

June 3, 2004

Ms. Barbara Romanowsky, Administrator
Office of Environmental Assessment
Louisiana Department of Environmental Quality
P.O. Box 4314
Baton Rouge, LA 70821

Dear Ms. Romanowsky:

We have reviewed the proposed regulation amendments to the Louisiana Administrative Code, Title 33, Part XV, *Radiation Protection*, RP036, received by our office on May 4, 2004. Our review and comments are in response to the State's request for Nuclear Regulatory Commission (NRC) evaluation of the changes to Louisiana Administrative Code that incorporated the amendments identified on the State Regulation Status Data Sheet (SRS). These regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) regulations in 10 CFR Part 20, 32, and 35 and the requirements of the one amendment identified in the enclosed SRS. We discussed our review of the regulations with Sharon Parker on June 3, 2004.

As a result of our review, we have fifteen comments. 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. Please provide a final amended version of your rules showing the location of any changes made in response to our comments. If there are any comments which Louisiana believes are in error, the State should identify the section of their regulations that meet the designated compatibility category. Please note that we have limited our review to regulations required for compatibility and/or health and safety, but have determined that if these regulations are adopted, incorporating our comments and without significant change, they would meet the compatibility and health and safety categories established in the Office of State and Tribal Programs (STP) Procedure SA-200, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements." (STP-02-075)

We have also identified a number of issues related to training and experience requirements of persons conducting activities under 10 CFR Part 35, "Medical Use of Byproduct Material." We understand that these items will be resolved at a later date when the NRC rulemaking, in 10 CFR Part 35 related to training and experience, is completed and Louisiana revises that part of its regulations containing these requirements. We have included them in a separate chart for your convenience, and no action on these items is required at this time.

The SRS Data Sheet summarizes our knowledge of the status of other Louisiana regulations, as indicated. Please let us know if you note any inaccuracies, or have any comments on the information contained in the SRS Data Sheet. This letter, including the SRS Data Sheet, is posted on the STP website: <http://www.hrsd.ornl.gov/nrc/rulemaking.htm>.

Ms. Barbara Romanowsky

-2-

June 3, 2004

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 Aaron McCraw of my staff at (301) 415-1277 or ATM@NRC.GOV.

Sincerely,

IRA By K.N.Schneider For

Josephine Piccone, Deputy Director
Office of State and Tribal Programs

Enclosures:
As stated

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 Aaron McCraw of my staff at (301) 415-1277 or ATM@NRC.GOV.

Sincerely,

IRA By K.N.Schneider For

Josephine Piccone, Deputy Director
Office of State and Tribal Programs

Enclosures:
As stated

Enclosures:
As stated

Distribution:

DIR RF [4-107] DCD (SP08) Linda McLean RSAO K. Schneider ASPO
PDR (YES_✓) BUSilton Louisiana File Response to Incoming Document: ML041250500

DOCUMENT NAME:C:\ORPCheckout\FileNET\ML041590013.wpd Response to
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		STP		OGC		STP	
NAME	AMcCraw		JZabko		STreby		KNS for JMPiccone	
DATE	05/13/04*		05/13/04*		06/03/04*		06/03/04*	

ML041590013

OFFICIAL COPY

EDITORIAL SUGGESTIONS

1. In §756.B.4, change the reference to “Subsection A of this Section” to “Subsection B” to correctly reflect the intention of the paragraph.
2. In Paragraphs 4 and 5 of §757.A replace all instances of “teletherapy physicist” with “authorized medical physicist” to reflect trade-accepted language.

**COMMENTS ON PROPOSED LOUISIANA REGULATIONS
AGAINST COMPATIBILITY AND HEALTH AND SAFETY CATEGORIES**

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	421	20.1301 (a) and (c)	2002-2	A	<p>Dose limits for individual members of the public.</p> <p>421.B allows access to be granted to members of the public to restricted areas. 10 CFR 20.1301 states that access can only be granted to controlled areas. The words controlled and restricted cannot be used interchangeably. They are defined as two separate areas.</p> <p>The State should change the wording of 421.B to reflect the difference between the controlled area and the restricted area.</p>
2	421	20.1301 (a) and (c)	2002-2	A	<p>Dose limits for individual members of the public.</p> <p>State omits requirements of paragraph (c) of Part 20.1301 for members of the public visiting a person that cannot be released under 35.75 or equivalent Agreement State regulations.</p> <p>The State needs to adopt regulations regarding the dose to individual members of the public received from patients released under Part 35.75 or equivalent regulations to meet compatibility.</p>
3	102	35.2	2002-2	B	<p>Definition: Authorized medical physicist.</p> <p>State omits the requirements of paragraph (1) of the definition of authorized medical physicist in Part 35.2, which defines the training and experience required for an authorized medical physicist.</p> <p>The State needs to add a reference to the required training and experience for an authorized medical physicist to meet compatibility.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
4	102	35.2	2002-2	B	<p>Definition: Authorized nuclear pharmacist.</p> <p>State omits the requirements of paragraph (1) of the definition of authorized nuclear pharmacist in Part 35.2, which defines the training and experience required for an authorized nuclear pharmacist.</p> <p>The State needs to add a reference to the required training and experience for an authorized nuclear pharmacist to meet compatibility.</p>
5	102	35.2	2002-2	B	<p>Definition: Authorized user.</p> <p>State omits the requirements of paragraph (1) of the definition of authorized user in Part 35.2, which defines the training and experience required for an authorized user.</p> <p>The State needs to add a reference to the required training and experience for an authorized user to meet compatibility.</p>
6	102	35.2	2002-2	B	<p>Definition: Radiation Safety Officer.</p> <p>State omits the requirements of paragraph (1) of the definition of radiation safety officer in Part 35.2, which defines the training and experience required for a radiation safety officer.</p> <p>The State needs to add a reference to the required training and experience for a radiation safety officer to meet compatibility.</p>
7	102	35.2	2002-2	B	<p>Definition: Radiation Safety Officer.</p> <p>The State definition does not mention that the Radiation Safety Officer is required to be listed on the license as is found in the definition in Part 35.2.</p> <p>The State should add language to the current definition to reflect that the radiation safety officer must be listed on the license to meet compatibility.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
8	102	35.2	2002-2	B	<p>Definition: Sealed Source.</p> <p>The State definition refers to a sealed source as any container of radioactive material constructed to prevent escape of material. This definition may be confusing or misleading. Part 35.2 uses language that ensures the source is encased to prevent leakage and escape of material.</p> <p>The State should revise their current definition to define that the source should be encased or encapsulated to prevent leakage or escape of material to provide clarity.</p>
9	703	35.6	2002-2	C	<p>Provisions for the protection of human research subjects</p> <p>The State has omitted the requirements of Part 35.6(b)(1) and (2) that require the licensee to obtain approval from an "Institutional Review Board" and the subject's "informed consent" prior to conducting Federally conducted, funded, supported or regulated research activities.</p> <p>The State needs to adopt the requirements of Part 35.6 requiring Institutional Review Board approval and patient informed consent for the research activities listed above.</p>
10	706 707	35.24	2002-2	D - paragraphs (a) (1), (a) (2), (a)(3), (c), (d), (e), (g) and (h) H&S- paragraph (b) and (f)	<p>Authority and responsibilities for the radiation protection program</p> <p>The State's regulations do not require the radiation safety officer to agree in writing to assuming responsibility of the licensee's radiation protection program. The lack of this requirement may cause liability issues in the event of a violation or accident.</p> <p>The State needs to add language to ensure that each licensee requires the radiation safety officer to assume responsibility of the radiation protection program in writing to meet compatibility.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
11	763.O	35.59	2002-2	B	<p>Recentness of training</p> <p>The State requires training and experience to be acquired within five years of application. NRC regulations allow training to be acquired within seven years of application. The State's regulations are more restrictive than those of the NRC. This could potentially have transboundary implications.</p> <p>The State needs to adopt the requirements of Part 35.59 to meet compatibility.</p>
12	736 737 742 743	35.310 35.315 35.410 35.415	2002-2	H&S	<p>Safety instruction/Safety precautions</p> <p>The State requires the radiation safety officer or the authorized user to be contacted in the event of the patient's or human research subject's death or medical emergency. NRC regulations require both the radiation safety officer or his/her designee and the authorized user to be contacted in the event of a death or medical emergency.</p> <p>The State needs to change the language of their equivalent rule to ensure both the radiation safety officer or designee and the authorized user are contacted.</p>
13	755	35.630	2002-2	H&S, except paragraph (c) is D	<p>Dosimetry equipment</p> <p>The State's requirements for intercomparing dosimetry systems to be used for calibrating sealed sources for therapeutic units do not require the licensee to use a comparable unit in reference to beam attenuators or collimators, as applicable, but does require the radionuclide to be the same as the source used at the licensee's facility.</p> <p>The State needs to add additional language regarding the similarities in beam attenuators and collimators between units as found in 10 CFR 35.630(a)(2) to meet compatibility.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
14	757.A 759	35.642	2002-2	H&S, except paragraph (f) is D.	<p>Periodic spot-checks for teletherapy units</p> <p>In Paragraph A.2.a of §757, the State uses the term “constancy” instead of “accuracy.” This may be an editorial error since similar language in other sections is correct; however, the error will cause compatibility issues.</p> <p>In Paragraph A.2.a of §757, the State needs to replace “constancy” with “accuracy” to meet compatibility.</p>
15	757.A 759	35.642	2002-2	H&S, except paragraph (f) is D.	<p>Periodic spot-checks for teletherapy units</p> <p>In Paragraph A.7.d. of §757, the State does not require the intercom system to be inspected during the safety-spot check. This may be an editorial error since similar language in other sections is correct; however, the error will cause compatibility issues.</p> <p>In Paragraph A.7.d. of §757, the State needs to add “intercom system” to the items inspected during the safety-spot check to meet compatibility.</p>

COMMENTS ON PROPOSED LOUISIANA REGULATIONS AGAINST COMPATIBILITY AND HEALTH AND SAFETY CATEGORIES FOR TRAINING REQUIREMENTS FOR MEDICAL LICENSEES

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	763	35.50	2002-2	B	<p>Training for Radiation Safety Officer</p> <p>The State has retained part of the previous Part 35 training requirements; however, in its letter transmitting this amendment, the State noted that it will amend training requirements for Radiation Safety Officers upon completion of NRC's current 10 CFR 35 rulemaking regarding training requirements for physician authorized users.</p> <p>The State should revise this requirement when the NRC rulemaking for Part 35 on training is completed.</p>
2	763	35.51	2002-2	B	<p>Training for an Authorized Medical Physicist</p> <p>The State has retained part of the previous Part 35 training requirements; however, in its letter transmitting this amendment, the State noted that it will amend training requirements for an authorized medical physicist on completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise this requirement when the NRC rulemaking for Part 35 on training is completed.</p>
3	763	35.55	2002-2	B	<p>Training for an authorized nuclear pharmacist</p> <p>The State has retained part of the previous Part 35 training requirements; however, in its letter transmitting this amendment, the State noted that it will amend training requirements for an authorized nuclear pharmacist upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise this requirement when the NRC rulemaking for Part 35 on training is completed.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
4	763	35.57	2002-2	B	<p>Training for experienced Radiation Safety Officer, teletherapy or medical physicist, authorized user, and nuclear pharmacist</p> <p>The State has retained part of the previous Part 35 training requirements; however, in its letter transmitting this amendment noted that it will amend training requirements for experienced Radiation Safety Officer, teletherapy or medical physicist, authorized user, and nuclear pharmacist upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>
5	763	35.190	2002-2	B	<p>Training for uptake, dilution and excretion studies</p> <p>The State has retained part of the previous Part 35 training requirements; however, its letter transmitting this amendment noted that it will amend training requirements for uptake, dilution and excretion studies upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>
6	763	35.290	2002-2	B	<p>Training for imaging and localization studies</p> <p>The State has retained part of the previous Part 35 training requirements; however, its letter transmitting this amendment noted that it will amend training requirements for imaging and localization studies upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>
7	763	35.390	2002-2	B	<p>Training for use of unsealed byproduct material for which a written directive is required</p> <p>The State has retained part of the previous Part 35 training requirements; however, its letter transmitting this amendment noted that it will amend training requirements for use of unsealed byproduct material for which a written directive is required upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
8	763	35.392	2002-2	B	<p>Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 Gigabecquerels (33 microcuries)</p> <p>The State does not have regulations for the the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 Gigabecquerels (33 microcuries). In its letter transmitting this amendment, the State noted that it will amend training requirements upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should include regulations addressing this NRC requirement when the NRC rulemaking for Part 35 on training is completed.</p>
9	763	35.394	2002-2	B	<p>Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 Gigabecquerels (33 microcuries)</p> <p>The State does not have regulations for the the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 Gigabecquerels (33 microcuries). In its letter transmitting this amendment, the State noted that it will amend training requirements upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should include regulations addressing this NRC requirement when the NRC rulemaking for Part 35 on training is completed.</p>
10	763	35.490	2002-2	B	<p>Training for use of manual brachytherapy sources</p> <p>The State has retained part of the previous Part 35 training requirements; however, in its letter transmitting this amendment the State noted that it will amend training requirements for use of manual brachytherapy sources upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
11	763	35.491	2002-2	B	<p>Training for ophthalmic use of strontium-90</p> <p>The State has retained part of the previous Part 35 training requirements; however, its letter transmitting this amendment noted that it will amend training requirements for ophthalmic use of strontium-90 upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>
12	763	35.590	2002-2	B	<p>Training for use of sealed sources for diagnosis</p> <p>The State has retained part of the previous Part 35 training requirements; however, its letter transmitting this amendment noted that it will amend training requirements for use of sealed sources for diagnosis upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>
13	763	35.690	2002-2	B	<p>Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units.</p> <p>The State has retained part of the previous Part 35 training requirements; however, its letter transmitting this amendment noted that it will amend training requirements for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units upon completion of NRC's current 10 CFR 35 rulemaking regarding pertinent training requirements.</p> <p>The State should revise these requirements when the NRC rulemaking for Part 35 on training is completed.</p>

STATE REGULATION STATUS

State: Louisiana

[One amendment reviewed is identified by a ★
at the beginning of each equivalent NRC regulation.]

Tracking Ticket Number: 4-107

Date: June 3, 2004

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed (P) / Final (F) ¹ Rule / ML # ⁵	NRC Review / Y, N ² / Date /ML # ⁵	Final State Regulation ¹ (Effective Date)
Safety Requirements for Radiographic Equipment-Part 34	55 FR 843; (1/10/94)	1991-1			6/94
ASNT Certification of Radiographers-Part 34	56 FR 11504; (none)	1991-2			Not required ³
Standards for Protection Against Radiation-Part 20	56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183; (1/1/94)	1991-3	P	N 10/15/98	6/94
Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70	56 FR 64980; (10/15/94)	1991-4			6/94
Quality Management Program and Misadministrations-Part 35	56 FR 34104; (1/27/95)	1992-1			11/98
Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions- Parts 30,35	57 FR 45566; (none)	1992-2			Not required ³
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628; (10/25/96)	1993-1	P	N 4/4/97	
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	P	N 4/4/97	Not applicable SECY-95-112 ⁴
Self-Guarantee as an Additional Financial Mechanism-Parts 30, 40, 70	58 FR 68726; 59 FR 1618; (none)	1994-1	F	N 1/6/99	Not required ³ 11/98
Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards-Part 40	59 FR 28220; (7/1/97)	1994-2			Not applicable SECY-95-112 ⁴
Timeliness in Decommissioning Material Facilities-Parts 30, 40, 70	59 FR 36026; (8/15/97)	1994-3	F	N 1/6/99	11/98
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	F	N 1/6/99	11/98
Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20	60 FR 7900; (3/13/98)	1995-2	F	N 1/6/99	10/96
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649; 60 FR 25983; (3/1/98)	1995-3	F	N 1/6/99	11/98
Performance Requirements for Radiography Equipment-Part 34	60 FR 28323; (6/30/98)	1995-4	F	N 1/6/99	9/97

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed (P) / Final (F) Rule / ML # ⁵	NRC Review / Y, N ² / Date /ML # ⁵	Final State Regulation ¹ (Effective Date)
Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038; (8/14/98)	1995-5	F	N 1/6/99	11/98
Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235; (11/24/98)	1995-6	F	N 1/6/99	11/98
Medical Administration of Radiation and Radioactive Materials-Parts 20, 35	60 FR 48623; (10/20/98)	1995-7	F	N 1/6/99	11/98
10 CFR Part 71: Compatibility with the International Atomic Energy Agency-Part 71	60 FR 50248; 61 FR 28724; (4/1/99)	1996-1	F ML020280299	N 2/15/02 ML020460125	5/20/00
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	P	N 6/29/00	5/20/00
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act- Part 20	61 FR 65120; (1/9/00)	1997-1	F ML011510385	N 11/15/01 ML013100191	
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	F ML011510385	N 11/15/01 ML013100191	
Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120; (5/29/00)	1997-3	F	N 1/6/99	11/98
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907; (none)	1997-4			Not required ³
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations-Parts 30, 34, 71, 150	62 FR 28947; (6/27/00)	1997-5	F ML020280299	Y 2/15/02 ML020460125	8/20/01
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39057; (8/20/00)	1997-6	F ML011510385	N 11/15/01 ML013100191	12/20/00
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea- Part 30	62 FR 63634; (1/02/01)	1997-7	F	N 1/6/99	11/98
Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 71, 150	63 FR 1890; 63 FR 13773; (2/12/01)	1998-1	F ML011510385	N 11/15/01 ML013100191	12/20/00
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	P ML010460171	Y 4/13/01 ML011060084	
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20	63 FR 39477; 63 FR 45393; (10/26/01)	1998-5	F ML011510385	Y 11/15/01 ML013100191	12/20/00

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed (P) / Final (F) ¹ Rule / ML # ⁵	NRC Review / Y, N ² / Date /ML # ⁵	Final State Regulation ¹ (Effective Date)
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 55524; (2/2/03)	1999-3	P ML022280310	Y 7/31/03 ML032120609	
Energy Compensation Sources for Well Logging and Other Regulatory Clarifications-Part 39	65 FR 20337; (5/17/03)	2000-1	P ML031760392	Y 7/31/03 ML032120609	
New Dosimetry Technology-Parts 34, 36, 39	65 FR 63750; (1/8/04)	2000-2	P ML031760392	Y 7/31/03 ML032120609	
Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material - Parts 30, 31, 32	65 FR 79162; (2/16/04)	2001-1			
Revision of the Skin Dose Limit-Part 20	67 FR 16298; (4/5/05)	2002-1	P ML040900284	N 4/19/04 ML041110010	
★Medical Use of Byproduct Material-Parts 20, 32, and 35	67 FR 20249; (10/24/05)	2002-2	P ML041250500	Y 6/03/04 ML041590013	
Financial Assurance for Materials Licensees – Parts 30, 40, 70	68 FR 57327 (12/3/06)	2003-1			

1. Or other generic Legally Binding Requirements.
2. (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.
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.
5. ADAMS ML Number