



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 31, 2022

Ms. Ruth E. McBurney  
Executive Director  
Conference of Radiation Control  
Program Directors, Inc.  
1030 Burlington Lane, Suite 4B  
Frankfort, KY 40601

Dear Ms. McBurney:

We have reviewed the revisions to the Suggested State Regulations (SSRs) in Part T- "Transportation of Radioactive Material", received by our office on March 3, 2022. These regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) rules in 10 CFR Parts 71, and the applicable Regulation Amendment Tracking System Identification Numbers (RATS IDs) 2015-3, 2015-5, 2018-2, 2018-3, 2019-2, 2020-3 and 2021-2. We discussed our review of the regulations with Bruce Hirschler on March 28, 2022.

As a result of our review, we have three comments related to compatibility. The comments are identified in the enclosure. The Conference of Radiation Control Program Directors (CRCPD) will need to resubmit Part T to address changes necessary for the implementation of this amendment. We are not able to provide federal concurrence until the comments have been addressed.

Please note that we have limited our review to regulations required for compatibility and/or health and safety. We have determined that if your regulations were revised to incorporate our comments and without other significant change, they would 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, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements."

We request that a copy of the revised regulations be provided to us for review and federal concurrence. As requested in Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-201, "Review of State Regulatory Requirements," please highlight the final changes and submit to [AgreementStateReqs.Resource@nrc.gov](mailto:AgreementStateReqs.Resource@nrc.gov).

The State Regulation Status (SRS) Data Sheet summarizes our knowledge of the status of other CRCPD Suggested State 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 NMSS State Communication Portal: <https://scp.nrc.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 Michelle Beardsley, State Regulation Review Coordinator at 301-415-0275 ([michelle.beardsley@nrc.gov](mailto:michelle.beardsley@nrc.gov)) or Stephen Poy at 301-415-7135 ([stephen.poy@nrc.gov](mailto:stephen.poy@nrc.gov)).

Sincerely,



Signed by Anderson, Brian  
on 03/31/22

Brian C. Anderson, Chief  
State Agreement and Liaison Programs Branch  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:  
CRCPD SRS Data Sheet

SUBJECT: CRCPD REVISED SUGGESTED STATE REGULATIONS, PART T  
DATE: March 31, 2022

DISTRIBUTION:  
DIR RF (22-26)  
CRCPD File

ADAMS Accession No. ML22066A027 pkg and ML22090A200 letter

OFFICE	NMSS/MSST	OGC	NMSS/MSST
NAME	MBeardsley	NA	BCAnderson
DATE	03/31/22		03/31/22

**OFFICIAL RECORD COPY**

**COMPATIBILITY COMMENTS ON CRCPD REVISED SUGGESTED STATE REGULATIONS (SSRs)  
PART T**

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	Section T.20	§ 71.101(b) and (c)(1)	2015-3	C	<p><b>Quality assurance requirements</b></p> <p>Section T.20 is missing the phrase in the equivalent section of 10 CFR 71.101(c)(1) that states, "Using an appropriate method listed in § 71.1(a), each licensee shall file a description of its quality assurance program, including a discussion of which requirements of this subpart are applicable and how they will be satisfied, by submitting the description to:[insert the appropriate State agency]."</p> <p>CRCPD needs to make the change indicated above to meet the Compatibility Category C designation assigned to 10 CFR 71.101 (b) and (c) (1).</p>
2	Section T.2	§ 71.4, <i>Indian Tribe</i>	2015-5	B	<p><b>Definitions: Indian Tribe</b></p> <p>In the equivalent of § 71.4, definition of Indian Tribe, CRCPD needs to remove the word "tribe" wherever it may occur, and add in its place the word "Tribe".</p> <p>CRCPD needs to make the change indicated above to meet the Compatibility Category B designation assigned to 10 CFR 71.4, Definition: Indian Tribe.</p>
3	Section T.7	§ 71.17(c)(3)	2019-2	B	<p><b>General License: NRC approved package</b></p> <p>In the equivalent of § 71.17(c)(3), CRCPD needs to remove "Division of Spent Fuel Storage and Transportation" and add in its place "Division of Fuel Management".</p> <p>CRCPD needs to make the change indicated above to meet the Compatibility Category B designation assigned to 10 CFR 71.17(c)(3).</p>

**CRCPD STATE SUGGESTED REGULATION STATUS SHEET**

**Note: Even if federal concurrence has been granted, some regulations may have been amended after that date. See current RATS ID sheets for those affected regulations: [https://scp.nrc.gov/rss\\_regamendments.html](https://scp.nrc.gov/rss_regamendments.html)**

<b>CRCPD PART/ TITLE</b>	<b>NRC REGULATION- 10 CFR Parts</b>	<b>PROPOSED /FINAL</b>	<b>FEDERAL CONCURRENCE GIVEN? Yes/No DATE OF DOCUMENT/ADAMS ML# of Package</b>	<b>COMMENTS</b>
A-General Provisions	19, 20, 30, 31, 32, 34, 35, 36, 39, 40, 61, 70, 71, and 150.	Proposed- comments  Revised- comments	No 3/30/11 ML110610112  No 02/28/22 ML22026A343	The submitted Part A SSRs were updated to reflect the changes related to 10 CFR Parts 19 and 20 through RATS ID 2021-1.
B- Regulation of Radiation Machine Facilities and Assoc. Healthcare Professionals	N/A			
C- Licensing of Radioactive Material	30, 31, 32, 40, 70	Final; no comments  Proposed; Comments  Final; No Comments	Yes 5/12/10 ML101040766  No 05/01/19 ML19044A444  Yes 8/26/21 ML21235A111	
D- Standards for Radiation Protection	20	Proposed; Comments  Revised;	No 3/30/11 ML110610112  No	

		Comments	02/28/22 ML22026A343	The submitted Part D SSRs were updated to reflect the changes through RATS ID 2021-1.
E- Radiation Safety Requirements for Industrial Radiography Operations	34	Final; no comments  Revised; no comments	Yes 2/22/16 ML16036A047  Yes 12/13/21 ML21330A073	The submitted Part E SSRs were updated to reflect the changes through RATS ID 2020-1.
F- Medical Diagnostic and Interventional X-Rays and Imaging Systems	N/A			
G- Use of Radionuclides in the Healing Arts	35	Proposed; comments	No 4/1/10 ML100600666	
H- Radiation Safety Requirements for non-medical radiation generating devices	N/A			
J- Notices, Instructions and Reports to Workers, Inspections	19	Proposed; comments  Revised; comments	No 3/30/11 ML110610112  No 02/28/22 ML22026A343	The submitted Part J SSRs were updated to reflect the changes through RATS ID 2020-3.
N- Regulation and Licensing of TENORM	N/A			
O- Decommissioning	30, 40, 70	Final; no comments	Yes 11/13/00 ML003770059	

		Revised; no comments	Yes 02/28/22 ML22026A343	The submitted Part O SSRs were updated to reflect the changes related to 10 CFR Part 20* through RATS ID 2011-1.
Q- Licensing and Radiation Safety Requirements for Irradiators	36	Proposed; no comments  Revised; no comments  Final; no comments	No 7/11/15 ML051930005  Yes 12/13/21 ML21330A073  Yes 2/3/22 ML22026A430	The submitted Part Q SSRs were updated to reflect the changes through RATS ID 2020-1.
R- Control of Radiation "Radon"	N/A			
S- Requirements for Financial Assurance	30, 40, 70		3/24/05	
*T- Transportation of Radioactive Material	71	Final; no comments  Revised; comments	Yes 9/9/14 ML14093A159  No 03/31/22 ML22066A027	The submitted Part T SSRs were updated to reflect the changes through RATS ID 2021-2.
U- Licensing Requirements for Uranium and Thorium Processing and related radioactive materials	40	Final; no comments	Yes 4/16/15 ML15077A212	

V- Physical Protection of Category I & II Quantities of Radioactive Materials	37	Final; no comments  Revised; comment  Final; No comments	Yes 11/19/14 ML14294A568  No 12/13/21 ML21330A073  Yes 2/3/22 ML22026A430	The submitted Part V SSRs were updated to reflect the changes through RATS ID 2021-2.
W- Radiation Safety Requirements for Well Logging Operations and Subsurface Tracer Studies	39	Proposed; comments  Revised; Comments  Final; No comments	No 1/30/15 ML14279A456  No 12/13/21 ML21330A073  Yes 2/3/22 ML22026A430	The submitted Part W SSRs were updated to reflect the changes through RATS ID 2020-1.
X- Therapeutic Radiation machines	N/A			
Z- Medical Credentialing	N/A			