of this section was changed to a Category C from Category D because this is a technical term used in the radiography industry and the essential objectives of this term should be adopted by the States.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Sievert	[A]	This definition also appears in 10 CFR 20.1004. For purposes of compatibility, the language of the Part 20 definition should be used where it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Source assembly	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Source changer	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Storage container	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Temporary jobsite	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Underwater radiography	B - for States that authorize underwater radiography  D- for other States		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B. If the State of Minnesota plans to regulate underwater radiography, then these provisions should be adopted by the State, and should be essentially identical to the NRC definition in 10 CFR.
§34.4	Not provided	Maintenance of records	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.13	Not provided	Specific license for industrial radiography	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on licensing of materials, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.20	4730.401	Performance requirements of industrial radiography equipment	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§34.41	4730.412	Conducting industrial radiography operations	B , except paragraph (c) is B for States which authorize offshore platform or underwater radiography or D- for other States	An Agreement State need not adopt paragraph (c) unless it authorizes these activities. If paragraph (c) is adopted, the requirements should be essentially identical to those of NRC.	These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§34.63	Not provided	Records of receipt and transfer of sealed sources	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.65	Not provided	Records of radiation survey instruments	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on survey of instruments, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.67	Not provided	Records of leak testing	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on leak testing, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.69	Not provided	Records of quarterly inventory	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.73	Not provided	Records of inspection and maintenance of radiographic exposure devices, transport and storage containers, associated equipment, source changers, and survey instruments	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§34.79	Not provided	Records of training and certification	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.81	Not provided	Copies of operating and emergency procedures	C		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.83	Not provided	Records of personnel monitoring procedures	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.87	Not provided	Forms of records	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.89	Not provided	Location of documents and records	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§34.101	4730.421	Notifications	C		These provisions need to be revised to be consistent with the 10 CFR regulation. In paragraph A, the references to the NRC should be deleted and the Minnesota organization for radiation control should be inserted. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
Appendix A	Not provided	Radiographer certification	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

Part 40 - DOMESTIC LICENSING OF SOURCE MATERIAL

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§40.2a	Not provided	Coverage of inactive tailings sites	A - States with authority to regulate uranium mill activities (11.e.2 byproduct material)  D - States without authority		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category A for States with authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then these provisions should be adopted by the State, and should be essentially identical to the NRC provisions in 10 CFR.
§40.3	Not provided	License requirements	C		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on license requirements, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.4		Definitions			
	Not provided	Agreement State	[B]	This definition also appears in 10 CFR §150.3(b). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category B.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Alert	[A]	This definition also appears in 10 CFR §30.4. For purposes of compatibility, the language of the Part 30 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Byproduct material	[A]	This definition also appears in 10 CFR §150.3(c). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Decommission	[C]	This definition also appears in 10 CFR §30.4. For purposes of compatibility, the language of the Part 30 definition should be used and it is assigned to Compatibility Category C.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Depleted uranium	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Persons	[C]	This definition also appears in 10 CFR §150.3(g). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category C.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
	Not provided	Residual radioactive material	A - States with authority to regulate uranium mill activities (11.e.2 byproduct material)  D - States without authority		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category A for States with the authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then these provisions should be adopted by the State, and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Site area emergency	[A]	This definition also appears in 10 CFR §30.4. For purposes of compatibility, the language of the Part 30 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Source material	[A]	This definition also appears in 10 CFR §150.3(i). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Special nuclear material	[A]	This definition also appears in 10 CFR §150.3(j). For purposes of compatibility, the language of the Part 150 definition should be used and it is assigned to Compatibility Category A.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Unrefined and unprocessed ore	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Uranium milling	C - States with authority to regulate uranium mill activities (11.e.2 byproduct material)  D - States without this authority		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C for States with the authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then the essential objectives of the NRC definition in 10 CFR should be adopted.
§40.10	Not provided	Deliberate misconduct	C	The Commission determined in response to SECY-97-156 that Agreement States should adopt the essential objectives of this provision. If deliberate misconduct and wrongdoing issues involving Agreement State licensees were not pursued and closed by Agreement States, then a potential gap may be created between NRC and Agreement State programs.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.11	Not provided	Persons using source material under certain Department of Energy and Nuclear Regulatory Commission contracts	B		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§40.12	Not provided	Carriers	B, except 40.12(b) is NRC	Paragraph 40.12(b) addresses import/export of material.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§40.13	4730.202	Unimportant quantities of source material	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§40.20	Not provided	Types of licenses	D, except paragraph (a) is a C.	State may adopt a single provision that incorporates those of this paragraph and those of 30.31 and 70.18	These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on licenses, please indicate. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.25	4730.206.E.	General license for use of certain industrial products or devices	C		These provisions need to be revised to be consistent with the 10 CFR regulation. For example, in paragraph E.2, the phrase “or initially transferred” should be inserted between “manufactured” and “either.” There are some additionally changes that need to be made. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.26	Not provided	General license for possession and storage of byproduct material as defined in this part	C - States with authority to regulate uranium mill activities (11e.2 byproduct material)  D - States without authority		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C for States with the authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.31	Not provided	Application for specific licenses	D, except paragraph (j) is D/H&S		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on licenses, please indicate. These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§40.32	Not provided	General requirements for issuance of specific licenses	D - paragraphs (a) and (f)  D/H&S - paragraphs (b) and (c)  NRC - paragraphs (d), (e) and (g)		These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on licenses, please indicate. These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.34	40730.211.1. (1) & (2)	Special requirements for issuance of specific licenses	B - paragraphs (a)(2) and (a)(3)  D - paragraphs (a)(1), (b) and (c)		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§40.35	40730.211.1.3	Conditions of specific licenses issued pursuant to §40.34	B - paragraphs (b) and (c)  C - paragraph (a)  D - paragraphs (d), (e), and (f)		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§40.36	Not provided	Financial assurance and recordkeeping for decommissioning	D- paragraphs (c),and (e)  D/H&S - paragraphs (a),(b),(d) and (f)	States have the flexibility to specify different dollar amounts based on jurisdiction and local conditions. The H&S designation for paragraph (f) is warranted by the requirement for transfer of certain records (e.g. spills or spread of contamination) important for decommissioning to a subsequent licensee at the same facility.	These provisions did not appear to be included in the proposed Minnesota regulations. If these provisions are incorporated in a generic provision on records, please indicate. These provisions are designated a Compatibility Category D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§40.41	Not provided	Terms and conditions of licenses	<p>C - paragraphs (a), (b), and (c)</p> <p>D- paragraphs (e)(2) and (e)(4)</p> <p>NRC- paragraphs (d), (e)(1), (e)(3), and (g)</p> <p>D/H&amp;S- paragraph (f)</p>	<p>The essential objective(s) of paragraphs (a), (b), (c) should be adopted by Agreement States because of the reciprocal recognition of licenses, transboundary effects in transferring material through multiple jurisdictions and to avoid conflicts and confusion in regulation of agreement material on a nationwide basis.</p> <p>Paragraphs (d), (e)(1) , (e)(3), and (g) are NRC because these provisions address areas reserved to the Commission by the Atomic Energy Act. Paragraph (f) is designated "H&amp;S" because the notification of bankruptcy will alert agencies to the possibility of abandonment of licensed facilities at which there is potential for exposure in excess of Part 20 limits.</p>	<p>These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and D/H&amp;S essential objectives of the NRC provisions in 10 CFR should be adopted.</p>
§40.42	Not provided	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	<p>D- paragraphs (a), (b), and (k)(4)</p> <p>D/H&amp;S - paragraphs (c), (d),(e),(f),(g), (h),(i),(j) and (k)(1),(2) and (3)</p>		<p>These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category D/H&amp;S and the essential objectives of the NRC provisions in 10 CFR should be adopted.</p>
§40.46	Not provided	Inalienability of licenses	C		<p>These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.</p>
§40.51	Not provided	Transfer of source or byproduct material	<p>C - paragraphs (a),(b)(1) through (b)(5), (b)(7), (c) and (d)</p> <p>NRC - paragraph (b)(6)</p>		<p>These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.</p>

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§40.60	Not provided	Reporting requirements	C - paragraphs (a), (b) and (c), except  D - paragraph (c)(3)		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.61	Not provided	Records	C - paragraphs (a) and (b)  D - paragraphs (c) and (f)  D/H&S - paragraphs (d) and (e)	The H&S designation for paragraph (e) is warranted by the requirement for transfer of certain records (e.g. spills or spread of contamination) important for decommissioning to a subsequent licensee at the same facility.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and D/H&S and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§40.65	Not provided	Effluent monitoring reporting requirements	C - states with authority to regulate uranium mill activities (11e.2 byproduct material)  D - states without authority		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C for States with the authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then the essential objectives of the NRC provisions in 10 CFR should be adopted.
Appendix A	Not provided		C - states with authority to regulate uranium mill activities (11e.2 byproduct material)  D - states without authority		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C for States with the authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then the essential objectives of the NRC provisions in 10 CFR should be adopted.

**Part 71 - PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL**

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
§71.4		Definitions			
	Not provided	A1	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Carrier	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Exclusive use	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Fissile material	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Low Specific Activity (LSA) material	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Low toxicity alpha emitters	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Maximum normal operating pressure	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Natural thorium	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Normal form radioactive material	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Package	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Fissile material package	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Type B package	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Packaging	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Special form radioactive material	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Specific activity	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Surface Contaminated Object (SCO)	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Transport Index	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Type A quantity	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULE
	Not provided	Type B quantity	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Natural Uranium	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Depleted Uranium	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
	Not provided	Enriched Uranium	B		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
§71.5	4730.1502.B.	Transportation of Licensed Material	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.10	4730.1503.B.	Exemptions for low level material	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.12	4730.1505	General license: NRC-approved package	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.13.	4730.1506	Previously approved package	B - paragraphs (a) and (b)  NRC - paragraphs (c) and (d)	Paragraphs (c) and (d) address transportation package approvals areas reserved to the NRC	These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.14	4730.1507	General license: DOT specification container material	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§71.16	4730.1508	General license: Use of foreign approved package	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.43	4730.1513.I & J	General Standards for all packages	NRC		These provisions need to be deleted. These provisions are designated a Compatibility Category NRC and should not be adopted by Agreement States.
§71.51	4730.1513.G	Additional Requirements for Type B packages	NRC		These provisions need to be deleted. These provisions are designated a Compatibility Category NRC and should not be adopted by Agreement States.
§71.81	Not provided	Applicability of operating controls	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.83	4730.1511	Assumptions as to unknown properties	NRC		These provisions need to be deleted. These provisions are designated a Compatibility Category NRC and should not be adopted by Agreement States.
§71.85	4730.1512	Preliminary determinations	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.87	4730.1513	Routine determinations	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.88	4730.1514	Air Transportation of plutonium	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§71.89	Not provided	Opening instructions	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10 CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULE</b>
§71.97	Not provided	Advance notification of shipment of irradiated reactor fuel and nuclear waste	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
Appendix A	Not provided	Determination of A1 and A2	B		These provisions need to be revised to be consistent with the 10 CFR regulation. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.

**Part 150 - EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES AND IN OFFSHORE WATERS UNDER SECTION 274**

<b>NRC RULE</b>	<b>STATE RULE</b>	<b>SECTION TITLE</b>	<b>CATEGORY</b>	<b>COMMENTARY ON 10CFR PROVISION FROM OSP PROCEDURE SA-200</b>	<b>COMMENTS ON STATE RULES</b>
§150.3		Definitions			
§150.3(b)	Not provided	Agreement State	B	Definition has significant nationwide and transboundary implications.	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
§150.3(c)	Not provided	Byproduct Material	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
§150.3(f)	Not provided	Offshore Waters	B	Essential to the reciprocity provisions in §150.20	This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category B and should be essentially identical to the NRC definition in 10 CFR.
§150.3(g)	Not provided	Person	C		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category C and the essential objectives of the NRC definition in 10 CFR should be adopted.
§150.3(i)	Not provided	Source material	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.

NRC RULE	STATE RULE	SECTION TITLE	CATEGORY	COMMENTARY ON 10CFR PROVISION FROM OSP PROCEDURE SA-200	COMMENTS ON STATE RULES
§150.3(j)	Not provided	Special nuclear material	A		This definition was not included in the proposed Minnesota regulations. This definition is designated a Compatibility Category A and should be essentially identical to the NRC definition in 10 CFR.
§150.11	Not provided	Critical mass	B	Defines scope of authority that NRC can relinquish to States for special nuclear materials. This must be identical from State to State and therefore has significant and direct transboundary implications.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category B and should be essentially identical to the NRC provisions in 10 CFR.
§150.20	4730.216	Recognition of Agreement State licenses	C - paragraphs (a) and (b)  NRC - paragraphs (c) and (d)	Provisions in (a) and (b) are important for coherent regulation of agreement material on a national basis.  The Agreement State should adopt these requirements so that the State reciprocally recognizes licenses issued by other Agreement States and NRC within its jurisdiction, including provisions for notifying the regulatory agency when work is to be performed under reciprocity. Any fee provisions are Compatibility Category D. Provisions in (c) & (d) relate to NRC authority to regulate activities in offshore waters.	These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C and the essential objectives of the NRC provisions in 10 CFR should be adopted.
§150.31	Not provided	Requirements for Agreement State regulation of byproduct material	C - States with authority to regulate uranium mill activities (11e.2 byproduct material)  D - States without authority		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C for States with the authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then the essential objectives of the NRC provisions in 10 CFR should be adopted
§150.32	Not provided	Funds for reclamation or maintenance of byproduct material	C - States with authority to regulate uranium mill activities (11e.2 byproduct material)  D - States without authority		These provisions were not included in the proposed Minnesota regulations. These provisions are designated a Compatibility Category C for States with the authority to regulate uranium mill activities. If the State of Minnesota plans to assume authority to regulate a uranium mill regulatory program, then the essential objectives of the NRC provisions in 10 CFR should be adopted