

December 23, 2002

Mr. Terry L. O'Clair, Director
Division of Air Quality
North Dakota Department of Health
1200 Missouri Avenue, Room 304
P. O. Box 5520
Bismarck, ND 58506-5520

Dear Mr. O'Clair:

As requested, we have reviewed the proposed North Dakota Radiological Rules 33-10-01 through 33-10-14, received on November 5, 2002. The proposed regulations are in response to 17 amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. The regulations were reviewed by comparison to the equivalent NRC regulations in 10 CFR Parts 19, 20, 30, 31, 32, 34, 35, 36, 39, 40, 70, 71 and 150. We discussed our review of the regulations with Jim Killingbeck, of your staff, on December 4, 2002.

As a result of our review, we have 46 comments attached. Please note that we have limited our review to regulations required for compatibility and/or health and safety. Under our current procedure, a finding that a State regulation meets the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final State regulation. However, we have determined that if your proposed regulations were adopted, incorporating the comments and without other significant change, they would meet the compatibility and health and safety categories established in Office of State and Tribal Programs (STP) Procedure SA-200.

The SRS Data Sheet summarizes our knowledge of the status of other North Dakota regulations as indicated. This letter, including the SRS Data Sheet, is posted on the STP Web Site: <http://www.hsr.d.gov/nrc/rulemaking.htm>. If you have any questions regarding the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me or John Zabko of my staff at 301-415-2308 or e-mail at JGZ@NRC.GOV.

Sincerely,

Josephine M. Piccone, Deputy Director
Office of State and Tribal Programs

Enclosures:
As stated

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Sincerely,

/RA by Mary Lynn Scott for/

Josephine M. Piccone, Deputy Director
Office of State and Tribal Programs

Enclosures: As stated

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DATE	11/278/02*	12/04/02*	12/19/02*	12/06/02* 12/23/02**

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**COMMENTS ON PROPOSED NORTH DAKOTA REGULATIONS
AGAINST COMPATIBILITY AND HEALTH AND SAFETY CATEGORIES**

State Regulation	NRC Regulation	RATS ID	Category	Subject and Comments
33-10-05	§34.3	N/A	<p>A C B A B B B B B C A A C B C C C B A A B B</p>	<p>Definitions The State has omitted the following definitions:</p> <p>ALARA Annual refresher safety training Associated equipment Becquerel Certifying entity Control (drive) cable Control drive mechanism Control tube Exposure head Field Station Gray Guide tube (projection sheath) Hands-on experience Independent certifying organization Practical examination Radiation safety officer for industrial radiography Radiographic operations 3S-tube Sealed source Sievert Source assembly Source changer</p> <p>The State needs to include these definitions in order to achieve compatibility.</p>
33-10-05-03(3)	§34.13	N/A	C	<p>Specific license for industrial radiography</p> <p>The State is missing the requirement to submit the identity and qualifications of the RSO for industrial radiography as per 34.13(g).</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>

33-10-05-03(3)	§34.13	N/A	C	<p>Specific license for industrial radiography</p> <p>The State has condensed the section regarding “in house” leak testing and omitted some of the requirements as stated in 34.13 (h).</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
33-10-05-03(3)	§34.13	N/A	C	<p>Specific license for industrial radiography</p> <p>The State has omitted the requirements to identify all temporary job sites and locations of documents as per 34.13 (j) & (k).</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-04 (2)	§34.21	N/A	B	<p>Limits on external radiation from storage containers and source changers</p> <p>The State has added requirements to this section that do not appear in 34.21. The State has set radiation limits less than 34.21 and has measurement distances that are not equivalent to 34.21.</p> <p>The States rules cannot be more restrictive than 34.21 to achieve compatibility.</p>
35-10-05-04 (6)	§34.27	N/A	C	<p>Leak testing and replacement of sealed sources</p> <p>The State had omitted the requirements stated in 34.27(e) regarding exposure devices containing DU shielding.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-04 (7)	§34.29	N/A	C	<p>Quarterly Inventory</p> <p>The State’s requirement for record retention is two years; 34.69 requires three years.</p> <p>The State needs to increase its retention period to three years to achieve compatibility.</p>

35-10-05-04 (9)	§34.31	N/A	C	<p>Inspection and maintenance of radiographic exposure devices, transport and storage containers, associated equipment, source changers and survey instruments</p> <p>The State's requirement for record retention is two years; 34.73 requires three years.</p> <p>The State needs to increase its retention period to three years to achieve compatibility.</p>
35-10-05-04 (9)	§34.31	N/A	C	<p>Inspection and maintenance of radiographic exposure devices, transport and storage containers, associated equipment, source changers and survey instruments</p> <p>The State does not require written procedures for inspection and maintenance as per 34.31.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-04 (9)	§34.31	N/A	C	<p>Inspection and maintenance of radiographic exposure devices, transport and storage containers, associated equipment, source changers and survey instruments</p> <p>The State has omitted the requirement for inspections prior to the initial use of radiographic exposure devices, transport and storage containers, associated equipment, source changers and survey instruments.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-04 (9)	§34.31	N/A	C	<p>Inspection and maintenance of radiographic exposure devices, transport and storage containers, associated equipment, source changers and survey instruments</p> <p>The State has omitted the inspection and maintenance requirements for type B containers as required by 34.31(b)(2). The requirements are also not in the States transportation regulations.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>

35-10-05-04 (6)(e) and 35-10-05-04 (1)(b) (1)and 35-10-05-04 (4)(a)	§34.35	N/A	B	<p>Labeling, storage, and transportation</p> <p>The State does not include the storage precaution against fire and explosion as per 34.35 (b).</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-06 (5)(c)	§34.41	N/A	B	<p>Conducting industrial radiography operations</p> <p>The State omitted the requirement that all operations conducted at locations of use, authorized by the license, must be conducted in a permanent instillation as per 34.41.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
Missing	§34.42	N/A	D H&S	<p>Radiation safety officer for industrial radiography</p> <p>The State does not have a provision for a RSO as per 34.42. The State does have a RSO provision in the Medical section but the requirements for training are different than in 34.42.</p> <p>The State needs to include the requirement for a RSO in radiography in order to achieve compatibility.</p>
35-10-05-05 (1)	§34.43	N/A	B	<p>Training</p> <p>The State has omitted the training requirements as per 34.43(g)(3) (ii) and (iii) regarding transportation and storage/disposal of material.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-05 (1)	§34.43	N/A	B	<p>Training</p> <p>The State requires only 1 month on the job training; 34.43 requires 2 months.</p> <p>The State needs to increase its on the job training time requirement in order to achieve compatibility.</p>

35-10-05-05 (1)	§34.43	N/A	B	<p>Training</p> <p>The State has omitted the requirement for the radiographer to have copies of and instruction in the applicable CFR regulations cited in 34.43(b)(1).</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-05 (1)	§34.43	N/A	B	<p>Training</p> <p>The State has imposed a five-year retesting requirement and does not require a requirement for yearly refresher training.</p> <p>The State needs to revise its refresher training to reflect the requirements in 34.43 in order to achieve compatibility.</p>
35-10-05-05 (1)	§34.43	N/A	B	<p>Training</p> <p>The State has omitted most of the training requirements for a radiographic trainee (assistant) as per 34.43(c) 1-3.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
35-10-05-05 (1)	§34.43	N/A	B	<p>Training</p> <p>The State has omitted the requirement for practical re-examination of radiographers and trainees with lapses in operational experience greater than six months as per 34.43(e) (2).</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>
35-10-05-05 (1)	§34.43	N/A	B	<p>Training</p> <p>The States retention period for records of the safety and training audits is two years; 34.43(f) requires three.</p> <p>The State needs to increase its retention period to three years to achieve compatibility.</p>

33-10-05-05 (2)	§34.46	N/A	B	<p>Supervision of radiographer's assistants</p> <p>The State has omitted the clarifying statement for what is considered "personal supervision" as required by 34.46 (a)-(c).</p> <p>The State needs to include this clarifying statement in order to achieve compatibility.</p>
33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State has omitted the requirement that the dosimeters be worn on the trunk of the body and that the dosimeter be of the type that is processed and read by an accredited NVLAP processor.</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State's requirement for retention of records for pocket dosimeters correct response to radiation is two years; 34.47 (c) requires three years.</p> <p>The State needs to increase its retention period to three years to achieve compatibility.</p>
33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State has omitted the processing requirements for dosimetry as required by 34.47 (a) (3)&(4).</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State has incorrectly stated the requirements contained in 34.46 (a) & (b) allowing a gap to be created in dosimetry monitoring.</p> <p>The State needs to include the requirements as stated in 34.46 (a)&(b) in order to achieve compatibility.</p>

33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State's requirements for an off scale pocket dosimeter are less restrictive than the requirements of 34.47 (d). The 24-hour dosimetry processing has been replaced with "as soon as possible" and there is no requirement for a supervisory work site evaluation, or the retention records associated with the evaluation.</p> <p>The State needs to include the requirements as stated in 34.47 (d) in order to achieve compatibility.</p>
33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State has omitted the requirement to document the loss or damage of a film badge or thermoluminescent dosimeter as per 34.47 (e).</p> <p>The State needs to include the requirements as stated in 34.47 (e) in order to achieve compatibility.</p>
33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State has omitted the dosimetry record requirements found in 34.47(f).</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
33-10-05-05 (3)	§34.47	N/A	C	<p>Personnel monitoring</p> <p>The State has omitted the alarm ratemeter record retention requirements found in 34.47(g)(4).</p> <p>The State needs to include these requirements in order to achieve compatibility.</p>
Missing	§34.63	N/A	C	<p>Records of receipt and transfer of sealed sources</p> <p>The State has omitted this requirement.</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>

33-10-05-05 (2)	§34.81	N/A	C	<p>Copies of operating and emergency procedures</p> <p>The State has omitted the requirement for maintaining emergency procedures IAW 34.81.</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>
Missing	§34.87	N/A	C	<p>Forms of records</p> <p>The State does not have a section with this requirement.</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>
33-10-05-06	§34.89	N/A	C	<p>Location of documents and records</p> <p>The State has omitted most of the requirements for documentation required by 34.89.</p> <p>The State needs to include all of the requirements in 34.89 in order to achieve compatibility.</p>
33-10-13-05	§71.5	1996-1	C	<p>Transportation of licensed material</p> <p>The State omitted the reference to transportation on public highways.</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>
33-10-13-05	§71.5	1996-1	C	<p>Transportation of licensed material</p> <p>The State references 49 CFR 172 subpart I in 33-10-13-05 (1)(a) (1)(h). This subpart is not a reference in 10 CFR 71 and it does not exist in 10 CFR 172.</p> <p>The State needs to remove this reference in order to achieve compatibility.</p>
33-10-13-04 (2)	§71.10	1996-1	NRC- paragraphs (b) & (c)	<p>Exemptions for low level material</p> <p>The State has included Paragraphs (b) and (c) which are "NRC."</p> <p>The State needs to remove this part from their regulations in order to achieve compatibility.</p>

Missing	§71.11	1996-1	C	<p>Deliberate misconduct</p> <p>The State has omitted the deliberate misconduct requirements; they also cannot be found elsewhere in the ND regulations.</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>
33-10-13-15	§71.47	1996-1	B	<p>External radiation standards for all packages</p> <p>In 33-10-13-15 (b) the State makes reference to a personnel barrier and has radiation limits based on its use. 10 CFR 71.47 has no provisions for a personnel barrier.</p> <p>The State needs to remove this reference to the personnel barrier to achieve compatibility.</p>
33-10-13-15	§71.47	1996-1	B	<p>External radiation standards for all packages</p> <p>In 33-10-13-15 (c) the State omitted the exception of “excluding the top and underside of the vehicle” which makes the State’s rule more restrictive.</p> <p>The State needs to amend its section as per 71.47 in order to achieve compatibility.</p>
33-10-13-19	§71.97	1996-1	B	<p>Advanced Notification</p> <p>The State does not include the correct reference for requesting a list of the governors. The State omits the reference to the list published in the Federal Register as stated in 10 CFR 71.97 (c) (3) (i) and (ii). Also the State lists the Office of Governmental and Public Affairs as a contact point for these names.</p> <p>The State should use the references listed in 10 CFR 71.97 (c), (i) & (ii) & (iii).</p>
33-10-13-19	§71.97	1996-1	B	<p>Advanced Notification</p> <p>The State does not require notification of the NRC regional office where the transport will take place as required by 71.97(c).</p> <p>The State needs to include this requirement in order to achieve compatibility.</p>

33-10-10-02, subsection 2	19.12	1995-5	C	<p>Instructions to Workers</p> <p>The statement “to the individual and potential offspring,” was omitted from §19.12(a)(2).</p> <p>The State needs to include this phrase to achieve compatibility.</p>
33-10-10-02, subsection 2	19.12	1995-5	C	<p>Instructions to Workers</p> <p>The statement “may request” was used in place of “must be furnished” in §19.12(a)(6).</p> <p>The State needs to include this phrase to achieve compatibility.</p>
33-10-01-04, subsections 65, 72 and 82	20.1003	1995-5	A	<p>Definitions: Occupational dose</p> <p>The statement ”or to radioactive material from licensed and unlicensed sources of radiation, ” was omitted from the definition.</p> <p>The State needs to include this phrase to achieve compatibility.</p>
33-10-04.1- 16 (2)	20.2202	1991-4		<p>Notification of Incidents</p> <p>The State has not changed “eye dose” to “lens dose” throughout this section.</p> <p>The State needs to make this change per amendment 1991-4 to achieve compatibility.</p>

STATE REGULATION STATUS

State: North Dakota

[17 amendments reviewed are identified by a ★
at the beginning of the equivalent NRC regulation.]

Tracking Ticket Number: 2-266

Date: December 23, 2002

NRC Chronology Identification	FR Notice (Date Due for State Implementation)	RATS ID	Proposed (P) / Final (F) ¹ Rule / ML # ⁵	NRC Review / Y, N ² / Date / ML # ⁵	Final State Regulation ¹ (Effective Date)
★Safety Requirements for Radiographic Equipment-Part 34	55 FR 843; (1/10/94)	1991-1	P ML023190529	Y 12/23/02 ML030060153	
★ASNT Certification of Radiographers-Part 34	56 FR 11504; (none)	1991-2	P ML023190529	Y 12/23/02 ML030060153	
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; (1/1/94)	1991-3	F	N 10/17/97	
★Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70	56 FR 64980; (10/15/94)	1991-4	P ML023190529	Y 12/23/02 ML030060153	
★Quality Management Program and Misadministrations-Part 35	56 FR 34104; (1/27/95)	1992-1	P ML023190529	N 12/23/02 ML030060153	
Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions-Parts 30, 35	57 FR 45566; (none)	1992-2			Not required ³
★Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628; (10/25/96)	1993-1	P ML023190529	N 12/23/02 ML030060153	
Licensing and Radiation Safety Requirements for Irradiations-Part 36	58 FR 7715; (7/1/96)	1993-2	F	N 2/20/96	Not Applicable SECY-95-112 ⁴
Definition of Land Disposal and Waste Site QA Program-Part 61	58 FR 33886; (7/22/96)	1993-3			Not Applicable SECY-95-112 ⁴
Self-Guarantee as an Additional Financial Mechanism-Parts 30, 40, 70	58 FR 68726; 59 FR 1618; (none)	1994-1	F	N 2/6/96	Not required ³
★Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards-Part 40	59 FR 28220; (7/1/97)	1994-2	P ML023190529	N 12/23/02 ML030060153	

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Timeliness in Decommissioning Material Facilities-Parts 30, 40, 70	59 FR 36026; (8/15/97)	1994-3	F	N 2/20/96	
★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	P ML023190529	N 12/23/02 ML030060153	
★Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20	60 FR 7900; (3/13/98)	1995-2	P ML023190529	N 12/23/02 ML030060153	
★Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649; 60 FR 25983; (3/1/98)	1995-3	P ML023190529	N 12/23/02 ML030060153	
★Performance Requirements for Radiography Equipment-Part 34	60 FR 28323; (6/30/98)	1995-4	P ML023190529	N 12/23/02 ML030060153	
★Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038; (8/14/98)	1995-5	P ML023190529	Y 12/23/02 ML030060153	
★Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235; (11/24/98)	1995-6	P ML023190529	N 12/23/02 ML030060153	
★Medical Administration of Radiation and Radioactive Materials-Parts 20, 35	60 FR 48623; (10/20/98)	1995-7	P ML023190529	N 12/23/02 ML030060153	
★10 CFR Part 71: Compatibility with the International Atomic Energy Agency-Part 71	60 FR 50248; 61 FR 28724; (4/1/99)	1996-1	P ML023190529	Y 12/23/02 ML030060153	
One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses-Parts 30, 40, 70	61 FR 1109; (none)	1996-2			Not required ³
★Termination or Transfer of Licensed Activities: Record keeping Requirements-Parts 20, 30, 40, 61, 70	61 FR 24669; (6/17/99)	1996-3	P ML023190529	N 12/23/02 ML030060153	
★Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act-Part 20	61 FR 65120; (1/9/00)	1997-1	P ML023190529	N 12/23/02 ML030060153	
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	P ML021840389	N 8/8/02 ML022210543	
★Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120; (5/29/00)	1997-3	P ML023190529	N 12/23/02 ML030060153	
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907; (none)	1997-4			Not required ³

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Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations-Parts 30, 34, 71, 150	62 FR 28947; (6/27/00)	1997-5	P ML021840389	N 8/8/02 ML022210543	
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39057; (8/20/00)	1997-6	P ML021840389	N 8/8/02 ML022210543	
Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea-Part 30	62 FR 63634; (1/2/01)	1997-7	P ML021840389	N 8/8/02 ML022210543	
Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 71, 150	63 FR 1890; 63 FR 13773; (2/12/01)	1998-1	P ML021840389	N 8/8/02 ML022210543	
Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees- Parts 30, 40, 70	63 FR 29535; (none)	1998-2	P ML021840389	N 8/8/02 ML022210543	Not required ³
License Term for Medical Use Licenses-Part 35	63 FR 31604; (none)	1998-3			Not required ³
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations-Part 34	63 FR 37059; (7/9/01)	1998-4	P ML021840389	N 8/8/02 ML022210543	
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20, 35, 36	63 FR 39477; 63 FR 45393; (10/26/01)	1998-5	P ML021840389	Y 8/8/02 ML022210543	
Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20	63 FR 50127; (11/20/01)	1998-6	P ML021840389	N 8/8/02 ML022210543	
Radiological Criteria for License Termination of Uranium Recovery Facilities-Part 40	64 FR 17506; (6/11/02)	1999-1	P ML021840389	N 8/8/02 ML022210543	
Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information-Part 31	64 FR 42269; (none)	1999-2	P ML021840389	N 8/9/02 ML022210543	Not required ³
Respiratory Protection and Controls to Restrict Internal Exposure-Part 20	64 FR 54543; 64 FR 55524; (2/2/03)	1999-3	P ML021840389	Y 8/8/02 ML022210543	
Energy Compensation Sources for Well Logging and Other Regulatory Clarifications-Part 39	65 FR 20337; (5/17/03)	2000-1	P ML021840389	Y 8/8/02 ML022210543	
New Dosimetry Technology-Parts 34, 36, 39	65 FR 63750; (1/8/04)	2000-2	P ML021840389	N 8/8/02 ML022210543	
Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material-Parts 30, 31, 32	65 FR 79162; (2/16/04)	2001-1	P ML021840389	N 8/8/02 ML022210543	

NRC Chronology Identification	FR Notice (Date Due for State Implementation)	RATS ID	Proposed (P) / Final (F) ¹ Rule / ML # ⁵	NRC Review / Y, N ² / Date / ML # ⁵	Final State Regulation ¹ (Effective Date)
Revision of the Skin Dose Limit-Part 20	67 FR 16298; (4/5/05)	2002-1	P ML021840389	N 8/8/02 ML022210543	
Medical Use of Byproduct Material-Parts 20, 32, 35	67 FR 20249; (4/24/05)	2002-2	P ML021840389	N 8/8/02 ML022210543	

1. Or other generic Legally Binding Requirements.
2. (Y/N) Y means "Yes," there are comments in the review letter that the State needs to address.
N means "No," there are no comments in the review letter.
3. Not required means these regulations are not required for purposes of compatibility.
4. A State need not adopt a specific regulation if the State has no licensees that would be subject to that regulation. See: "Final Policy Statement on Adequacy and Compatibility of Agreement State Programs," III.1. Time Frame for Adoption of Compatible State Regulations, p. 6, SECY-95-112, May 3, 1995.
5. ADAMS ML Number