

July 7, 2008

Gibb Vinson, Acting Head
Radioactive Materials Section
Illinois Emergency Management Agency
Division of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704

Dear Mr. Vinson:

We have reviewed the final revisions to the Illinois regulations, Licensing of Radioactive Materials, received by our office on June 18, 2008. These regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) rules in 10 CFR Parts 20 and 32, and the requirements of the two amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on July 2, 2008.

As a result of our review, we have no comments. Please note that we have limited our review to regulations required for compatibility and/or health and safety. We have determined that the regulations, as adopted, meet the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure SA-200.

The SRS Data Sheet summarizes our knowledge of the status of other Illinois 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 FSME website: <http://nrc-stp.ornl.gov/rulemaking.html>.

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 Kathleen Schneider, State Regulation Review Coordinator at (301) 415-2320 (email: kathleen.schneider@nrc.gov) or Leira Cuadrado at (301) 415-0707 (email: liera.cuadrado@nrc.gov).

Sincerely,

/ RA by ADWhite for /

James G. Luehman, Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosures:
As stated

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| OFFICE | SAISB | | SAISB | | SAISB | | OGC | | SAIS:BC | | DMSSA:DD | |
| NAME | LCuadrado | | MOrendi | | KSchneider | | BJones | | DWhite | | JLuehman | |
| DATE | 06/26/08* | | 06/26/08* | | 06/26/08* | | 07/01/08* | | 07/07/08* | | 07/07/08* | |

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STATE REGULATION STATUS

State: Illinois
 [2 amendment(s) reviewed is identified by a ★
 at the beginning of the equivalent NRC requirement.]

Tracking Ticket Number: 8-65
 Date: July 2, 2008

| RATS ID | NRC Chronology Identification | Date Due for State Adoption | Incoming Package | Outgoing Package | Notes |
|---------|--|-----------------------------|----------------------|--|--|
| 1991-1 | Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (Superceded by 1997-5) | 01/10/1994 | Final ML051220064 | No Comments 08/23/2005 ML052370399 | Illinois has adopted Final Regulations equivalent to RATS ID: 1997-5. |
| 1991-2 | ASNT Certification of Radiographers Part 34 56 FR 11504 (Superceded by 1997-5) | none | Final ML051220064 | No Comments 08/23/2005 ML052370399 | Illinois has adopted Final Regulations equivalent to RATS ID: 1997-5. |
| 1991-3 | 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; | 01/01/1994 | Final ML052710117 | No Comments 11/17/2005 ML053210292 | |
| 1991-4 | Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980; | 10/15/1994 | Final ML051220064 | No Comments 08/23/2005 ML052370399 | |
| 1992-1 | Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2) | 01/27/1995 | Final ML060970127 | No Comments 05/30/2006 ML061510195 | Illinois has adopted Final Regulations equivalent to RATS ID: 2002-2. |
| 1992-2 | Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30, 35 57 FR 45566 | none | Not Required | Not Required | These regulation changes are not required to be adopted for purposes of Compatibility. |
| 1993-1 | Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 3962 | 10/25/1996 | Final | No Comments 08/21/2000 | |
| 1993-2 | Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715 | 07/01/1996 | Final ML060250219 | No Comments 03/07/2006 ML060660001 | |

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|---------|---|-----------------------------|-----------------------------|--|--|
| 1993-3 | Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886 | 07/22/1996 | Not Applicable ¹ | Not Applicable | Illinois does not have any licensees subject to these regulations. (See SECY-95-112) |
| 1994-1 | Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618 | none | Final | No Comments 08/21/2000 | These regulation changes are not required to be adopted for purposes of Compatibility. |
| 1994-2 | Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220 | 07/01/1997 | Not Applicable ¹ | Not Applicable | Illinois does not have any licensees subject to these regulations. (See SECY-95-112) |
| 1994-3 | Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026 | 08/15/1997 | Final | No Comments 08/21/2000 | |
| 1995-1 | 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 | 01/01/1998 | Final ML060970127 | No Comments 05/30/2006 ML061510195 | |
| 1995-2 | Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900 | 03/13/1998 | Not Applicable ¹ | Not Applicable | Illinois does not have any licensees subject to these regulations. (See SECY-95-112) |
| 1995-3 | Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983 | 03/01/1998 | Final ML060250219 | No Comments 03/07/2006 ML060660001 | |
| 1995-4 | Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superseded by 1997-5) | 06/30/1998 | Final ML051220064 | No Comments 08/23/2005 ML052370399 | Illinois has adopted Final Regulations equivalent to RATS ID: 1997-5. |
| 1995-5 | Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038 | 08/14/1998 | Final ML060250219 | No Comments 03/07/2006 ML060660001 | |
| 1995-6 | Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235 | 11/24/1998 | Final ML051220062 | No Comments 08/23/2005 ML052370399 | |
| 1995-7 | Medical Administration of Radiation and Radioactive | 10/20/1998 | Final | No Comments | Illinois has not yet adopted in Final |

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|---------|---|-----------------------------|----------------------|--|--|
| | Materials Parts 20, 35 60 FR 48623 (Superceded by 2002-2 and 2005-2) | | ML060970127 | 05/30/2006 ML061510195 | equivalent regulations to RATS ID: 2005-2. |
| 1996-1 | Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 (Superceded by 2004-1) | 04/01/1999 | Final ML051220062 | No Comments 08/23/2005 ML052370399 | Illinois has adopted Final Regulations equivalent to RATS ID: 2004-1. |
| 1996-2 | One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40, 70 61 FR 1109 | 02/15/1999 | Not Required | Not Required | These regulation changes are not required to be adopted for purposes of Compatibility. |
| 1996-3 | Termination or Transfer of Licensed Activities: Record keeping Requirements Parts 20, 30, 40, 61, 70 61 FR 24669 | 06/17/1999 | Final | No Comments 08/21/2000 | |
| 1997-1 | Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120 | 01/9/2000 | Final ML060250219 | No Comments 03/07/2006 ML060660001 | |
| 1997-2 | Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662 | 02/27/2000 | Final | No Comments 08/21/2000 | |
| 1997-3 | Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120 | 05/29/2000 | Final ML060970127 | No Comments 05/30/2006 ML061510195 | |
| 1997-4 | Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superceded by 2004-1) | 02/10/2000 | Not Required | Not Required | These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-97-078) Illinois has adopted Final Regulations equivalent to RATS ID: 2004-1. |
| 1997-5 | Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations | 06/27/2000 | Final ML051220064 | No Comments 08/23/2005 ML052370399 | |

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|---------|---|-----------------------------|-----------------------------|--|---|
| | Parts 30, 34, 71, 150 62 FR 28947 | | | | |
| 1997-6 | Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057 | 08/20/2000 | Final ML051220062 | No Comments 08/23/2005 ML052370399 | |
| 1997-7 | Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea Part 30 62 FR 63634 | 01/02/2001 | Final | No Comments 05/26/2000 | |
| 1998-1 | Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773 | 02/12/2001 | Final ML060250219 | No Comments 03/07/2006 ML060660001 | |
| 1998-2 | Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, 70 63 FR 29535 | 07/01/2001 | Final | No Comments 08/21/2000 | These regulation changes are not required to be adopted for purposes of Compatibility. |
| 1998-3 | License Term for Medical Use Licenses Part 35 63 FR 31604 (Superceded by 2002-2) | 07/10/2001 | Not Required | Not Required | These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-98-074) Illinois has adopted Final Regulations equivalent to RATS ID: 2002-2 |
| 1998-4 | Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059 | 07/09/2001 | Final ML051220064 | No Comments 08/23/2005 ML052370399 | |
| 1998-5 | Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 35, 36 63 FR 39477; 63 FR 45393 | 10/26/2001 | Final ML060970127 | No Comments 05/30/2006 ML061510195 | |
| 1998-6 | Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127 | 11/20/2001 | Final ML060250219 | No Comments 03/07/2006 ML060660001 | |
| 1999-1 | Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 | 06/11/2002 | Not Applicable ¹ | Not Applicable | Illinois does not have any licensees subject to these regulations. (See SECY-95-112) |

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|---------|--|-----------------------------|--|--|--|
| | 64 FR 17506 | | | | |
| 1999-2 | Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information Part 31 64 FR 42269 | 10/04/2002 | Not Required | Not Required | These regulation changes are not required to be adopted for purposes of Compatibility. |
| 1999-3 | Respiratory Protection and Controls to Restrict Internal Exposure Part 20 64 FR 54543; 64 FR 55524 | 02/02/2003 | Final ML060250219 | No Comments 03/07/2006 ML060660001 | |
| 2000-1 | Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337 | 05/17/2003 | Final ML051220064 | No Comments 08/23/2005 ML052370399 | |
| 2000-2 | New Dosimetry Technology Parts 34, 36, 39 65 FR 63750 | 01/08/2004 | Final ML060250219 Final ML051220064 | No Comments 03/07/2006 ML060660001 (Part 36 only) No Comments 08/23/2005 ML052370399 (Parts 34 and 39 only) | |
| 2001-1 | Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162 | 02/16/2004 | Final ML060970127 | Comments 05/30/2006 ML061510195 | |
| 2002-1 | Revision of the Skin Dose Limit Part 20 67 FR 16298 | 04/05/2005 | Final ML072920541 | No Comments 11/09/2007 ML073120463 | |
| 2002-2 | Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249 | 10/24/2005 | Final ML060970127 | No Comments 05/30/2006 ML061510016 | |
| 2003-1 | Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327 | 12/03/2006 | Final ML052710117 | No Comments 11/17/2005 ML053210292 | |

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| 2004-1 | Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697 | 10/01/2007 | Final ML061660148 | No Comments 07/18/2006 ML061990338 | |
| 2005-1 | Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001 | 07/11/2008 | Final ML072920541 | No Comments 11/09/2007 ML073120463 | |
| 2005-2 | Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926 | 04/29/2008 | Proposed ML080160281 | Comments 03/12/2008 ML080720118 | |
| 2005-3 | Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128 | 12/01/2005 | License Condition ML052990499 | No Comments 10/31/2005 ML053050005 | |
| 2006-1 | Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005 | 03/27/2009 | Proposed ML080160281 | Comments 03/12/2008 ML080720118 | |
| ★2006-2 | National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685 | 02/06/2007 | Final ML081700688 | No Comments 07/07/2008 ML081840613 | |
| ★2006-3 | National Source Tracking System Part 20 71 FR 65865, 72 FR 59162 | 01/31/2009 | Final ML081700688 | No Comments 07/07/2008 ML081840613 | |
| 2007-1 | Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207 | 10/29/2010 | | | |
| 2007-2 | Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, 150 72 FR 58473 | 12/17/2010 | | | |
| 2007-3 | Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 | 11/30/2010 | | | |

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|---------|--|-----------------------------|----------------------------------|--|-------|
| | 72 FR 55864 | | | | |
| 2007-4 | Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901 | 06/05/2008 | License Condition ML080800070 | No Comments 04/07/2008 ML080980514 | |
| 2008-1 | Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043 | 02/15/2011 | | | |

¹ IMPEP Team: verify that Illinois does not have any licensees subject to these regulations during each review