

JULY 28, 2000

ALL AGREEMENT STATES
MINNESOTA, OKLAHOMA, PENNSYLVANIA, WISCONSIN

**PROGRAM MANAGEMENT INFORMATION: REVISION OF CHRONOLOGY OF NRC
AMENDMENTS (STP-00-064)**

Enclosed is the latest revision to the Chronology of the Nuclear Regulatory Commission (NRC) Amendments (Final Regulations Adopted since January 1, 2000 through June 2000) as maintained by the Office of State and Tribal Programs. The chronology is for your use to plan rulemaking actions that are needed to satisfy the compatibility category designations of the NRC regulations. This document will also be used by the Integrated Materials Performance Evaluation Program (IMPEP) teams during upcoming program reviews. The table format is the same as our Summary of Chronology of NRC Amendments issued (SP-00-006) January 14, 2000. We have also added the Regulatory Assessment Tracking System (RATS) Identification to the amendments and enclosed the latest RATS Data Sheet that summarizes recent amendments and is used during our IMPEP reviews.

In the electronic version of this Revision, we have linked each Federal Register citation to the particular regulation in the Federal Register to make search times more efficient.

If you have any questions regarding this correspondence, please contact me or the individual named below.

POINT OF CONTACT:	Stephen N. Salomon	INTERNET:	SNS@NRC.GOV
TELEPHONE:	(301) 415-2368	FAX:	(301) 415-3502

/ RA /

Frederick C. Combs, Deputy Director
Office of State and Tribal Programs

Enclosures:
As stated

Distribution:

DIR RF
PLohaus
OSTP Staff
Agreement State File

DCD (SP03)
PDR (YES✓)

DOCUMENT NAME: C:\STP-00-064.WPD

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	STP		OGC		STP:DD				
NAME	SNSalomon		STreby		FCombs				
DATE	07/11/00*		07/24/00*		07/14/00* 7/28/00				

STP FILE CODE: SP-A-4

CHRONOLOGY OF NRC AMENDMENTS (FINAL REGULATIONS ADOPTED January 1, 2000 through June 30, 2000)¹

(Compatibility and Health and Safety category designations pursuant to the Policy Statement on Adequacy and Compatibility approved June 30, 1997)

REGULATION SECTION	SECTION TITLE	SUGGESTED STATE REGULATIONS ²	COMPATIBILITY/ H&S CATEGORY	SUMMARY OF CHANGE
--------------------	---------------	--	-----------------------------	-------------------

**Energy Compensation Sources for Well Logging and Other Regulatory Clarifications
(65 FR 20337, April 17, 2000)
Effective May 17, 2000, RATS ID: 2000-1**

39.2	Definitions	Part W (not yet included)	B	Two new definitions are added - "Energy Compensation Source (ECS)" and "Tritium neutron generator target source."
39.15(a)(5)(ii)	Agreement with well owner or operator	Part W (not yet included)	B	Revised to allow a more performance-based approach to prevent inadvertent intrusion on an abandoned source.
39.15(a)(5)(iii)	"	Part W (not yet included)	B	Revised to meet NRC's metrification policy.

¹See All Agreement States Letter (SP-00-006), January 14, 2000, for Chronology of NRC Amendments before January 1, 2000.

²Prepared by the Conference of Radiation Control Program Directors, Inc.

39.35(b)	Leak testing of sealed sources (b) Method of testing	Part W (not yet included)	B	Revised to meet NRC's metrification policy.
39.35(c)(1)	Leak testing of sealed sources (c) Test frequency	Part W (not yet included)	B	Essentially repeats the existing paragraph on leak testing frequency, but notes that ECSs are not included in this paragraph.
39.35(c)(2)	“	Part W (not yet included)	B	Allows a 3-year leak testing interval for ECSs.
39.35(d)	Leak testing of sealed sources (d) Removal of leaking source from service	Part W (not yet included)	B	Revised to meet NRC's metrification policy.
39.35(e)(1)	Leak testing of sealed sources	Part W (not yet included)	B	An editorial change to indicate that hydrogen-3 and tritium are the same.
39.35(e)(4) and (5)	“	Part W (not yet included)	B	Revised to meet NRC's metrification policy.
39.41(a)	Design and performance criteria for sources	Part W (not yet included)	B	A new paragraph that describes the applicable requirements for a sealed source which includes requirements from the existing §39.41(a)(1) and (2).

39.41(b)	“	Part W (not yet included)	B	A new paragraph to allow pre-1989 sources to meet USASI standards.
39.41(c)	“	Part W (not yet included)	B	A new paragraph providing the use of current ANSI standards.
39.41(d)	“	Part W (not yet included)	B	Replaces the existing §39.41(a)(3).
39.41(d)(1)(v)	“	Part W (not yet included)	B	Revised to meet the NRC’s metrification policy (the existing §39.41(a)(3)).
39.41(e)	“	Part W (not yet included)	B	Replaces the existing §39.41(b) and edited to be consistent with the above changes.
39.41(f)	“	Part W (not yet included)	B	A new paragraph clarifying that this section does not apply to ECSs.
39.49	Uranium sinker bars	Part W (not yet included)	C	Revised to eliminate an obsolete date.
39.53	Energy compensation source	Part W (not yet included)	C	A new section providing requirements for ECSs.
39.55	Tritium neutron generator source	Part W (not yet included)	C	A new section providing requirements for tritium neutron generator target sources.

39.77(c)(1)(i) and (ii)	Notification of incidents and lost sources; abandonment procedures for irretrievable source	Part W (not yet included)	C	Revised to allow an option to immediately abandon a well without receiving prior NRC approval when the licensee believes there is an immediate threat to public health and safety.
39.77(d)(9)	“	Part W (not yet included)	C	A new paragraph that requires the licensee to justify in writing why it was necessary to immediately abandon a well without prior NRC approval.

Appendix E, SA-201

**REGULATION ASSESSMENT TRACKING SYSTEM
RATS DATA SHEET**

State:

Tracking Ticket Number:

Date:

[Number of proposed/final amendments (date) reviewed are identified by a ★ at the beginning of each equivalent NRC regulation.]

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed/ Final-Comment (Y/N)¹	NRC Review Date	Final State Regulation² (Effective Date)
Standards for Protection Against Radiation-Part 20	56 FR 23360 plus others (1/1/94)	1991-3			
Safety Requirements for Radiographic Equipment-Part 34	55 FR 843 (1/10/94)	1991-1			
ASNT Certification of Radiographers-Part 34	56 FR 11504 (none)	1991-2			Not required ³
Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70	56 FR 64980 (10/15/94)	1991-4			
Quality Management Program and Misadministrations-Part 35	56 FR 34104 (1/27/95)	1992-1			
Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions-Parts 30,35	57 FR 45566 (none)	1992-2			Not required ³
Licensing and Radiation Safety Requirements for Irradiators-Part 36	58 FR 7715 (7/1/96)	1993-2			Not applicable SECY-95-112 ⁴
Definition of Land Disposal and Waste Site QA Program-Part 61	58 FR 33886 (7/22/96)	1993-3			Not applicable SECY-95-112 ⁴
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628 (10/25/96)	1993-1			
Self-Guarantee as an Additional Financial Mechanism- Parts 30, 40, 70	58 FR 68726 59 FR 1618 (none)	1994-1			Not required ³
Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards-Part 40	59 FR 28220 (7/1/97)	1994-2			
Timeliness in Decommissioning Material Facilities-Parts 30, 40, 70	59 FR 36026 (8/15/97)	1994-3			
Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use-Parts 30, 32, 35	59 FR 61767 59 FR 65243 60 FR 322 (1/1/98)	1995-1			
Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20	60 FR 7900 (3/13/98)	1995-2			

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed/ Final- Comment (Y/N) ¹	NRC Review Date	Final State Regulation ² (Effective Date)
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649 60 FR 25983 (3/1/98)	1995-3			
Performance Requirements for Radiography Equipment- Part 34	60 FR 28323 (6/30/98)	1995-4			
Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038 (8/14/98)	1995-5			
Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235 (11/24/98)	1995-6			
Medical Administration of Radiation and Radioactive Materials-Parts 20, 35	60 FR 48623 (10/20/98)	1995-7			
10 CFR Part 71: Compatibility with the International Atomic Energy Agency-Part 71	60 FR 50248 61 FR 28723 (4/1/99)	1996-1			
One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses-Parts 30, 40, 70	61 FR 1109 (none)	1996-2			Not required ³
Termination or Transfer of Licensed Activities: Recordkeeping Requirements-Parts 20, 30, 40, 61, 70	61 FR 24669 (6/17/99)	1996-3			
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act-Part 20	61 FR 65120 (1/9/00)	1997-1			
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907 (none)	1997-4			Not required ³
Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State-Part 150	62 FR 1662 (2/27/00)	1997-2			
Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120 (5/29/00)	1997-3			
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations-Parts 30, 34, 71, 150	62 FR 28948 (6/27/00)	1997-5			
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39058 (8/20/00)	1997-6			
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea-Part 30	62 FR 63634 (1/02/01)	1997-7			
Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 150	63 FR 1890 63 FR 13773 (2/12/01)	1998-1			

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed/ Final-Comment (Y/N)¹	NRC Review Date	Final State Regulation² (Effective Date)
Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees-Parts 30, 40, 70	63 FR 29535 (none)	1998-2			Not required ³
License Term for Medical Use Licenses-Part 35	63 FR 31604 (none)	1998-3			Not required ³
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations-Part 34	63 FR 37059 (7/9/01)	1998-4			
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20, 35, 36	63 FR 39347 63 FR 45393 (10/26/01)	1998-5			
Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20	63 FR 50127 (11/20/01)	1998-6			
Radiological Criteria for License Termination of Uranium Recovery Facilities-Part 40	64 FR 17506 (6/11/02)	1999-1			
Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information-Part 31	64 FR 42269 (none)	1999-2			Not required ³
Respiratory Protection and Controls to Restrict Internal Exposure - Part 20	64 FR 54543 64 FR 55525 (2/2/03)	1999-3			
Energy Compensation Sources for Well Logging and Other Regulatory Clarifications - Part 39	65 FR20337 (5/17/03)	2000-1			

1. (Y/N) Y means "Yes," there are comments in the review letter that the State needs to address. N means "No," there are no comments in the review letter.
2. Or other generic Legally Binding Requirement.
3. Not required means these regulations are not required for purposes of compatibility.
4. A State need not adopt a specific regulation if the State has no licensees that would be subject to that regulation. See: "Final Policy Statement on Adequacy and Compatibility of Agreement State Programs," III.1. Time Frame for Adoption of Compatible State Regulations, p. 6, SECY-95-112, May 3, 1995.