

February 16, 2006

Ms. Mary Sue Semerena, Section Administrator
Consumer Health Services
Department of Regulation and Licensure
Nebraska Health and Human Services
301 Centennial Mall South, P.O. Box 95007
Lincoln, NE 68509-5007

Dear Ms. Semerena:

Thank you for your February 2, 2006 letter. We have corrected Nebraska's State Regulation Status Data Sheets (SRS), RATS IDs 1999-1 and 1999-2, to show "not required." A copy of the corrected SRS for the State of Nebraska is enclosed. This change will take a few days to be reflected on the Office of State and Tribal Programs web site. If you have further questions regarding the updated SRS, please feel free to contact Sandra Lai of my staff at (301) 415-4012 or SXL5@NRC.GOV.

Sincerely,

IRA By KNSchneider For

Dennis K. Rathbun, Deputy Director
Office of State and Tribal Programs

Enclosures:
As Stated

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Distribution:

SISP Review Complete

DIR RF[6-44] DCD (SP05) : Publicly Available Non-Publicly Available
PDR(YES_T) : Non-Sensitive Sensitive

Response to Incoming: ML060440314

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OFFICE	STP		STP		STP:DD	
NAME	SLai		KSchneider		DRathbun	
DATE	2/16/06*		2/16/06*		2/16/06*	

ML060460024

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STATE REGULATION STATUS

State: Nebraska

**Tracking
Ticket
Number:
6-44**

[Corrected Sheets as of 02/16/2006]

Date: 02/16/2006

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed (P) Final (F)¹ Rule / License Condition (LC) ML #⁵	NRC Review / Y, N² / Date / License Condition (LC) ML #⁴
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		
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	10/7/97	
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		
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628; (10/25/96)	1993-1	F ML022800655	N 10/18/02 ML022960258
Licensing and Radiation Safety Requirements for Irradiators-Part 36	58 FR 7715; (7/1/96)	1993-2	F ML022800655	N 10/18/02 ML022960258
Definition of Land Disposal and Waste Site QA Program-Part 61	58 FR 33886; (7/22/96)	1993-3		
Self-Guarantee as an Additional Financial Mechanism-Parts 30, 40, 70	58 FR 68726; 59 FR 1618 (none)	1994-1		
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	F ML022800655	N 10/18/02 ML022960258
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 ML022800655	N 10/18/02 ML022960258
Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20	60 FR 7900; (3/13/98)	1995-2	F	N 5/19/99
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649; 60 FR 25983 (3/1/98)	1995-3	F	N 5/19/99
Performance Requirements for Radiography Equipment-Part 34	60 FR 28323; (6/30/98)	1995-4	F ML003763184	N 2/1/01 ML010330318
Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038; (8/14/98)	1995-5	F	N 5/19/99
Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235; (11/24/98)	1995-6	F ML022800566	N 10/18/02 ML022960258

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Medical Administration of Radiation and Radioactive Materials- Parts 20, 35	60 FR 48623; (10/20/98)	1995-7	F ML022800655	N 10/18/02 ML022960258
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 ML003763184	N 2/1/01 ML010330318
One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses-Parts 30, 40, 70	61 FR 1109; (none)	1996-2		
Termination or Transfer of Licensed Activities: Recordkeeping Requirements-Parts 20, 30, 40, 61, 70	61 FR 24669; (6/17/99)	1996-3	F ML022800655	N 10/18/02 ML022960258
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act-Part 20	61 FR 65120; (1/9/00)	1997-1	F ML003763184	N 2/1/01 ML010330318
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 ML003763184	N 2/1/01 ML010330318
Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120; (5/29/00)	1997-3	F ML022800655	N 10/18/02 ML022960258
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907; (none)	1997-4		
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 ML003763184	N 2/1/01 ML010330318
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39057; (8/20/00)	1997-6	F ML011130396	N 7/20/01 ML012010439
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea-Part 30	62 FR 63634; (1/02/01)	1997-7	F ML003763184	N 2/1/01 ML010330318
Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 71, 150	63 FR 1890; 63 FR 13773 (2/12/01)	1998-1	F ML031500771	N 6/09/03 ML031610005
Self-Guarantee of Decommissioning Funding by Nonprofit and Non- Bond-Issuing Licensees- Parts 30, 40, 70	63 FR 29535; (none)	1998-2		
License Term for Medical Use Licenses-Part 35	63 FR 31604; (none)	1998-3		
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations-Part 34	63 FR 37059; (7/9/01)	1998-4	F ML003763184	N 2/1/01 ML010330318
Minor Corrections, Clarifying Changes, and a Minor Policy Change- Parts 20, 35, 36	63 FR 39477; 63 FR 45393 (10/26/01)	1998-5	F ML031500771	N 6/09/03 ML031610005
Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20	63 FR 50127; (11/20/01)	1998-6	F ML022800655	N 10/18/02 ML022960258
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		
Respiratory Protection and Controls to Restrict Internal Exposure- Part 20	64 FR 54543; 64 FR 55524 (2/2/03)	1999-3	F ML031500771	N 6/09/03 ML031610005
Energy Compensation Sources for Well Logging and Other Regulatory Clarifications-Part 39	65 FR 20337; (5/17/03)	2000-1	F ML031500771	N 6/09/03 ML031610005

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New Dosimetry Technology-Parts 34, 36, 39	65 FR 63750; (1/8/04)	2000-2	F ML031500771	N 6/09/03 ML031610005
Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material - Parts 30, 31, 32	65 FR 79162; (2/16/04)	2001-1	F ML031500771	N 6/09/03 ML031610005
Revision of the Skin Dose Limit -Part 20	67 FR 16298; (4/5/05)	2002-1		
Medical Use of Byproduct Material-Parts 20, 32, and 35	67 FR 20249; (4/24/05)	2002-2		
Financial Assurance for Materials Licensees – Parts 30, 40, 70	68 FR 57327; (12/3/06)	2003-1		
Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments – Part 71	69 FR 3697; (10/01/07)	2004-1		
Security Requirements for Portable Gauges Containing Byproduct Material - Part 30	70 FR 2001; (7/11/08)	2005-1		
Medical Use of Byproduct Material - Recognition of Specialty Boards - Part 35	70 FR 16336; 71 FR 1926 (4/29/08)	2005-2		
Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) ⁶	70 FR 72128; (12/1/05)	2005-3	LC MI 053060118	N 11/3/05 MI 053070551

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
6. By letter dated September 2, 2005, from Paul H. Lohaus, Director, Office of State and Tribal Programs, Agreement States were given 90 days to issue legally binding requirements satisfying the requirements of NRC Order EA-05-090.