

OCT 25 1999

Mr. Terry C. Frazee, Supervisor  
Radioactive Materials Section  
Division of Radiation Protection  
Washington Department of Health  
7171 Cleanwater Lane, Building #5  
P.O. Box 47827  
Olympia, WA 98504-7827

Dear Mr. Frazee:

We have reviewed the final Washington regulations (WAC 246-220, 246-221, 246-231, 246-232, 246-235, and 246-244) - requirements for transportation, areas of exclusive Federal jurisdiction, dose constraints on air emissions, and disposition of decommissioning records, with an August 21, 1999, effective date. The request was based on your August 11, 1999 e-mail. The final regulations are in response to the four amendments identified in the enclosed Regulations Assessment Tracking System (RATS) Data Sheet. We also reviewed the August 6, 1999 letter to you, in which the proposed regulations were reviewed by comparison to the equivalent NRC regulations in 10 CFR Parts 20, 30, 71, 150 and Part T of the Suggested State Regulations for Control of Radiation.

As a result of the NRC review, we have determined that the Washington regulations, as adopted, meet the compatibility and health and safety categories established in OSP Procedure SA-200.

We have also summarized on the RATS Data Sheet our knowledge of the status of other Washington regulations. Please let us know if you note any inaccuracies or have any comments on the information contained in the RATS Data Sheet.

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me or Linda McLean at (817) 860-8116 or by e-mail at [mlm1@nrc.gov](mailto:mlm1@nrc.gov).

Sincerely,  
Original signed by:  
Frederick C. Combs, Deputy Director  
Office of State Programs

Enclosure:  
As stated

Distribution:

DIR RF

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SDroggitis

Washington File

DSollenberger/ASPO

BUsilton

MShaffer, RIV

DCD (SP08) PDR (YES✓)

DOCUMENT NAME: G:\SNS\wa final review 99-01.wpd

\*See previous concurrence.

OFFICE	RIV:SAO	E	OSP	E	OGC		OSP:DD		
NAME	LMcLean:kk		SSalomon		STreby		FCombs		
DATE	9/24/99*		10/14/99*		10/20/99*		10/15/99*		

OSP FILE CODE: SP-AG-29

PDR STPRS WA

NRC FILE CENTER COPY

Mr. Terry C. Frazee, Supervisor  
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*no legal objection*

\*See previous concurrence.

OFFICE	RIV:SAO	OSP	OGC	OSP:DD
NAME	LMcLean:kk	SSalomon	STreby	FCombs
DATE	9/24/99*	10/14/99*	10/15/99	10/15/99*

OSP FILE CODE: SP-AG-29

Mr. Terry C. Frazee, Supervisor  
 Radioactive Materials Section  
 Division of Radiation Protection  
 Washington Department of Health  
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OFFICE	RIV:SAO <i>snb</i> <i>E</i>	OSP <i>snb</i> <i>E</i>	OGC	OSRDD		
NAME	LMcLean:kk <i>e-mail for</i>	SSalomon	STreby	FCombs		
DATE	9/21/99	10/14/99	10/ /99	10/1/99		

OSP FILE CODE: SP-AG-29



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

October 25, 1999

Mr. Terry C. Frazee, Supervisor  
Radioactive Materials Section  
Division of Radiation Protection  
Washington Department of Health  
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Sincerely,

A handwritten signature in black ink, appearing to be "FC Combs", with a long horizontal line extending to the right.

Frederick C. Combs, Deputy Director  
Office of State Programs

Enclosure:  
As stated

**REGULATION ASSESSMENT TRACKING SYSTEM  
RATS DATA SHEET**

State: Washington  
[4 final amendments (8/21/99) identified by★]

Tracking Ticket Number: N/A  
Date: October 25, 1999

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed/ Final- Comment (Y/N)	NRC Review Date	Final State Regulation (Effective Date)
Standards for Protection Against Radiation-Part 20	56 FR 23360 plus others (1/1/94)	1991-3	F-N (SA-200)	6/3/98 12/15/98	1/9/94 <sup>1</sup>
Safety Requirements for Radiographic Equipment- Part 34	55 FR 843 (1/10/94)	1991-1	F-N	7/14/98	1/9/94
ASNT Certification of Radiographers-Part 34	56 FR 11504 (none)	1991-2			Not required
Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70	56 FR 64980 (10/15/94)	1991-4	F-N/P-N	8/30/99	7/9/98 partial
Quality Management Program and Misadministrations-Part 35	56 FR 34104 (1/27/95)	1992-1	F-N	6/29/99	5/3/97
Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions- Parts 30,35	57 FR 45566 (none)	1992-2			Not required
Licensing and Radiation Safety Requirements for Irradiators-Part 36	58 FR 7715 (7/1/96)	1993-2			Not required NRC letter 6/20/96
Definition of Land Disposal and Waste Site QA Program-Part 61	58 FR 33886 (7/22/96)	1993-3	F-N	10/13/98	1/20/97
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628 (10/25/96)	1993-1	F-N	5/28/97	3/6/97
Self-Guarantee as an Additional Financial Mechanism- Parts 30, 40, 70	58 FR 68726 59 FR 1618 (none)	1994-1			Not required
Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards-Part 40	59 FR 28220 (7/1/97)	1994-2	F-N	10/13/98	7/17/97
Timeliness in Decommissioning Material Facilities- Parts 30, 40, 70	59 FR 36026 (8/15/97)	1994-3	F-N	5/28/97	5/3/97
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	F-N	6/29/99	7/9/98
Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20	60 FR 7900 (3/13/98)	1995-2	F-N	6/29/99	7/9/98
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649 60 FR 25983 (3/1/98)	1995-3	F-N	10/13/98	5/23/98

<sup>1</sup>The Final State Regulation (Effective Date) of some regulations may be the date of adoption with the effective date occurring 31 days after adoption according to Washington statute.

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed/ Final- Comment (Y/N)	NRC Review Date	Final State Regulation (Effective Date)
Performance Requirements for Radiography Equipment- Part 34	60 FR 28323 (6/30/98)	1995-4	F-N	7/26/99	3/8/99
Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038 (8/14/98)	1995-5	F-N	7/26/99	3/8/99
Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235 (11/24/98)	1995-6	F-N	7/26/99	5/3/97
Medical Administration of Radiation and Radioactive Materials-Parts 20, 35	60 FR 48623 (10/20/98)	1995-7	F-N	6/29/99	7/9/98
★10 CFR Part 71: Compatibility with the International Atomic Energy Agency-Part 71	60 FR 50248 61 FR 28724 (4/1/99)	1996-1	F-N	10/25/99	8/21/99
One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses-Parts 30, 40, 70	61 FR 1109 (none)	1996-2			Not required
★Termination or Transfer of Licensed Activities: Recordkeeping Requirements-Parts 20, 30, 40, 61, 70	61 FR 24669 (6/17/99)	1996-3	F-N	10/25/99	8/21/99
★Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act-Part 20	61 FR 65119 (1/9/00)	1997-1	F-N	10/25/99	8/21/99
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907 (none)	1997-4			Not required
★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	F-N	10/25/99	8/21/99
Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120 (5/29/00)	1997-3	F-N	6/29/99	7/9/98
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations-Parts 30, 34, 71, 150	62 FR 28948 (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, 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			Not required
License Term for Medical Use Licenses- Part 35	63 FR 31604 (none)	1998-3			Not required
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations-Part 34	63 FR 37059 (7/9/01)	1998-4			
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20, 35, 36	63 FR 39347 63 FR 45393 (10/26/01)	1998-5			

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed/ Final- Comment (Y/N)	NRC Review Date	Final State Regulation (Effective Date)
Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20	63 FR 50127 (11/20/01)	1998-6	F-N	7/28/99	5/23/98
Radiological Criteria for License Termination of Uranium Recovery Facilities- Part 40	64 FR 17506 (6/11/02)	1999-1			