

# Impacts of Compatibility Changes in General License Regulations

## Questions

- a) What would be the impacts of changing the compatibility categories of 10 CFR 31.5 and 31.6 from B to C?
- b) What would be the distribution impediments?
- c) If there are any other impacts brought about by changes in the State regulations, please explain.

From Manufacturers/Distributors, it is necessary to understand:

- a) What are the current practices used by companies to address multiple jurisdictions and the registration requirements of generally licensed devices and 10 CFR 31.5 and 10 CFR 31.6 (or the State equivalent)?
- b) What are the costs incurred by companies by doing business in multiple jurisdictions with regard to the registration requirements of generally licensed devices and 10 CFR 31.5 and 10 CFR 31.6 (or the State equivalent)?
- c) What are the costs to health and safety in doing business in multiple jurisdictions with regard to the registration requirements of generally licensed devices and 10 CFR 31.5 and 10 CFR 31.6 (or the State equivalent)?
- d) Do you have any comments on the regulation of generally licensed devices associated to 10 CFR 31.5 and 10 CFR 31.6 (or the State equivalent) that affect you with regard to where your company is located or where your customers are located?

From the End-Users, it is necessary to understand:

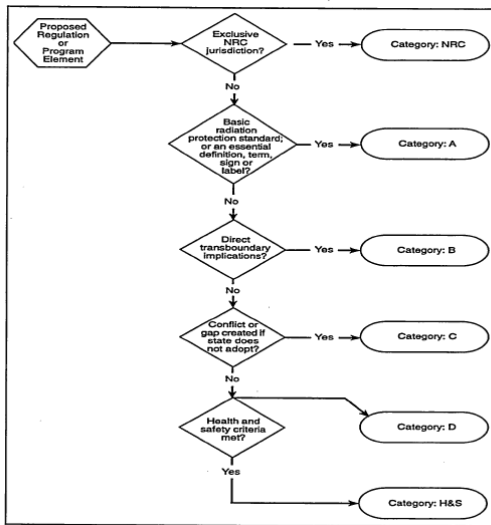
- a) What is the difference in cost of generally licensed devices purchased by you in comparison to devices without radioactive material with regard to the registration requirements of generally licensed devices and 10 CFR 31.5 and 10 CFR 31.6 (or the State equivalent)?
- b) What regulatory costs influence your decisions in the generally licensed devices that are purchased?
- c) What choices are made by you regarding health and safety and security with regard to which generally licensed devices are purchased by you?
- d) Do you have any comments regarding the regulation of generally licensed devices associated to 10 CFR 31.5 and 10 CFR 31.6 (or the State equivalent) that affect you with regard to where you are using your generally licensed devices?

# Compatibility

## MANAGEMENT DIRECTIVE 5.9

- Agreement States have 3 years to adopt compatible rule unless different time specified by Commission.
- Compatibility category assignments:

- NRC** - Reserved to NRC
- A** - Radiation protection standards, definitions or scientific terms (Essentially identical)
- B** - Direct and significant transboundary impacts (Essentially identical)
- C** - Adopt essential objectives to avoid conflict, duplication and gaps that would jeopardize orderly pattern in nationwide regulation (State requirements can be more restrictive)
- D** - Not required for compatibility
- H&S** - Adopt essential objectives to ensure adequate level of health and safety protection (State requirement can be more restrictive)



### Links to General Information:

**Statement of Principles and Policy for the Agreement State Program; Policy Statement on Adequacy and Compatibility of Agreement State Programs**

<http://www.gpo.gov/fdsys/pkg/FR-1997-09-03/pdf/97-23330.pdf>

### **Licensing**

<http://www.nrc.gov/materials/miau/licensing.html>