

January 10, 2005

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA

THE GENERALLY LICENSED DEVICE (GL) RULE (STP-05-004)

This letter is being sent to the Agreement States as a follow up to the letter dated July 28, 2004, titled **THE GENERALLY LICENSED DEVICE (GL) RULE (STP-04-057)**. This rule was due for State adoption on February 16, 2004, and as a reminder we have enclosed the results of the GL rule survey previously sent to all Agreement States. Please review the survey summary to determine if your State's response has been accurately reflected. If your State's information is not correct, please contact the person named below within 30 days.* If your State has adopted the entire GL rule and submitted your rules for NRC review, the following does not apply, and we thank you for your effort in promulgating equivalent rules in your State.

If you have effective regulations or license conditions that meet the requirements of the GL rule and have not sent them in to the NRC for review, please submit them using the normal regulation submission process as described in STP Procedure SA-201. If your State has not started the promulgation process for the GL rule or put into place license conditions, we hope this letter serves as a reminder that the due date has passed. When submitting rules for review, please indicate your State rule sections that meet each of the requirements.

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

POINT OF CONTACT: Bill Rautzen
TELEPHONE: (301) 415-7206

INTERNET: WRR@NRC.GOV
FAX: (301) 415-3502

*/RA By Dennis M. Sollenberger Acting for/
Josephine M. Piccone, Deputy Director
Office of State and Tribal Programs*

Enclosure:
As stated

*This information request has been approved by OMB 3150-0029, expiration 06/30/07. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

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OFFICE	STP	STP:DD		
NAME	WRRautzen:kk	JMPiccone (DMSollenberger for)		
DATE	1/10/05	01/10/05		

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STATE	Adopted all requirements of the GL rule in 10 CFR 30, 31, and 32	Did not adopt all requirements of the GL rule in 10 CFR 30, 31, and 32 but have adopted the reporting requirements of 32.52 (a) and (b)	Did not adopt the GL rule nor the reporting requirements of 32.52 (a) and (b)	NRC Comments and required State action, if any
ALABAMA			X	State needs to promulgate and submit rules for review.
ARIZONA			X	State needs to promulgate and submit rules for review.
ARKANSAS			X	State needs to promulgate and submit rules for review.
CALIFORNIA		License Conditions		NRC Reviewed license conditions ML040500440 No NRC comments ML040700191 State needs to promulgate and submit the entire rule for review.
COLORADO	X			Submitted Final Rules ML043290167 No NRC comments ML050050164
FLORIDA		License Conditions		NRC has not reviewed License Conditions, the State needs to submit them for review. State needs to promulgate and submit the entire rule for review.
GEORGIA	X			Submitted final rules ML021540172 No NRC comments 6/26/02 ML021790295
IOWA	X			Submitted Final Rules ML032230070 No NRC comments 9/30/03 MI032740187

ENCLOSURE

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ILLINOIS		License Conditions		NRC has not reviewed license conditions, the State needs to submit them for review. State needs to promulgate and submit the entire rule for review.
KANSAS			X	State needs to promulgate and submit rules for review.
KENTUCKY		License Conditions		NRC reviewed license conditions ML041400324 NRC comments 6/14/04 ML041670027 State must address NRC comments, promulgate and submit rules for review.
LOUISIANA	X			Submitted proposed rules ML041880305 NRC comments 8/26/04 ML042390322 State needs to address comments.
MAINE	X			Submitted in final ML033040387 NRC comments 6/3/04 ML033040387 and 10/14/04 ML042880504 State needs to address comments.
MARYLAND		License Conditions		NRC review of license conditions ML003696531 No NRC comments 3/8/04 ML040690244 State needs to promulgate and submit the entire rule for review.

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MASSACHUSETTS		License Conditions (See Note)		License conditions not reviewed by NRC as of 1/4/05 Submitted proposed rules ML043350129 Under NRC review as of 1/4/05
MISSISSIPPI			X	State needs to promulgate and submit rules for review.
NEBRASKA	X			Submitted in final ML031500771 No NRC comments 6/09/03 ML031610005
NEVADA	X			Submitted in proposed ML033210100 NRC comments 12/23/03 ML033580078 State needs to address comments.
NEW HAMPSHIRE			X	State needs to promulgate and submit rules for review.
NEW MEXICO	X			State indicated they have equivalent rules but they have not sent in for NRC review as of 1/4/05. The State needs to send the rule into the NRC for review.
NYS DOH			N/A	N/A NYDOL jurisdiction
NY DOL		License Conditions		NYS DOL specifically licenses devices containing gamma sources, transuranics or Sr-90 exceeding 1 mCi. NRC reviewed License Conditions ML040770455 No NRC comments 4/2/04 ML040930388 State needs to promulgate and submit rules for review.
NY DEC			N/A	N/A NYDOL jurisdiction

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NYC DOH			N/A	N/A NYDOL jurisdiction
NORTH CAROLINA	X			Submitted proposed rules ML040570448 NRC Comments 3/16/04 ML040760474 State needs to address comments.
NORTH DAKOTA	X			Final rules submitted ML031220151 No NRC comments 04/28/03 ML031010635
OHIO	X			Rules submitted in Final, 2 parts, ML041240504 and ML041900134 No NRC comments 8/9/04 ML042220269
OKLAHOMA	X			State indicated they have equivalent rules but they have not sent in for NRC review as of 1/4/05. State needs to send the rule into the NRC for review.
OREGON			X	State needs to promulgate and submit rules for review.
RHODE ISLAND	X			Final rules submitted ML043010048 No NRC comments 10/24/04 ML043010048
SOUTH CAROLINA	X			Final rules submitted ML030550104 No NRC comments 3/12/03 ML030720133
TENNESSEE	X			NRC review of proposed rules ML040540516 NRC comments 3/25/04 ML040850212 State needs to address comments.
TEXAS DSHS	X			NRC reviewed proposed rules ML040640989 NRC comments 4/2/04 ML040930285 State needs to address comments.

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TEXAS CEQ			N/A	Rules are under Texas SHS.
UTAH	X			Final rules submitted ML04058276 No NRC comments 3/8/04 ML040690493
WASHINGTON	X			Final rules submitted ML040430105 NRC comments 3/11/04 ML040710270 State needs to address comments.
WISCONSIN	X			Final Rules submitted ML012770029 No NRC comments. 4/4/02 ML020950850
PENNSYLVANIA	X			Proposed rules reviewed ML021270241 No NRC comments 5/15/03 ML031360008 PA not an A/S yet.
MINNESOTA	X			Submitted in proposed MLI032461519 NRC comments 11/21/03 ML033280512 MN not an A/S yet.

UPDATED: January 6, 2004

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