

December 22, 2000

Mr. Bruce Hirschler, Technical Assistant  
Office of Executive Director  
Conference of Radiation Control Program Directors, Inc.  
205 Capital Avenue  
Frankfort, KY 40601

Dear Mr. Hirschler:

Pursuant to your request for concurrence from the U.S. Nuclear Regulatory Commission (NRC) on August 16, 2000, we have reviewed the final Suggested State Regulations for Control of Radiation Part T, Transportation of Radioactive Material, which became effective February 1999. Part T was originally sent to us on March 3, 1999 without a request for review. As a proposed regulation, Part T was reviewed by comparison to the equivalent NRC regulations in 10 CFR Part 71 at that time which covered the NRC regulations through "10 CFR Part 71: Compatibility with the International Atomic Energy Agency," 60 FR 50248, with a State due date of April 1, 1999. Our May 8, 1998, review letter to you had five comments on the proposed regulations.

As a result of the current NRC review, we have determined that the final Part T, as adopted, incorporates our five earlier comments and meets the compatibility and health and safety categories established in State and Tribal Programs (STP) Procedure SA-200.

During the current review, we came across a number of editorial and typographical errors that have been identified in the enclosure. We recommend you make the corrections as soon as possible.

If you have any questions regarding our review, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me at (301) 415-2325 or Dr. Stephen Salomon of my staff at (301) 415-2368 or SNS@NRC.GOV.

Sincerely,

**/RA/**

Frederick C. Combs, Deputy Director  
Office of State and Tribal Programs

Enclosure:  
As stated

Distribution:

DIR RF [0-194]

SDroggitis

BUilton

JHMyers

KSchneider

CRCPD File

DCD (SP06)

PDR (YES\_✓)

**DOCUMENT NAME: G:\SNS\State regs\CRCPD Part T\Part T Final Revised 3.wpd**

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

| OFFICE | STP       |  | NMSS:IMNS                           |  | OGC                    |  | STP:DD              |  |  |
|--------|-----------|--|-------------------------------------|--|------------------------|--|---------------------|--|--|
| NAME   | SNSalomon |  | DCool<br>(via E-mail from<br>AHowe) |  | STreby<br>(By SHLewis) |  | FCombs              |  |  |
| DATE   | 08/30/00* |  | 10/19/00                            |  | 12/22/00               |  | 09/8/00<br>12/22/00 |  |  |

**STP-C-7**

**COMMENTS ON PART T - SUGGESTED STATE REGULATIONS  
AGAINST COMPATIBILITY AND HEALTH AND SAFETY CATEGORIES**

| <b>SSR- Part T</b>  | <b>NRC Regulation</b>                        | <b>Category</b> | <b>Subject and Comments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------|----------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sec.T.15 h.i.       | §71.87(i)                                    | B               | <p>Routine Determinations</p> <p>In paragraph h.i. of Section T.15, the word “removable” is used in the second sentence, whereas elsewhere, the word, “non-fixed” is used throughout the text.</p> <p>We recommend that either everywhere the word “non-fixed” be used to avoid confusion, or, alternatively, the word (removable) may be used in parenthesis as in the NRC regulation and in the DOT regulation 49 CFR 173.443.</p>                                                                   |
| Sec.T.15, Table III | §71.87(i) refers to 49 CFR 173.443, Table 11 | B               | <p>Non-Fixed (Removable) External Radioactive Contamination-Wipe Limits</p> <p>The unit in front of Curies (Ci) omits (<math>\mu</math>) micro according to Table 11, 49 CFR 173.443.</p> <p>Please correct.</p>                                                                                                                                                                                                                                                                                       |
| Sec.T.16            | §71.88                                       | B               | <p>Air Transport of Plutonium</p> <p>Paragraphs a, b and c in Sec. T.16 have a semicolon after each sentence whereas §71.88 has a semicolon followed by the word “or.” As we read it, all three conditions would have to be met, whereas in the case of the NRC regulation, only one condition is necessary.</p> <p>We recommend that “or” be inserted.</p>                                                                                                                                            |
| Appendix A          | Appendix A                                   | B               | <p>Appendix A</p> <p>There are three typographical errors on page T20.</p> <ul style="list-style-type: none"> <li>● The heading at the top of the page reads “Part C” instead of “Part T.”</li> <li>● In II, the same word, “Department,” or “Agency,” should be used because in NRC’s Appendix A, “Commission,” is used in both places.</li> <li>● In the bottom of IV (b), “i” should be substituted for “T20.”</li> </ul> <p>We recommend that you make the corrections to eliminate confusion.</p> |

| SSR- Part T | NRC Regulation | Category | Subject and Comments                                                                                                                                                                                                                                                                                                         |
|-------------|----------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Table IV    | Table A-1      | B        | <p>Table IV</p> <p>The specific activity for Bi-205 is incorrect. The exponent in the first column should be negative 3 instead of positive 3, i.e., <math>1.5 \times 10^{-3}</math> Tbq/g.</p> <p>Please make the correction. We recommend that you proof read this table to verify that there are no additional errors</p> |
| Table V     | Table A-2      | B        | <p>Table V</p> <p>The of value of <math>A_2</math> for alpha-emitting nuclides should read <math>5.41 \times 10^{-4}</math>. The Table V number was too small by 0.01.</p> <p>Please make the correction.</p>                                                                                                                |
| Table VI    | Table A-3      | B        | <p>Table A-3</p> <p>In the footnote, "uranium-235" should read "uranium-234."</p> <p>Please make the correction.</p>                                                                                                                                                                                                         |