

January 11, 2008

ALL AGREEMENT STATES, MICHIGAN, NEW JERSEY, PENNSYLVANIA, VIRGINIA

**ACTION: REVISION OF THE CHRONOLOGY OF NUCLEAR REGULATORY COMMISSION (NRC) AMENDMENTS INCLUDING THE SUMMARY OF CHANGE DOCUMENT FOR NRC AMENDMENTS, OCCUPATIONAL DOSE, LABELING CONTAINERS, AND THE TOTAL EFFECTIVE DOSE EQUIVALENT. [RATS ID 2008-1] (FSME-08-009)**

Purpose: To Provide the Agreement States with the Chronology of the U.S. Nuclear Regulatory Commission (NRC) Amendments including the addition, RATS ID 2008-1, Occupational Dose, Labeling Containers, and the Total Effective Dose Equivalent (effective date February 15, 2008) and the Summary of Change Document.

Contents: -Chronology of NRC Amendments  
-Summary of Change Document

Background: The NRC is amending its regulations related to the reporting of annual dose to workers, the definition of Total Effective Dose Equivalent, the labeling of certain containers holding licensed material, and the determination of cumulative occupational radiation dose. The final rules are posted in the Federal Register, 72 FR 68043 and 72 FR 72233 and can be accessed through this website: <http://www.gpoaccess.gov/fr/index.html>. The chronology is enclosed in its entirety and includes RATS ID: 2008-1, as maintained by the Office of Federal and State Materials and Environmental Management Programs. The chronology is for your use to plan rulemaking actions that are needed to satisfy the compatibility and health and safety category designations of the NRC regulations. This document will also be used by the Integrated Materials Performance Evaluation Program teams during upcoming program reviews. In addition, a summary of change for the February 15, 2008 amendments has been enclosed with this letter. These summaries are for your use to identify the changes to the CFR text as well as the compatibility categories associated with the changes. These regulations are due for adoption by the Agreement States no later than February 15, 2011.

NRC Point of Contact: If you have any questions regarding this correspondence, please contact me or the individual named below.

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Office of Federal and State Materials  
and Environmental Management Programs

Enclosures:  
As stated

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<b>DATE</b>	01/11/08	01/11/08	01/11/08	01/11/08

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### Chronology of NRC Amendments

NRC Chronology Identification	FR Notice Number (State Implementation Due Date)	RATS ID
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
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
Licensing and Radiation Safety Requirements for Irradiators-Part 36	58 FR 7715; (7/1/96)	1993-2
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
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
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649; 60 FR 25983; (3/1/98)	1995-3

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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 28724; (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
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
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
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
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39057; (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, 71, 150	63 FR 1890; 63 FR 13773; (2/12/01)	1998-1
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

<b>NRC Chronology Identification</b>	<b>FR Notice Number (State Implementation Due Date)</b>	<b>RATS ID</b>
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20	63 FR 39477; 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
Respiratory Protection and Controls to Restrict Internal Exposure-Part 20	64 FR 54543; 64 FR 55524; (2/2/03)	1999-3
Energy Compensation Sources for Well Logging and Other Regulatory Clarifications-Part 39	65 FR 20337; (5/17/03)	2000-1
New Dosimetry Technology-Parts 34, 36, 39	65 FR 63750; (1/8/04)	2000-2
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
Medical Use of Byproduct Material-Parts 20, 32, and 35	67 FR 20249; (10/24/05)	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
Minor Amendments -Parts 20, 30,32, 35, 40, 70	71 FR 15005 (03/27/09)	2006-1
National Source Tracking System - Serialization Requirements Part 32 (with reference to Part 20 Appendix E)	71 FR 65685 (02/06/07)	2006-2

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National Source Tracking System Part 20	71 FR 65685 (01/31/09 Cat I and Cat II)	2006-3
Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35	72 FR 45147, 54207 (10/29/10)	2007-1
Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, and 150	72 FR 58473 (12/17/10)	2007-2
Requirements for Expanded Definition of Byproduct Material Parts - 20, 30, 31, 32, 33, 35,61, and 150	72 FR 55864 (11/30/10)	2007-3
Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material (Order EA-07-305)	72 FR 70901 (06/05/08)	2007-4
Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent Parts – 19 and 20	72 FR 68043, 72233 (02/15/11)	2008-1

**Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent Parts – 19 and 20  
(72 FR 68043, 72233) RATS ID # 2008-1 Effective date 02/15/08  
Date Due for State Adoption 02/15/11**

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
§19.13	Notification and reports to individuals		C	<p><b>In § 19.13, paragraphs (b) and (d) are revised to read as follows:</b></p> <p>(b) Each licensee shall make dose information available to workers as shown in records maintained by the licensee under the provisions of 10 CFR 20.2106. The licensee shall provide an annual report to each individual monitored under 10 CFR 20.1502 of the dose received in that monitoring year if:</p> <p>(1) The individual's occupational dose exceeds 1 mSv (100 mrem) TEDE or 1 mSv (100 mrem) to any individual organ or tissue; or</p> <p>(2) The individual requests his or her annual dose report.</p> <p>*****</p> <p>(d) When a licensee is required by §§ 20.2202, 20.2203 or 20.2204 of this chapter to report to the Commission any exposure of an individual to radiation or radioactive material, the licensee</p>			

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**(72 FR 68043, 72233) RATS ID # 2008-1 Effective date 02/15/08**  
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Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				shall also provide the individual a report on his or her exposure data included in the report to the Commission. This report must be transmitted no later than the transmittal to the Commission.			
§20.1003	Definition: Total Effective Dose Equivalent (TEDE)		A	<p><b>In § 20.1003, the definition of <i>Total Effective Dose Equivalent (TEDE)</i> is revised to read as follows:</b></p> <p><i>Total Effective Dose Equivalent (TEDE)</i> means the sum of the effective dose equivalent (for external exposures) and the committed effective dose equivalent (for internal exposures).</p>			
§20.1201	Occupational Dose Limits for Adults		A	<p><b>In § 20.1201, paragraph (c) is revised to read as follows:</b></p> <p>(c) When the external exposure is determined by measurement with an external personal monitoring device, the deep-dose equivalent</p>			



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				<p>must be used in place of the effective dose equivalent, unless the effective dose equivalent is determined by a dosimetry method approved by the NRC. The assigned deep-dose equivalent must be for the part of the body receiving the highest exposure. The assigned shallow-dose equivalent must be the dose averaged over the contiguous 10 square centimeters of skin receiving the highest exposure. The deep-dose equivalent, lens dose equivalent, and shallow-dose equivalent may be assessed from surveys or other radiation measurements for the purpose of demonstrating compliance with the occupational dose limits, if the individual monitoring device was not in the region of highest potential exposure, or the results of individual monitoring are unavailable.</p>			

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§20.1905 (g)	Exemptions to Labeling Requirements		<p style="text-align: center;">NRC</p> <p style="text-align: center;">(***)please note Part 20.1905 (a) – (f) still remains a Compatibility Category A only the newly added paragraph (g) is a Compatibility Category NRC)</p>	<p><b>In § 20.1905 paragraph (g) is added to read as follows:</b></p> <p>(g) Containers holding licensed material (other than sealed sources that are either specifically or generally licensed) at a facility licensed under Parts 50 or 52 of this chapter, not including non-power reactors, that are within an area posted under the requirements in § 20.1902 if the containers are:</p> <p>(1) Conspicuously marked (such as by providing a system of color coding of containers) commensurate with the radiological hazard;</p> <p>(2) Accessible only to individuals who have sufficient instruction to minimize radiation exposure while handling or working in the vicinity of the containers; and</p> <p>(3) Subject to plant procedures to ensure they are appropriately labeled, as specified at § 20.1904</p>			

**Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent Parts – 19 and 20**  
**(72 FR 68043, 72233) RATS ID # 2008-1 Effective date 02/15/08**  
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				before being removed from the posted area.			
§20.2104	Determination of Prior Occupational Dose		D	N/A	N/A		
§20.2205	Reports to Individuals of Exceeding Dose Limits		C	<p><b>Section 20.2205 is revised to read as follows:</b></p> <p>When a licensee is required by §§ 20.2203 or 20.2204 to report to the Commission any exposure of an identified occupationally exposed individual, or an identified member of the public, to radiation or radioactive material, the licensee shall also provide the individual a report on his or her exposure data included in the report to Commission. This report must be transmitted no later than the transmittal to the Commission.</p>			