

June 28, 2012

Steve Tarlton, Program Manager
Radiation Control Program
Hazardous Materials & Waste Management
Colorado Department of Public Health and the Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

Dear Mr. Tarlton:

The Office of Federal and State Materials and Environmental Management Programs (FSME) has reviewed the email from James Jarvis dated April 19, 2012, in response to our letter dated October 13, 2011, which transmitted our comments on final revisions to the Colorado Rules and Regulations Pertaining to Radiation Control, 6 CCR 1007-1, Part 1, General Provisions, Part 3, Licensing of Radioactive Material, and Part 18, Licensing Requirements for Uranium and Thorium Processing. In this communication, he requested clarification and reevaluation of four of the 28 compatibility related comments we made regarding the final rules. We discussed our reevaluation of the regulations with James Jarvis on June 27, 2012.

Based on additional information provided in the email, we have determined that Colorado regulations meet the Category H&S designation for Comment 19 and the Compatibility Category B for Comment 25 from our October 13, 2011 letter. These comments are withdrawn.

Regarding Comment 22 as discussed in the April 19, 2012 email, Colorado still needs to include the definition of "residual radioactive material" in their Part 18.2.3.16 in order to meet the Compatibility Category A designation assigned to 10 CFR 40.4. As previously stated, Colorado uses the term "residual radioactive material" in Section 3.16. The term "residual radioactive material" in 10 CFR Part 40 is used only with respect to materials at sites subject to remediation under title I of the Uranium Mill Tailings Radiation Control Act of 1978, as amended. The authority for these materials is reserved to the NRC, and Agreement States do not have authority for this activity. The phrase residual radioactive material should be deleted from Section 3.16 since this material is reserved to NRC's jurisdiction. Comment 22 stands.

Regarding Comment 24, Colorado still needs to include the definition of "uranium milling" in Part 18.2 in order to meet the Compatibility Category A designation assigned to 10 CFR 40.4. We reviewed your discussion of the different structure of the Colorado regulations and the use of the term "uranium milling" in sections with different compatibility designations. However as a Compatibility Category A program element, these program elements are considered basic radiation protection standards and scientific terms and definitions that are necessary to understand radiation protection concepts. NRC expects this definition to be adopted essentially identically to the NRC definition to provide uniformity in the regulation of agreement material on a nationwide basis. Comment 24 stands.

The attached table shows the 26 outstanding comments that need to be incorporated into Colorado's final regulations.

The attached SRS Data Sheet summarizes our knowledge of the status of other Colorado regulations and legal binding requirements, as indicated. Please let us know if you note any additional 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://www.hsrcd.ornl.gov/rulemaking/htm>.

If you have any questions regarding the review, 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 (kathleen.schneider@nrc.gov) or Stephen Poy at 301-415-7135 (stephen.poy@nrc.gov).

Sincerely,

/RA/

Christian E. Einberg, Acting Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosure: As stated

[Concurrence Page]

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Sincerely,

/RA/

Christian E. Einberg, Acting Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosure: As stated

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**COMPATIBILITY COMMENTS ON COLORADO FINAL REGULATIONS
RESOLUTION OF OCTOBER 13, 2011 LETTER**

***Comment Challenged (See April 19, 2012 Incoming Request)**

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	See Comment Section	§§ 35.2, Definitions <i>(Authorized medical physicist, Authorized nuclear pharmacist, Authorized user, Radiation Safety Officer)</i> and 35.59.	2006-1	B	<p>Multiple</p> <p>Colorado did not submit their equivalent regulations to 10 CFR 35.2 and 35.59, for review.</p> <p>Colorado needs to provide for review the above equivalent regulations in order to meet the Compatibility Category B designation 10 CFR 35.</p>
2	Part 3 Schedule 3C.10	§30.15	2007-2	B	<p>Certain items containing byproduct material</p> <p>In Section 3C.10.1.4, Colorado's regulation reads, "3.7 MBq (100 µCi) of promethium-147 per watch or 7.4 MBq (200 mCi) of promethium-147 per any other timepiece.</p> <p>Colorado needs to change 200 mCi to 200 µCi after 7.4 MBq.</p> <p>In Section 3C.10.1.5, Colorado's regulation reads, "0.74 MBq (20 µCi) of promethium-147 per watch hand of 1.48 MBq (40 mCi) of promethium-147 per other timepiece hands.</p> <p>Colorado needs to change 40 mCi to 40 µCi after 1.48 MBq.</p> <p>Colorado needs to correct the above references in 3C.10 in order to meet the Compatibility Category B designation assigned to 10 CFR 30.15.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
3	See Comment Section	§20.2001 (a)(4)	2007-3	C	<p>General requirements</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 20.2001 (a)(4) for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category C designation 10 CFR 20.2001(a)(4).</p>
4	See Comment Section	§20.2006 (e)	2007-3	B	<p>Transfer for disposal and manifests</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 20.2006(e) for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category B designation 10 CFR 10 CFR 20.2006(e).</p>
5	See Comment Section	§20.2008	2007-3	B	<p>Disposal of 11e.(3) and 11e.(4) byproduct material</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 20.2008 for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category B designation 10 CFR 10 CFR 20.2008.</p>
6	See Comment Section	Part 20 Appendix B	2007-3	A	<p>Annual Limits on Intake (ALIs) and Derived Air Concentrations (DACs) of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release to Sewerage</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>Colorado did not submit their equivalent regulation to 10 CFR Part 20 Appendix B for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category A designation 10 CFR 10 CFR Part 20 Appendix B.</p>
7	See Comment Section	§30.4	2007-3	C	<p>Definition: Consortium</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 30.4, Definition, Consortium for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category C designation 10 CFR 30.4, Definition, Consortium.</p>
8	See Comment Section	§30.32(g)	2007-3	C	<p>Application for specific licenses</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 30.32(g) for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category C designation 10 CFR 10 CFR 30.32(g).</p>
9	See Comment Section	§30.32(j)	2007-3	B	<p>Application for specific licenses</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 30.32(j) for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Category B designation 10 CFR 10 CFR 30.32(j).
10	See Comment Section	§30.34 (g)	2007-3	H&S	<p>Terms and conditions of licenses</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 30.34(g) for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Category H&S designation 10 CFR 10 CFR 30.34(g).</p>
11	See Comment Section	§30.34(j)	2007-3	B	<p>Terms and conditions of licenses</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 30.34(j) for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category B designation 10 CFR 10 CFR 30.34(j).</p>
12	Part 3 Schedule 3E	§30.72	2007-3	H&S	<p>Schedule C – Quantities of radioactive material requiring consideration of the need for an emergency plan for responding to a release</p> <p>Colorado omits radium-226 from the table in Schedule 3E. Colorado needs to include an entry for radium-226.</p> <p>Colorado needs to make the above change in order to meet the Category H&S designation assigned to 10 CFR 30.72, Schedule C.</p>
13	3.6.4	§31.5(c)(13)	2007-3	B	<p>Certain detecting, measuring, gauging, or controlling devices</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>and/or an ionizing atmosphere</p> <p>Colorado omits radium-226 from the 3.6.4.13. Colorado needs to include an entry for radium-226 in its equivalent regulation to. 10 CFR 31.5(c)(13).</p> <p>Colorado needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 31.5(c)(13).</p>
14	3.12.10	§32.72 (a)(2)(i), (iii), (iv), (v), & (b)	2007-3	B	<p>Manufacture, preparation, or transfer for commercial distribution of radioactive drugs, containing byproduct material for medical use under Part 35</p> <p>Colorado did not revise Section 3.12.10 to incorporate the changes associated with 10 CFR 32.72 (a)(2)(i), (iii), (iv), (v), & (b) in the final regulation.</p> <p>Colorado needs to make the corresponding revisions to Section 3.12.10 order to meet the Compatibility Category B designation assigned to 10 CFR 32.72 (a)(2)(i), (iii), (iv), (v), & (b).</p>
15	See Comment Section	§ 35.11(a)	2007-3	C	<p>License required</p> <p>Colorado did not submit their equivalent regulation to 10 CFR 35.11(a) for review.</p> <p>Colorado needs to provide for review the above equivalent regulation in order to meet the Compatibility Category C designation 10 CFR</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					35.11.
16	See Comment Section	§§35.63 (b)(2)(ii), (b)(2)(iii), & (c)(3); 35.100 (a) & (b); 35.200 (a) & (b); 35.204 (a); 35.300 (a) & (b)	2007-3	H&S	<p>Multiple</p> <p>Colorado did not submit their equivalent regulations to 10 CFR 35.63, 35.100, 35.200, 35.204 and 35.300 for review.</p> <p>Colorado needs to provide for review the above equivalent regulations in order to meet the Category H&S designation 10 CFR 35.</p>
17	18.1.5	§40.2	N/A		<p>Scope</p> <p>In Section 18.1.5, it states, “The regulation of uranium in-situ leach mining (in situ recovery), as defined in section 34-32-103, CRS., involves the Department of Natural Resources, Division of Reclamation, Mining and Safety or their successor. The requirements of that agency may, due to the use of terms-of-art and other technical words, phrases and definitions, be interpreted inconsistently or be held in conflict with the department’s requirements. The Department will coordinate with that agency to the maximum extent practicable to resolve any such conflicts or inconsistencies. An applicant or licensee that identifies such inconsistency or conflict shall provide that information to both agencies for resolution.”</p> <p>This regulation as written indicates that there is a potential overlap between two Colorado agencies which could result in a duplication of</p>

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					<p>regulatory efforts to be resolved. Colorado should revise this provision to reflect that Department of Natural Resources, Division of Reclamation, Mining and Safety or their successor is not implementing any Atomic Energy Act regulatory authority under the 274b Agreement.</p> <p>However, if it is the State of Colorado's intention that Department of Natural Resources, Division of Reclamation, Mining and Safety or their successor be part of the Colorado radiation control program, Colorado should inform NRC of this change of Section 274b program implementation so that the Department of Natural Resources, Division of Reclamation, Mining and Safety program can be incorporated into the NRC's Integrated Material Performance Evaluation Program.</p> <p>Colorado needs to either clarify Section 18.1.5 that the Department has the responsibility for implementing the regulatory authority of 11e.2 byproduct material program under the Section 274b Agreement or inform NRC that the Department of Natural Resources, Division of Reclamation, Mining and Safety is now part of the Colorado's Radiation Control Program under the Section 274b Agreement with NRC.</p>
18	18.1.3	§40.2a	N/A	A	<p>Coverage of inactive tailings sites</p> <p>In Section 18.1.3, Colorado needs to delete the last phrase in the second</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>sentence, “unless that program fails to accomplish remedial action” because it is inconsistent the authority that Colorado has under their 274b agreement.</p> <p>Colorado needs to make the above change in order to meet the Compatibility Category A designation assigned to 10 CFR 40.2a(b)</p> <p>COMMENT STANDS from NRC letter dated March 28, 2002.</p>
★19	18.2	§40.4, §61.2, <i>Definitions: Active maintenance</i>	N/A	H&S	<p>Definition: Active maintenance</p> <p>The term “active maintenance” is defined in Part 61.2 and is unique to the requirements for <i>Licensing Requirements for Land Disposal of Radioactive Waste</i> in Part 61. The definition is not defined in 10 CFR 40 or in Appendix A to 10 CFR 40. The use of this definition in context with the requirements in Part 40, Appendix A for 11e.(2) material can result in conflicts and duplications. Reference to “active maintenance” should be deleted from Section 18.2.</p> <p>Colorado needs to delete the term “active maintenance” from Section 18.2 in order to meet the Category H&S designation assigned to 10 CFR 61.2. and in order to avoid duplications, conflicts and gaps in accordance with the 1997 Policy Statement on Adequacy and Compatibility of Agreement State Programs.</p> <p>Comment withdrawn based on review of additional information, provided in Colorado’s April 19, 2012 email.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
20	18.2, 18.5.5, 3.9.5, 3.16.4, 3.16.7	§40.4 Part 40, Appendix A	N/A		<p>Definition: Long term care</p> <p>The term “long term care” is not defined in 10 CFR 40 or in Appendix A to 10 CFR 40. This term is not part of NRC’s regulatory scheme for 11e.(2) byproduct materials. This definition can lead to conflicts with the requirements of Part 40 and should be deleted from Section 18.2 and Part 18, Appendix A: Criterion 6.</p> <p>Colorado needs to delete the term “long term care” as noted above in order to avoid duplications, conflicts and gaps in accordance with the 1997 Policy Statement on Adequacy and Compatibility of Agreement State Programs.</p>
21	18.2, Appendix A: Criterion 6	§40.4 Part 40, Appendix A	N/A		<p>Definition: Post Closure</p> <p>The term “post closure” is not defined in 10 CFR 40 or in Appendix A to 10 CFR 40. This term is not part of NRC’s regulatory scheme. This definition can lead to conflicts with the requirements of Part 40 and should be deleted from Section 18.2 and Part 18, Appendix A: Criterion 6.</p> <p>Colorado needs to delete the term “post closure” in order to avoid duplications, conflicts and gaps in accordance with the 1997 Policy Statement on Adequacy and Compatibility of Agreement State Programs.</p>
★22	18.2. 3.16	§40.4	N/A	A	<p>Definition: Residual radioactive material</p> <p>Colorado has omitted the definition of “residual radioactive material”.</p> <p>Colorado uses the term “residual radioactive material” in Section 3.16.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>The term “residual radioactive material” in 10 CFR Part 40 is used only in respect to materials at sites subject to remediation under title I of the Uranium Mill Tailings Radiation Control Action of 1978, as amended. The authority for these materials is reserved to the NRC and Agreement States do not have authority for this activity. The phrase “residual radioactive material” should be deleted from Section 3.16 since this material is reserved to NRC’s jurisdiction.</p> <p>Colorado needs to make the above changes in order to meet the Compatibility Category A designation assigned to 10 CFR 40.4, Definitions, Residual radioactive material.</p> <p>After evaluation of information provided in email dated April 19, 2012, staff has determined that the Comment stands.</p>
23	18.1, 18.2, Part 18 Appendix A, 3.9.5	Part 40 Part 40, Appendix A	N/A		<p>Definition: Surveillance</p> <p>Colorado defines the term “surveillance” in Section 18.2 as “the observation of the site for the purposes of visual detection of the need for maintenance, custodial care, evidence of unauthorized access, and compliance with other license and regulatory requirements.”</p> <p>However, this term is not defined in 10 CFR 40 or in Appendix A to 10 CFR 40. The term “surveillance” as used 10 CFR 40 includes monitoring or other surveillance that cannot be performed visually. This definition as written can lead to gaps in the regulatory program.</p> <p>Colorado needs to delete the</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					definition of "surveillance" in order to avoid duplications, conflicts and gaps in accordance with the 1997 Policy Statement on Adequacy and Compatibility of Agreement State Programs.
★24	18.2	§40.4	N/A	A	<p>Definition: Uranium milling</p> <p>Colorado has omitted definition of uranium milling.</p> <p>Colorado needs to adopt a definition of uranium milling to meet the Compatibility Category A designation assigned to Section 40.4, Definitions.</p> <p>After evaluation of information provided in email dated April 19, 2012, staff has determined that the Comment stands.</p>
★25	Part 18	§40.46	N/A	C	<p>Inalienability of licenses</p> <p>Colorado omits the requirements from 10 CFR 40.46 from Part 18.</p> <p>Colorado needs to adopt the above requirements in Part 18 in order to meet the Compatibility Category C designation assigned to 10 CFR 40.46.</p> <p>Comment withdrawn based on review of Section 3.15.2 provided in Colorado's April 19, 2012 email.</p>
26	Part 18 Appendix A	Part 40, Appendix A	N/A	A	<p>Appendix A Definition: Available technology</p> <p>Colorado has omitted definition of Available technology.</p> <p>Colorado needs to adopt a definition of Available technology to meet the</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Compatibility Category A designation assigned to Part 40, Appendix A, Definitions.
27	3.9.5.10	Part 40, Appendix A, <i>II. Financial Criteria, Criterion 10</i>	N/A	C	<p>Appendix A, II. Financial Criteria, Criterion 10</p> <p>In Section 3.9.5.10 (4), Colorado's regulations states, "The amount of funds to be provided by such long-term care warranties shall be based on Department-approved cost estimates and shall be enough that with an assumed six percent annual real interest rate, the annual interest earnings will be sufficient to cover to the annual costs of site surveillance by the Department, including reasonable administrative costs incurred by the Department, in perpetuity, subsequent to the termination of the license." In NRC's equivalent requirements in Criterion 10 states "...with an assumed 1 percent annual real interest rate..."</p> <p>The assumption of six percent in the above statement underestimates the amount of funds set aside for long term care creating a situation of having insufficient funds to cover the costs of surveillance. This is least restrictive than the NRC requirements in Criterion 10 and should be revised to address the essential objective of this requirement.</p> <p>Also, the regulation states that the Department would be responsible for site surveillance. Colorado has stated recently that the Department of Energy would be responsible for site</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>surveillance. As written, this option is not an option under the Colorado regulations.</p> <p>Colorado needs to adopt the above changes in order to meet the Compatibility Category C designation assigned to Appendix A.</p>
28	<i>Part 18, Appendix A Criterion 9</i>	<i>Part 40, Appendix A, III. Site and Byproduct Material Ownership Criterion 11</i>	N/A	NRC	<p>APPENDIX A, III. Site and Byproduct Material Ownership</p> <p>In Criteria 9C and 9D, the “Department” was inadvertently inserted where only the NRC has licensed authority.</p> <p>Colorado needs to correct the references to the “Department” in Criteria 9C and 9D in order to meet the Compatibility Category NRC designation assigned to 10 CFR Part 40 Criteria 11.</p> <p>COMMENT STANDS from NRC letter dated March 28, 2002.</p>

STATE REGULATION STATUS

State: Colorado

Tracking Ticket Number: 12-15

[3 amendment(s) and final amendments not associated
With a specific RATS reviewed is identified by
a ★ at the beginning of the equivalent NRC requirement.]

Date: June 28, 2012

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	Comments 05/29/1997	Colorado 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	Not Required	Not Required	Colorado 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	No Comments 08/18/1997	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980;	10/15/1994	Final	Comments 05/29/1997	
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2)	01/27/1995	Not Required	Not Required	Colorado has adopted Final Regulations equivalent with RATS ID: 2002-2.
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions	none	Not Required	Not Required	These regulation changes are not required to be adopted for purposes

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
	Parts 30, 35 57 FR 45566				of Compatibility.
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628	10/25/1996	Final	No Comments 06/14/2000	
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Final	No Comments 05/29/1997	
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Final ML043290167	No Comments 01/05/2005 ML050050164	
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618	none	Final	No Comments 06/14/2000	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	Final ML043290167	No Comments 01/05/2005 ML050050164	
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997	Final	No Comments 06/14/2000	
1995-1	Preparation, Transfer for Commercial Distribution,	01/01/1998	Final	No Comments	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
	and Use of Byproduct Material for Medical Use Parts 30, 32, 35 59 FR 61767; 59 FR 65243; 60 FR 322			06/14/2000	
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final	No Comments 06/14/2000	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Final ML043290167	No Comments 01/05/2005 ML050050164	
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superceded by 1997-5)	06/30/1998	Final	No Comments 06/14/2000	Colorado 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 ML080770375	No Comments 05/02/2008 ML081221012	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Final ML043290167	No Comments 01/05/2005 ML050050164	
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20, 35	10/20/1998	Final ML043290167	No Comments 01/05/2005 ML050050164	Colorado has adopted Final Regulations equivalent to RATS IDs: 2002-2 and 2005-2.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
	60 FR 48623 (Superceded by 2002-2 and 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	No Comments 03/22/2001	Colorado 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 ML043290167	No Comments 01/05/2005 ML050050164	
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Final	No Comments 08/08/2000	
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 06/14/2000	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35	05/29/2000	Final	No Comments 06/14/2000	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
	62 FR 4120				
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superseded by 2004-1)	02/10/2000	Not Required	Not Required	Colorado has adopted Final Regulations equivalent to RATS ID 2004-1. (See STP-97-078)
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71, 150 62 FR 28947	06/27/2000	Final	No Comments 08/08/2000	
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000	Final	No Comments 07/13/1999	
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 06/14/2000	
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML010380248	No Comments 09/17/2001 ML012630207	
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, 70 63 FR 29535	07/01/2001	Not Required	Not Required	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	07/10/2001	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-98-074)

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	(Superceded by 2002-2)				Colorado 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	No Comments 08/08/2000	
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 32, 35, 36, 39 63 FR 39477; 63 FR 45393	10/26/2001	Final ML043290167	No Comments 01/05/2005 ML050050164	
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Final ML042440167	No Comments 01/05/2005 ML050050164	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Final ML020320440	No Comments 03/28/2002 ML020880468	
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	02/02/2003	Final ML043290167	No Comments 01/05/2005	

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	Part 20 64 FR 54543; 64 FR 55524			ML050050164	
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Final ML051580379	No Comments 07/11/2005 ML051930014	
2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Final ML043290167	No Comments 01/05/2005 ML050050164	
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	Final ML043290167	Comments 08/31/2006 ML062400296	
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML043290167	No Comments 01/05/2005 ML050050164	
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	Final ML 051580379	No Comments 07/11/2005 ML051930014	
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006	Final ML043290167	No Comments 01/05/2005 ML050050164	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71	10/01/2007	Final ML072620303	Comments 10/15/2007 ML072900374	

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	69 FR 3697				
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Final ML052010436	No Comments 08/05/2005 ML052220212	
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Final ML051580379	No Comments 07/11/2005 ML051930014	
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML052580384	No Comments 09/19/2005 ML052630557	
*2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Final ML121150500 Final ML121150470	No Comments 06/21/2012 ML12150A112 Comments 06/28/2012 ML12177A030	Part 35 only Parts 20, 30, 32 only
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007			
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	License Condition ML082730235	No Comments 10/21/2008 ML082880091	

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2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Final ML121150500	Comments 06/21/2012 ML12150A112	Part 35 only
*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	Final ML121150470	Comments 06/28/2012 ML12177A030	
*2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864	11/30/2010	Final ML121150500 Final ML121150470	No Comments 06/21/2012 ML12150A112 Comments 06/28/2012 ML12177A030	Part 35 only Requirements of Part 20 have not yet been reviewed.
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 ML081070079	No Comments 05/13/2008 ML081260713	
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011	Proposed ML100960326	Comments 05/04/2010 ML101040019	

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2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Final ML121150500	Comments 06/21/2012 ML12150A112	
2011-1	Decommissioning Planning Parts 20, 30, 40, 70 76 FR 35512	12/17/2015			
2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 51, 70, and 150 76 FR 56951	11/14/2014			
2012-1	Change of Compatibility of 10 CFR 31.5 and 31.6 (See RATS ID: 2001-1 for Rule text) 77 FR 3640	01/25/2015			
2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	08/10/2015			
N/A	10 CFR 20.1003, 34.20, 34.35 and 34.43	N/A	Final ML093020612	Comments 12/29/2009 ML093360435	
*N/A	10 CFR Part 40	N/A	Final ML121150470	Comments 06/28/2012 ML12177A030	

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N/A	Legislation	N/A	Final ML111080623	Comments 10/24/2011 ML112630034	