

July 10, 2006

Terry D. Lindsey, Manager  
Department of Human Services, Radiation Protection Services  
Oregon State Public Health  
800 NE Oregon St.  
Portland, Oregon 97232

Dear Mr. Lindsey:

We have reviewed the proposed revisions to the Oregon Administrative Rules (Div. 333), Radiation Protection Services, as received by our office on May 18, 2006. These regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) rules in 10 CFR Parts 20, 30, 31, 32, 34, 35, 36, 39, 40, and 70; and the requirements of the nine amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with Terry Lindsey on June 30, 2006.

With respect to Part 31, as noted in All Agreement States letter STP-05-072, dated September 28, 2005, NRC staff will continue to review Agreement State GL Device proposed and final rules but will hold in abeyance any determination on those rules and compatibility of those rules if the Agreement State has the essential elements of the NRC's rule and is more restrictive than the NRC's rule. For Agreement States without a GL Device rule or a GL Device rule less restrictive than the NRC rules, the staff will factor this determination into results of the NRC's review of the State's proposed and final rules and the compatibility findings during Integrated Materials Performance Evaluation Program (IMPEP) reviews.

As a result of our review against the GL Device Rule Compatibility Category B designation, we have 18 comments as listed in the enclosure. Comments 7, 14, 15, 16, 20, 21, and 24 indicate that the State's regulations are more restrictive than the NRC's regulations, and there is no corrective action required for these comments at this time. However, Comments 8, 9, 10, 11, 12, 13, 17, 18, 19, 22 and 23 indicate that the State's regulations are less restrictive than the NRC's regulations, and they need to be addressed in the State's future rulemaking process. We request that when a final amended version of the Oregon regulations is adopted and published in response to our comments, that a copy of the "as published" regulations be provided to us for review as requested in STP Procedure SA-201, *Review of State Regulatory Requirements*.

As a result of the remainder of our review, we have 12 comments that have been identified in the enclosure. Please note that we have limited our review to regulations required for compatibility and/or health and safety. Under our current procedure, a finding that the Oregon regulations meet the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final Oregon regulations. However, we have determined that if your proposed regulations were adopted, incorporating our comments and without other 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.

We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in STP Procedure SA-201, *Review of State Regulatory Requirements*, please highlight the final changes and provide a copy to STP.

The SRS Data Sheet summarizes our knowledge of the status of other Oregon 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.hsrcd.ornl.gov/nrc/rulemaking.htm>.

If you have any questions regarding the review results, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me, or either William Rautzen at (301)415-7206 or by e-mail at [wrr@nrc.gov](mailto:wrr@nrc.gov), or Monica Orendi at (301)415-3938 or by e-mail at [mlo1@nrc.gov](mailto:mlo1@nrc.gov).

Sincerely,

***IRA By KNSchneider For***

Dennis Rathbun, Deputy Director  
Office of State and Tribal Programs

Enclosures:  
As stated

We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in STP Procedure SA-201, "Review of State Regulatory Requirements," please highlight the final changes and provide a copy to STP.

The SRS Data Sheet summarizes our knowledge of the status of other Oregon 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.hsrp.ornl.gov/rulemaking.htm>.

If you have any questions regarding the review results, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me, William Rautzen at (301) 415-7206 or by e-mail at [wrr@nrc.gov](mailto:wrr@nrc.gov), or Monica Orendi at (301) 415-3938 or by e-mail at [mlo1@nrc.gov](mailto:mlo1@nrc.gov).

Sincerely,

***IRA By KNSchneider For***

Dennis Rathbun, Deputy Director  
Office of State and Tribal Programs

Enclosures: As stated

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## COMPATIBILITY COMMENTS ON OREGON FINAL REGULATIONS

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	333-120-0015	§20.1003	1999-3	<p><b>B</b></p> <p><b>Definitions</b></p> <p>Oregon regulations omitted the following definitions:</p> <p><i>Air-purifying respirator</i>  <i>Assigned protection factor (APF)</i>  <i>Atmosphere-supplying respirator</i>  <i>Demand respirator</i>  <i>Disposable respirator</i>  <i>Filtering facepiece (dust mask)</i>  <i>Fit factor</i>  <i>Fit test</i>  <i>Helmet</i>  <i>Hood</i>  <i>Loose-fitting facepiece</i>  <i>Negative pressure respirator (tight fitting)</i>  <i>Positive pressure respirator</i>  <i>Pressure demand respirator</i>  <i>Qualitative fit test (OLFT)</i>  <i>Quantitative fit test (QNFT)</i>  <i>Self-contained breathing apparatus (SCBA)</i>  <i>Supplied-air respirator (SAR)</i>  <i>Tight-fitting facepiece</i>  <i>User seal check.</i></p> <p>Oregon needs to add these definitions to 333-120-0015 to meet the Compatibility Category B designation assigned to these sections of 10 CFR 20.1003.</p>
2	333-113-0010 333-113-0501	§39.15	2000-1	<p><b>C</b></p> <p><b>Agreement with well owner or operator</b></p> <p>Oregon regulations omitted the requirements of 10 CFR 39.15(a)(5)(iii).</p> <p>Oregon needs to adopt the essential objectives of this section to 333-113-0010 and 333-113-0501 to meet the Compatibility Category C designation assigned to Section 10 CFR 39.15.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
3	N/A	§39.49	2000-1	C	<p><b>Uranium sinker bars</b></p> <p>Oregon regulations omitted the requirements for uranium sinker bars.</p> <p>Oregon needs to adopt the essential objectives of this section to meet the Compatibility Category C designation assigned to Section 10 CFR 39.49.</p>
4	N/A	§39.53	2000-1	C	<p><b>Energy compensation source</b></p> <p>Oregon regulations omitted the requirements for energy compensation sources.</p> <p>Oregon needs to adopt the essential objectives of this section to meet the Compatibility Category C designation assigned to Section 10 CFR 39.53.</p>
5	N/A	§39.55	2000-1	C	<p><b>Tritium neutron generator target source</b></p> <p>Oregon regulations omitted the requirements for tritium neutron generator target sources.</p> <p>Oregon needs to adopt the essential objectives of this section to meet the Compatibility Category C designation assigned to Section 10 CFR 39.55.</p>
6	333-113-0501	§39.77	2000-1	C	<p><b>Notification of incidents and lost sources; abandonment procedures for irretrievable sources</b></p> <p>Oregon regulations omitted the requirements equivalent to 10 CFR 39.77(c)(1)(ii) and 10 CFR 39.77(d)(9) concerning abandonment procedures for irretrievable sources.</p> <p>Oregon needs to adopt the essential objectives of these sections to 333-113-0501 to meet the Compatibility Category C designation assigned to Section 10 CFR 39.77(c)&amp;(d).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
7	333-102-0115(4)(d)	§31.5(c)(4)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations require records to be retained for five years. This is more stringent than NRC rule requirement of three years.</p> <p>Oregon's rule has the essential elements of the NRC, but is more restrictive than the NRC's GL rule. As noted in the September 28, 2005 All Agreement States Letter STP-05-072, the determination on this provision will be held in abeyance until such time that the NRC completes its review and response to the Organization of Agreement State on compatibility changes for the GL rule.</p>
8	333-102-0115(4)(e)	§31.5(c)(5)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations have no separate reporting requirements for actions required when 0.005 microcuries or more of removable radioactive material are detected. Oregon regulations also omitted requirements for a plan requiring that the premises and environs are acceptable for unrestricted use if contaminated.</p> <p>Oregon needs to add reporting requirements and an action plan to 333-102-0115(4)(e) to meet the Compatibility Category B designation assigned to 10 CFR 31.5(c)(5).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
9	N/A	§31.5(c)(7)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted the requirements for exporting of a GL device.</p> <p>Oregon needs to add the requirements for exporting a GL device to meet the compatibility B designation assigned to 10 CFR 31.5(c)(7).</p>
10	333-102-0115(4)(h)	§31.5(c)(8)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted the requirements for exporting a GL device.</p> <p>Oregon needs to add the requirements for exporting a GL device to 333-102-0115(4)(h) to meet the Compatibility Category B designation assigned to 10 CFR 31.5(c)(8).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
11	333-102-0115(4)(h)	§31.5(c)(8)(ii)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted the requirements for having the GL device's serial number and the license number of the person receiving the device on the transfer report. Oregon also makes no distinction between initial transferor and manufacturer.</p> <p>Oregon needs to add these requirements for reporting transfers and including the initial transferor and manufacturer to 333-102-0115(4)(h) to meet the Compatibility Category B designation assigned to 10 CFR31.5(c)(8)(ii).</p>
12	333-102-0115(4)(h)	§31.5(c)(8)(iii)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted requirements concerning written approval for transfer of devices to specific licensees as identified in 10CFR31.5(c)(8)(iii).</p> <p>Oregon needs to add this requirement to 333-102-0115(4)(h) to meet the Compatibility Category B designation assigned to 10 CFR31.5(c)(8)(iii).</p>



STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
13	333-102-0115(4)(h)(A)	§31.5(c)(9)(i)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted requirements for having the GL device's serial number and the license number of the person receiving the device on the transfer report. Oregon also makes no distinction between initial transferor and manufacturer, and does not indicate that the address for the transferee be that of the location of use.</p> <p>Oregon needs to add these requirements to 333-102-0115(4)(h)(A) to meet the Compatibility Category B designation assigned to 10 CFR31.5(c)(9)(i).</p>
14	333-102-0115(6)	§31.5(c)(11)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted requirements allowing more than 30 days for response or any other specified time requests. This is more stringent than NRC rule requirement of three years.</p> <p>Oregon's rule has the essential elements of the NRC, but is more restrictive than the NRC's GL rule. As noted in the September 28, 2005 All Agreement States Letter STP-05-072, the determination on this provision will be held in abeyance until such time that the NRC completes its review and response to the Organization of Agreement State on compatibility changes for the GL rule.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
15	333-102-0115(8)	§31.5(c)(13)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations require all GL devices to be registered with the Agency. Oregon's rule has the essential elements of the NRC, but is more restrictive than the NRC's GL rule.</p> <p>As noted in the September 28, 2005 All Agreement States Letter STP-05-072, the determination on this provision will be held in abeyance until such time that the NRC completes its review and response to the Organization of Agreement State on compatibility changes for the GL rule.</p>
16	333-102-0115(8)	§31.5(c)(13)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations require GL devices containing more than 370 MBq (10 mCi) of cesium-137, 3.7 MBq (0.1 mCi) of strontium-90, 37 MBq (1 mCi) of cobalt-60, any quantity of americium-241 or any other transuranic (i.e., element with atomic number greater than uranium (92)), to have a specific license. Oregon's rule has the essential elements of the NRC, but is more restrictive than the NRC's GL rule.</p> <p>As noted in the September 28, 2005 All Agreement States Letter STP-05-072, the determination on this provision will be held in abeyance until such time that the NRC completes its review and response to the Organization of Agreement State on compatibility changes for the GL rule.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
17	333-102-0115(8)	§31.5(c)(13)(i)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted requirements for each address for a location of use be listed as a separate general licensee and requires a separate registration and fee.</p> <p>Oregon needs to add this requirement to 333-102-0115(8) to meet the Compatibility Category B designation assigned to 10 CFR31.5(c)(13)(i).</p>
18	333-102-0115(8)	§31.5(c)(13)(ii)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted requirements concerning annual reporting as stated in 10 CFR 31.5(c)(13)(ii).</p> <p>Oregon needs to add this requirement to 333-102-0115(8) to meet the Compatibility Category B designation assigned to 10 CFR31.5(c)(13)(ii).</p>
19	333-102-0115(8)	§31.5(c)(13)(iv)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted requirements concerning applicability of registration requirements for Agreement State and NRC general licenses as stated in 10 CFR 31.5(c)(13)(iv).</p> <p>Oregon needs to add this requirement to 333-102-0115(8) to meet the Compatibility Category B designation assigned to 10 CFR31.5(c)(13)(iv).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
20	333-102-0115(9)	§31.5(c)(14)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted a provision for portable devices requiring a report of address change only if the device's primary place of storage has changed. Oregon's rule has the essential elements of the NRC, but is more restrictive than the NRC's GL rule.</p> <p>As noted in the September 28, 2005 All Agreement States Letter STP-05-072, the determination on this provision will be held in abeyance until such time that the NRC completes its review and response to the Organization of Agreement State on compatibility changes for the GL rule.</p>
21	333-102-0115(10)	§31.5(c)(15)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations require generally licensed devices that are not in use for longer than 2 years must be transferred to an authorized recipient or disposed of as radioactive waste. Oregon's rule has the essential elements of the NRC, but is more restrictive than the NRC's GL rule.</p> <p>As noted in the September 28, 2005 All Agreement States Letter STP-05-072, the determination on this provision will be held in abeyance until such time that the NRC completes its review and response to the Organization of Agreement State on compatibility changes for the GL rule.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
22	333-102-0115(4)	§31.5(d)	2001-1	B	<p><b>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</b></p> <p>Oregon regulations omitted requirements concerning the import of devices.</p> <p>Oregon needs to add this requirement to 333-102-0115(4) to meet the Compatibility Category B designation assigned to 10 CFR 31.5(d).</p>
23	N/A	§32.51(a)(4)&(5)	2001-1	B	<p><b>Byproduct material contained in devices for use under Sec. 31.5; requirements for license to manufacture, or initially transfer.</b></p> <p>Oregon has omitted equivalent sections to 10CFR 32.51(a)(4)&amp;(5).</p> <p>Oregon needs to add these requirements to meet the compatibility B designation assigned to 10CFR 32.51(a)(4) and (5).</p>
24	333-102-0247(3)	§32.52(c)	2001-1	B	<p><b>Same: material transfer reports and records</b></p> <p>Oregon regulation requires records to be retained for 5 years. This is more stringent than NRC rule requirement of three years. Oregon's rule has the essential elements of the NRC, but is more restrictive than the NRC's GL rule.</p> <p>As noted in the September 28, 2005 All Agreement States Letter STP-05-072, the determination on this provision will be held in abeyance until such time that the NRC completes its review and response to the Organization of Agreement State on compatibility changes for the GL rule.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
25	333-120-0015	§20.1003	2002-1	A	<p><b>Definitions: Shallow dose equivalent (Hs)</b></p> <p>Oregon regulations state the phrase "...the external exposure of the skin or an extremity..." whereas the NRC definition of Shallow dose equivalent states "...the external exposure of the skin of the wholebody or the skin of an extremity..." .</p> <p>Oregon needs to replace the phrase "...the external exposure of the skin or an extremity..." with the phrase "...the external exposure of the skin of the wholebody or the skin of an extremity..." in 333-120-0015 to meet the Compatibility Category A designation assigned to 10 CFR 20.1003.</p>
26	333-120-0180	§20.1301(a)	2002-2	A	<p><b>Dose limits for individual members of the public</b></p> <p>Oregon regulations omitted dose contributions from background radiation in paragraph (a)(1) of this section.</p> <p>Oregon needs to add the phrase "... exclusive of the dose contributions from background radiation,..." to 333-120-0180 to meet the Compatibility Category A designation assigned to 10 CFR 20.1301.</p>
27	333-116-0580	§35.642 (a) - (e)	2002-2	H&S	<p><b>Periodic spot-checks for teletherapy units</b></p> <p>Oregon regulations omitted requirements concerning periodic spot-checks for teletherapy units as stated in 10 CFR 35.642(a)(3).</p> <p>Oregon needs to add this requirement to meet the essential objectives of category H&amp;S designation assigned to 10 CFR 35.642.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
28	333-116-0587	§35.645 (a) - (f)	2002-2	H&S	<p><b>Periodic spot-checks for gamma stereotactic radiosurgery units</b></p> <p>Oregon regulations omitted requirements for licensees to perform spot-checks of each gamma stereotactic radiosurgery unit before the first use of the unit on a given day.</p> <p>Oregon needs to add the essential objectives of this requirement to 333-116-0587 to meet the category H&amp;S designation assigned to 10 CFR 35.645.</p>
29	N/A	§ 35.396	2005-2	B	<p><b>Training for the parenteral administration of unsealed byproduct material requiring a written directive.</b></p> <p>Oregon regulations omitted requirements concerning the training for parenteral administration of unsealed byproduct material requiring a written directive.</p> <p>Oregon needs to add this section to meet the Compatibility Category B designation assigned to 10 CFR 35.396.</p>
30	333-116-0720	§ 35.690	2005-2	B	<p><b>Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units.</b></p> <p>Oregon regulations omitted requirements concerning the training requirements as stated in 35.690.</p> <p>Oregon needs to add this section to meet the Compatibility Category B designation assigned to 10 CFR 35.690.</p>

**STATE REGULATION STATUS**

State: Oregon

[9 amendments reviewed identified by an ★ at the beginning of each equivalent NRC requirement.]

Tracking Ticket Number: 6-152/6-153

Date: July 10, 2006

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed (P) / Final (F) <sup>2</sup> Rule / License Conditions (LC) ML # <sup>5</sup>	NRC Review / Y, N <sup>2</sup> / Date / ML # <sup>5</sup>	Final State Regulation <sup>1</sup> (Effective Date)
Safety Requirements for Radiographic Equipment-Part 34	55 FR 843; (1/10/94)	1991-1	F ML023450397	N 1/23/03 ML030240463	4/26/95
ASNT Certification of Radiographers-Part 34	56 FR 11504; (none)	1991-2			Not required <sup>3</sup>
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	F ML021970445	N 11/13/97	4/26/95
Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70	56 FR 64980; (10/15/94)	1991-4	F ML023450397	N 1/23/03 ML030240463	4/26/95
Quality Management Program and Misadministrations-Part 35	56 FR 34104; (1/27/95)	1992-1	F ML023450397	N 1/23/03 ML030240463	4/26/95
Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions-Parts 30,35	57 FR 45566; (none)	1992-2			Not required <sup>3</sup>
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628; (10/25/96)	1993-1	F ML023450397	N 1/23/03 ML030240463	
Licensing and Radiation Safety Requirements for Irradiators-Part 36	58 FR 7715; (7/1/96)	1993-2	F ML023450397	N 1/23/03 ML030240463	
Definition of Land Disposal and Waste Site QA Program-Part 61	58 FR 33886; (7/22/96)	1993-3			Not applicable SECY-95-112 <sup>4</sup>
Self-Guarantee as an Additional Financial Mechanism-Parts 30, 40, 70	58 FR 68726; 59 FR 1618; (none)	1994-1			Not required <sup>3</sup>
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 <sup>4</sup>
Timeliness in Decommissioning Material Facilities-Parts 30, 40, 70	59 FR 36026; (8/15/97)	1994-3	F ML023450397	N 1/23/03 ML030240463	
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 ML023450397	N 1/23/03 ML030240463	
Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20	60 FR 7900; (3/13/98)	1995-2			Not applicable



NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed (P) / Final (F) <sup>2</sup> Rule / License Conditions (LC) ML # <sup>5</sup>	NRC Review / Y, N <sup>2</sup> / Date / ML # <sup>5</sup>	Final State Regulation <sup>1</sup> (Effective Date)
					SECY-95-112 <sup>4</sup>
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649; 60 FR 25983; (3/1/98)	1995-3	F ML023450397	Y 1/23/03 ML030240463	4/26/95
Performance Requirements for Radiography Equipment-Part 34	60 FR 28323; (6/30/98)	1995-4	F ML023450397	N 1/23/03 ML030240463	
Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038; (8/14/98)	1995-5	F ML023450397	Y 1/23/03 ML030240463	
Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235; (11/24/98)	1995-6	F ML023450397	Y 1/23/03 ML030240463	4/26/95
Medical Administration of Radiation and Radioactive Materials-Parts 20, 35	60 FR 48623; (10/20/98)	1995-7	F ML023450397	Y 1/23/03 ML030240463	
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 ML023450397	N 1/23/03 ML030240463	
One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses- Parts 30, 40, 70	61 FR 1109; (none)	1996-2			Not required <sup>3</sup>
Termination or Transfer of Licensed Activities: Recordkeeping Requirements-Parts 20, 30, 40, 61, 70	61 FR 24669; (6/17/99)	1996-3	F ML023450397	N 1/23/03 ML030240463	4/26/95
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act- Part 20	61 FR 65120; (1/9/00)	1997-1	F ML023450397	Y 1/23/03 ML030240463	
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 ML023450397	N 1/23/03 ML030240463	
Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120; (5/29/00)	1997-3	F ML023450397	N 1/23/03 ML030240463	
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907; (none)	1997-4			Not required <sup>3</sup>
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 ML023450397	N 1/23/03 ML030240463	
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39057; (8/20/00)	1997-6	F ML023450397	N 1/23/03 ML030240463	
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea- Part 30	62 FR 63634; (1/02/01)	1997-7	F ML023450397	Y 1/23/03 ML030240463	

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Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 71, 150	63 FR 1890; 63 FR 13773; (2/12/01)	1998-1	F ML023450397	N 1/23/03 ML030240463	
Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees- Parts 30, 40, 70	63 FR 29535; (none)	1998-2			Not required <sup>3</sup>
License Term for Medical Use Licenses-Part 35	63 FR 31604; (none)	1998-3			Not required <sup>3</sup>
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations-Part 34	63 FR 37059; (7/9/01)	1998-4	F ML023450397	N 1/23/03 ML030240463	
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20	63 FR 39477; 63 FR 45393; (10/26/01)	1998-5	F ML023450397	Y 1/23/03 ML030240463	
Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20	63 FR 50127; (11/20/01)	1998-6	F ML023450397	Y 1/23/03 ML030240463	04/26/95
Radiological Criteria for License Termination of Uranium Recovery Facilities-Part 40	64 FR 17506; (6/11/02)	1999-1			Not applicable SECY-95-112 <sup>4</sup>
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 <sup>3</sup>
★ Respiratory Protection and Controls to Restrict Internal Exposure-Part 20	64 FR 54543; 64 FR 55524; (2/2/03)	1999-3	P ML061020352	Y 7/10/06 ML061910103	
★ Energy Compensation Sources for Well Logging and Other Regulatory Clarifications-Part 39	65 FR 20337; (5/17/03)	2000-1	P ML061020352	Y 7/10/06 ML061910103	
★ New Dosimetry Technology-Parts 34, 36, 39	65 FR 63750; (1/8/04)	2000-2	P ML061020352	N 7/10/06 ML061910103	
★ Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material - Parts 30, 31, 32	65 FR 79162; (2/16/04)	2001-1	P ML061020352	Y 7/10/06 ML061910103	
★ Revision of the Skin Dose Limit -Part 20	67 FR 16298; 4/5/05	2002-1	P ML061020352	Y 7/10/06 ML061910103	
★ Medical Use of Byproduct Material-Parts 20, 32, and 35	67 FR 20249; 4/24/05	2002-2	P ML061020352	Y 7/10/06 ML061910103	
★ Financial Assurance for Materials Licensees – Parts 30, 40, 70	68 FR 57327; (12/3/06)	2003-1	P ML061020352	N 7/10/06 ML061910103	
Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments – Part 71	69 FR 3697; (10/01/07)	2004-1			

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★ Security Requirements for Portable Gauges Containing Byproduct Material - Part 30	70 FR 2001; (7/11/08)	2005-1	P ML061020352	N 7/10/06 ML061910103	
★ Medical Use of Byproduct Material - Recognition of Specialty Boards - Part 35	70 FR 16336; 71 FR 1926 (4/29/08)	2005-2	P ML061020352	Y 7/10/06 ML061910103	
Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) <sup>6</sup>	70 FR 72128; (12/1/05)	2005-3	LC ML052870028	N 10/18/05 ML052930002	
Minor Amendments - Part 20,30,32,35,40 and 70	71FR15005	2006-1			3/27/09

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.