

October 1, 2010

Julia A. Schmitt, Manager
Office of Radiological Health
Department of Health and Human Services
301 Centennial Mall South
P.O. Box 95026
Lincoln, NE 68509-5026

Dear Ms. Schmitt:

We have reviewed the proposed changes to the Nebraska regulations, 180 NAC 1, 3, 4, 7, 10, and 13, received by our office on August 16, 2010. These regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) rules in 10 CFR Parts 19, 20, 30, 31, 32, 33, 35, 40, 61, 70, 71, and 150 and the requirements of the seven amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on September 29, 2010.

As a result of our review, we have 22 comments that have been identified in the enclosure. 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 the Nebraska regulations meet the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final Nebraska regulations. However, we have determined that if your proposed regulations were adopted, incorporating 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.

We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in FSME Procedure SA-201, "Review of State Regulatory Requirements," please highlight the final changes, and provide a copy to Division of Materials Safety and State Agreements, FSME.

The SRS Data Sheet summarizes our knowledge of the status of other Nebraska 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 FSME website: <http://nrc-stp.ornl.gov/rulemaking.html>.

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 Kathleen Schneider, State Regulation Review Coordinator at (301) 415-2320 (kathleen.schneider@nrc.gov) or Monica Orendi at (301) 415-3938 (monica.orendi@nrc.gov).

Sincerely,

/RA/

Terrence Reis, Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosures:
As stated

[Concurrence Page]

Enclosures: As stated

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| NAME | MOrendi | | KSchneider | | BJones | | DWhite | | TReis | |
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Package ML102500220

COMPATIBILITY COMMENTS ON NEBRASKA PROPOSED REGULATIONS

| STATE SECTION | | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|---------------|---------------|-------------|---------|----------|--|
| 1 | 3-18.08 & .09 | 40.36 | 2003-1 | H&S | <p>Financial assurance and recordkeeping for decommissioning</p> <p>Nebraska needs to change 3-018.08 to read "...greater than 100mCi ..." and 3-018.09 to read "...greater than 10mCi but less than or equal to 100mCi...".</p> <p>Nebraska needs to make the above change in order to meet the Compatibility Category H&S designation assigned to 10 CFR 40.36.</p> |
| 2 | 13-005 | 71.5 | 2004-1 | B | <p>Transportation of licensed material.</p> <p>Nebraska lists the wrong 49 CFR references. Nebraska needs to remove "49 CFR parts 107, 171 through 189, and 390 through 397" and replace it with "49 CFR parts 107, 171 through 180, and 390 through 397".</p> <p>Nebraska's regulation 13-005.02 is not essentially identical to 10 CFR 71.5(b). Nebraska needs to remove "49 CFR Parts 170 through 189" and replace it with "49 CFR Parts 107, 171 through 180, and 390 through 397". Also Nebraska needs to add "A request for modification, waiver, or exemption from those requirements, and any notification referred to in those requirements must be filed with, or made to, the Department." to the end of 13-005.02.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category [B] designation assigned to 10 CFR 71.5.</p> |

| STATE SECTION | | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|---------------|---------------|------------------------|------------------|----------|---|
| 3 | 13-015.09-.11 | 71.47 | 2004-1 | [B] | <p>External radiation standards for all packages</p> <p>Nebraska omits regulations essentially identical to 10 CFR 71.47 (c) & (d).</p> <p>Nebraska needs to add regulations essentially identical to 10 CFR 71.47 (c) & (d) to 13-015 in order to meet the Compatibility Category [B] designation assigned to 10 CFR 71.47.</p> |
| 4 | 13-016 | 71.88 | 2004-1 | [B] | <p>Air transport of plutonium.</p> <p>Nebraska lists an incorrect reference in 13-016.03. Nebraska needs to remove "180 NAC 13-015.04" and replace it with "180 NAC 13-016.01 item 4."</p> <p>Nebraska needs to make the above change in order to meet the Compatibility Category [B] designation assigned to 10 CFR 71.88.</p> |
| 5 | 13-021 | 71.105 (a), (c), & (d) | 2004-1 | C | <p>Quality assurance program.</p> <p>Nebraska omits regulations essentially identical to 10 CFR 71.105 (c) & (d).</p> <p>Nebraska needs to add regulations to 13-021 which are essentially identical to 10 CFR 71.105 (c) & (d) in order to meet the Compatibility Category C designation assigned to 10 CFR 71.105 (a), (c), & (d).</p> |
| 6 | 7-043 | 35.190 | 2007-1 2009-1 | H&S | <p>Training for uptake, dilution, and excretion studies</p> <p>Nebraska omits "the Department" after "U.S. Nuclear Regulatory Commission" in the first sentence of</p> |

| STATE SECTION | | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|---------------|----------|-------------|------------------|----------|---|
| | | | | | <p>7-043.01.</p> <p>Nebraska needs to insert an “and” between “1” and “2” and remove “and 3” from 7-043.01 item 1.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 35.190.</p> |
| 7 | 7-047 | 35.290 | 2007-1 2009-1 | H&S | <p>Training for imaging and localization studies</p> <p>Nebraska needs to add “the Department” between “recognized by” and “an Agreement State” in 7-047.01.</p> <p>Nebraska needs to remove the first “7-051” from 7-047.03 item 1.b.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 35.290.</p> |
| 8 | 3-004.01 | 30.14 | 2007-2 | B | <p>Exempt Concentrations</p> <p>Nebraska lists the wrong reference in 3-004.01 item 1. The first sentence currently reads “Except as provided in 3-004.01 item 2 and 3 ...”. This sentence should read “Except as provided in 3-004.01 items 3 and 4...”.</p> <p>Nebraska needs to rewrite 3-004.01 item 1 to read as follows “Except as provided in 3-004.01 items 3 and 4, any person is exempt from the requirements for a license in 180 NAC 3, 5, 7, 14, and 19 to the extent that such person receives, possesses, uses, transfers, owns, or acquires”.</p> <p>Nebraska lists a wrong reference in 3-004.01 item 3. The sentence</p> |

| STATE SECTION | | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|---------------|----------|-------------|------------------|----------|---|
| | | | | | <p>currently reads "...not in excess of those specified in 180 NAC 3, Appendix 3-1 and introduced ...". The sentence should read "... not in excess of those specified in 180 NAC 3 Appendix 3-A and introduced ...".</p> <p>Nebraska needs to make the above changes to 3-004.01 in order to meet the Compatibility Category B designation assigned to 10 CFR 30.14.</p> |
| 9 | 3-004.03 | 30.15 | 2007-2 2007-3 | B | <p>Certain items containing byproduct material</p> <p>Nebraska needs to add "the requirements for a license set forth in" between "...any person is exempt from" and "Title 180 to the extent..." in 3-004.03 item 1.a.</p> <p>Nebraska omits an essentially identical regulation to 10 CFR 30.15(a)(7) from 3-004.03 item 1.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.15.</p> |
| 10 | 3-004.02 | 30.18 | 2007-2 2007-3 | B | <p>Exempt quantities</p> <p>Nebraska needs to add "the requirements for a license set forth in" between "...any person is exempt from" and "Title 180 to the extent..." in 3-004.02 item 1.</p> <p>Nebraska needs to add "or similar general license of the U.S. Nuclear Regulatory Commission or another Agreement State" after "180 NAC 3-008" in 3-004.02 item 2.</p> <p>Nebraska needs to remove "180 NAC 3" and replace it with "Title 180" in 3-004.02 item 2.</p> |

| STATE SECTION | | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|---------------|--------------------|--------------------------|---------|----------|---|
| | | | | | <p>Nebraska needs to remove “or by the Department pursuant to 180 NAC 3-014.02” after “10 CFR 32.18” in 3-004.02 item 4 since Nebraska does not have authority for this. 10 CFR 32.18 is a Compatibility Category NRC.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.18.</p> |
| 11 | 1-002 | 20.1003 30.4 150.3 | 2007-3 | H&S | <p>Definition: Byproduct Material</p> <p>Nebraska omits sections (3) and (4) from their definition of Byproduct material.</p> <p>Nebraska needs to add equivalent sections to sections (3) and (4) of NRC’s definition of byproduct material in order to meet the Compatibility Category [H&S] definition assigned to 10 CFR 20.1003 definition: byproduct material.</p> |
| 12 | 3-004.03 item 3 | 30.20 | 2007-3 | B | <p>Gas and aerosol detectors containing byproduct material</p> <p>Nebraska needs to add “the requirements for a license set forth in” between “...any person is exempt from” and “Title 180 to the extent...” in 3-004.03 item 3.a.</p> <p>Nebraska needs to remove “or an Agreement State, pursuant to 180 NAC 3-014.03,” from 3-004.03 item 3.a. since 10 CFR 32.26 is a Compatibility Category NRC.</p> <p>Nebraska needs to remove “product for use under 10 CRF 32.26” from 3-004.03 item 3.a. and replace it with “product for use under 180 NAC 3-004.03”</p> |

| STATE SECTION | | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|---------------|-----------------|-------------|---------|----------|--|
| | | | | | <p>Nebraska needs to remove “This exemption also covers gas and aerosol detectors manufactured or distributed before November 30, 2007 in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission or by a State under comparable provision to 10 CFR 32.26 authorizing distribution detectors to persons who are exempt from regulatory requirements.” and replace it with “This exemption also covers gas and aerosol detectors manufactured or distributed before November 30, 2007 in accordance with a specific license issued by a State under comparable provision to 10 CFR 32.26 authorizing distribution detectors to persons who are exempt from regulatory requirements.”</p> <p>Nebraska needs to add “the US Nuclear Regulatory Commission or” between “equivalent regulations of” and “an Agreement State” in 3-004.03 item 3.b.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.20.</p> |
| 13 | 3- Appendix 3-B | 30.71 | 2007-3 | B | <p>Schedule B</p> <p>Nebraska omits “Germanium 68 (Ge 68) ...10) from its table in Appendix 3-B.</p> <p>Nebraska needs to add the above to its Appendix 3-B in order to meet the Compatibility Category B designation assigned to 10 CFR 30.71.</p> |
| 14 | 3-008.11 | 31.12 | 2007-3 | C | <p>General license for certain items and self-luminous products containing radium-226</p> <p>Nebraska needs to add “manufactured prior to November 30,</p> |

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|---------------|-------|-------------|---------|----------|---|
| | | | | | <p>2007” after “...in the following products” in 3-008.11.01A.</p> <p>Nebraska needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 31.12.</p> |
| 15 | 7-022 | 35.50 | 2009-1 | B | <p>Training for Radiation Safety Officer</p> <p>Nebraska states in 7-022.01 item 2.b.(1) “...by a specialty board recognized by an agreement state of the U.S. Nuclear Regulatory Commission.” This is incorrect and should read “...by a specialty board recognized by an agreement state or the U.S. Nuclear Regulatory Commission.”</p> <p>Nebraska needs to add an “or” at the end of 7-022.01 item 2.b.(1).</p> <p>Nebraska needs to remove the “and” after 7-022.01 item 2.b.(2).</p> <p>Nebraska needs to remove the “and” at the end of 7-022.02 item 1.b.(7) and replace it with an “or”. Also Nebraska needs to remove 7-022.02 item 2. from its regulation.</p> <p>Nebraska needs to remove “who meets the requirements in 180 NAC 7-022.04 and 7-022.05.” from 7-022.03 item 2.</p> <p>Nebraska needs to add an “and” to the end of 7-022.04.</p> <p>Nebraska needs to add “the Department” to 7-022.01, 7-022.01 item 2.b.(1), 7-022.02 item 1.b., and 7-022.03 item 1. to the list of those who recognize.</p> <p>Nebraska needs to make the above changes in order to meet the</p> |

| STATE SECTION | | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS |
|---------------|-------|-------------|---------|----------|---|
| | | | | | Compatibility Category B designation assigned to 10 CGR 35.50. |
| 16 | 7-023 | 35.51 | 2009-1 | B | <p>Training for an authorized medical physicist.</p> <p>Nebraska omits “Except as required in 180 NAC 7-026” from the beginning paragraph of 7-023.</p> <p>Nebraska needs to remove 7-023.02 2.</p> <p>Nebraska needs to add the word “and” to the end of 7-023.03.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 35.51.</p> |
| 17 | 7-026 | 35.57 | 2009-1 | B | <p>Training for experienced Radiation Safety Officer, teletherapy or medical physicist, authorized medical physicist, authorized user, nuclear pharmacist, and authorized nuclear pharmacist.</p> <p>Nebraska needs to add “or a Department” between “an Agreement State” and “license” and between “an Agreement State” and “broad scope licensee” in 7-026.01 and 7-026.02.</p> <p>Nebraska needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 35.57.</p> |
| 18 | 7-051 | 35.390 | 2009-1 | B | <p>Training for use of unsealed byproduct material for which a written directive is required.</p> <p>Nebraska needs to add “the Department” between “recognized by” and “an Agreement State” in 7-051.01.</p> <p>Nebraska needs to make the above</p> |

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|---------------|-------|-------------|---------|----------|---|
| | | | | | change in order to meet the Compatibility Category B designation assigned to 10 CFR 35.390. |
| 19 | 7-052 | 35.392 | 2009-1 | B | <p>Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 gigabecquerels (33 millicuries).</p> <p>Nebraska needs to add “the Department” between “recognized by” and “an Agreement State” in 7-052.01.</p> <p>Nebraska needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 35.392.</p> |
| 20 | 7-053 | 35.394 | 2009-1 | B | <p>Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 gigabecquerels (33 millicuries).</p> <p>Nebraska needs to add “the Department” between “recognized by” and “an Agreement State” in 7-053.01.</p> <p>Nebraska needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 35.394.</p> |
| 21 | 7-054 | 35.396 | 2009-1 | B | <p>Training for the parenteral administration of unsealed byproduct material requiring a written directive.</p> <p>Nebraska needs to add “or NRC” between “equivalent Agreement State” and “requirements” in 7-054.01 and 7-054.02.</p> <p>Nebraska needs to add “the Department” between “recognized by” and “the U.S. Nuclear Regulatory</p> |

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|---------------|------|-------------|---------|----------|---|
| | | | | | <p>Commission” in 7-054.03.</p> <p>Nebraska needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 396.</p> |
| 22 | 7-84 | 35.690 | 2009-1 | B | <p>Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units.</p> <p>Nebraska needs to add “the Department” between “recognized by” and “an Agreement State” in 7-084.01.</p> <p>Nebraska needs to remove “High and low dose rate brachytherapy” from 7-084.01 item 2. and replace it with “remote afterloaders”.</p> <p>Nebraska needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 35.690.</p> |

STATE REGULATION STATUS

State: Nebraska

Tracking Ticket Number: 10-38
Date: October 1, 2010

[7 amendment(s) reviewed is identified by a ★ at the beginning of the equivalent NRC requirement.]

| 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 | 10/7/97 | Nebraska 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 | Nebraska 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 10/07/1997 | |
| 1991-4 | Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980; | 10/15/1994 | Final | 10/7/97 | |
| 1992-1 | Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2) | 01/27/1995 | | | |
| 1992-2 | Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30, 35 57 FR 45566 | none | Not Required | Not Required | These regulation changes are not required to be adopted for purposes 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 ML022800655 | No Comments 10/18/2002 ML022960258 | |

| RATS ID | NRC Chronology Identification | Date Due for State Adoption | Incoming Package | Outgoing Package | Notes |
|---------|---|-----------------------------|-----------------------------|--|--|
| 1993-2 | Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715 | 07/01/1996 | Final ML022800655 | No Comments 10/18/2002 ML022960258 | |
| 1993-3 | Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886 | 07/22/1996 | Not Applicable ¹ | Not Applicable | Nebraska does not any licensees subject to these regulations. (See SECY-95-112) |
| 1994-1 | Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618 | none | Not Required | Not Required | 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 | Not Applicable | Not Applicable | Nebraska does not have the authority to regulate this material under its Agreement |
| 1994-3 | Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026 | 08/15/1997 | Final ML022800655 | No Comments 10/18/2002 ML022960258 | |
| 1995-1 | 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 | 01/01/1998 | Final ML022800655 | No Comments 10/18/2002 ML022960258 | |
| 1995-2 | Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900 | 03/13/1998 | Final | No Comments 05/19/1999 | |
| 1995-3 | Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983 | 03/01/1998 | Final | No Comments 05/19/1999 | |

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|---------|--|-----------------------------|----------------------|--|---|
| 1995-4 | Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superseded by 1997-5) | 06/30/1998 | Final ML003763184 | No Comments 02/01/2001 ML010330318 | Nebraska 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 | No Comments 05/19/1999 | |
| 1995-6 | Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235 | 11/24/1998 | Final ML022800566 | No Comments 10/18/2002 ML022960258 | |
| 1995-7 | Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623 (Superseded by 2002-2 and 2005-2) | 10/20/1998 | Final ML022800566 | No Comments 10/18/2002 ML022960258 | Nebraska has not yet adopted Final Regulations equivalent to RATS IDs: 2002-2 and 2005-2. |
| 1996-1 | Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 (Superseded by 2004-1) | 04/01/1999 | Final ML003763184 | No Comments 02/01/2001 ML010330318 | |
| 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 ML022800566 | No Comments 10/18/2002 ML022960258 | |
| 1997-1 | Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120 | 01/9/2000 | Final ML003763184 | No Comments 02/01/2001 ML010330318 | |
| 1997-2 | Recognition of Agreement State Licenses in Areas Under | 02/27/2000 | Final | No Comments | |

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| | Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662 | | ML003763184 | 02/01/2001 ML010330318 | |
| 1997-3 | Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120 | 05/29/2000 | Final ML022800655 | No Comments 10/18/2002 ML022960258 | |
| 1997-4 | Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superseded by 2004-1) | 02/10/2000 | Not Required | Not Required | These regulation changes are not required to be adopted for purposes of Compatibility. (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 ML003763184 | No Comments 02/01/2001 ML010330318 | |
| 1997-6 | Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057 | 08/20/2000 | Final ML011130396 | No Comments 07/20/2001 ML012010439 | |
| 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 ML003763184 | No Comments 02/01/2001 ML010330318 | |
| 1998-1 | Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773 | 02/12/2001 | Final ML031500771 | No Comments 06/09/2003 ML031610005 | |
| 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. |

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|----------------|--|------------------------------------|-------------------------|--|---|
| 1998-3 | License Term for Medical Use Licenses Part 35 63 FR 31604 (Superseded by 2002-2) | 07/10/2001 | Not Required | Not Required | These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-98-074) |
| 1998-4 | Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059 | 07/09/2001 | Final ML003763184 | No Comments 02/01/2001 ML010330318 | |
| 1998-5 | Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 35, 36 63 FR 39477; 63 FR 45393 | 10/26/2001 | Final ML031500771 | No Comments 06/09/2003 ML031610005 | |
| 1998-6 | Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127 | 11/20/2001 | Final ML022800655 | No Comments 10/18/2002 ML022960258 | |
| 1999-1 | Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506 | 06/11/2002 | Not Applicable | Not Applicable | Nebraska does not have the authority to regulate this material under its Agreement. |
| 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 Part 20 64 FR 54543; 64 FR 55524 | 02/02/2003 | Final ML031500771 | No Comments 06/09/2003 ML031610005 | |
| 2000-1 | Energy Compensation Sources for Well Logging and Other Regulatory Clarifications | 05/17/2003 | Final ML031500771 | No Comments 06/09/2003 | |

| RATS ID | NRC Chronology Identification | Date Due for State Adoption | Incoming Package | Outgoing Package | Notes |
|---------|--|-----------------------------|-------------------------------|--|-------|
| | Part 39 65 FR 20337 | | | ML031610005 | |
| 2000-2 | New Dosimetry Technology Parts 34, 36, 39 65 FR 63750 | 01/08/2004 | Final ML031500771 | No Comments 06/09/2003 ML031610005 | |
| 2001-1 | Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162 | 02/16/2004 | Final ML102240059 | Comments 09/15/2010 ML102290273 | |
| 2002-1 | Revision of the Skin Dose Limit Part 20 67 FR 16298 | 04/05/2005 | Final ML093110093 | No Comments 01/14/2010 ML093431027 | |
| 2002-2 | Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249 | 10/24/2005 | Final ML093110093 | No Comments 01/14/2010 ML093431027 | |
| *2003-1 | Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327 | 12/03/2006 | R ² ML102240066 | Comments 10/01/2010 ML102500220 | |
| *2004-1 | Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697 | 10/01/2007 | R ² ML102240066 | Comments 10/01/2010 ML102500220 | |
| 2005-1 | Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001 | 07/11/2008 | Final ML093110093 | No Comments 01/14/2010 ML093431027 | |
| 2005-2 | Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926 | 04/29/2008 | Final ML093110093 | No Comments 01/14/2010 ML093431027 | |

| RATS ID | NRC Chronology Identification | Date Due for State Adoption | Incoming Package | Outgoing Package | Notes |
|---------|---|-----------------------------|---|--|-------|
| 2005-3 | Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128 | 12/01/2005 | License Condition ML053060118 | No Comments 11/03/2005 ML053070551 | |
| 2006-1 | Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005 | 03/27/2009 | Final ML093110093 | No Comments 01/14/2010 ML093431027 | |
| 2006-2 | National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685 | 02/06/2007 | Final ML093110093 | No Comments 01/14/2010 ML093431027 | |
| 2006-3 | National Source Tracking System Part 20 71 FR 65685, 72 FR 59162 | 01/31/2009 | Final ML093110093 | No Comments 01/14/2010 ML093431027 | |
| *2007-1 | Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207 | 10/29/2010 | Proposed ML102240066 | Comments 10/01/2010 ML102500220 | |
| *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 | Proposed ML102240066 | Comments 10/01/2010 ML102500220 | |
| *2007-3 | Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864 | 11/30/2010 | Proposed ML102240066 | Comments 10/01/2010 ML102500220 | |
| 2007-4 | Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material | 06/05/2008 | License Condition ML081130768 ML081140539 | No Comments 05/02/2008 ML081230143 | |

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|---------|---|-----------------------------|--------------------------|--|-------|
| | NRC Order EA-07-305 72 FR 70901 | | | | |
| *2008-1 | Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043 | 02/15/2011 | Proposed ML 102240066 | Comments 10/01/2010 ML 102500220 | |
| *2009-1 | Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901 | 09/28/2012 | Proposed ML 102240066 | Comments 10/01/2010 ML 102500220 | |

¹ IMPEP Team: verify that Nebraska does not have any licensees subject to these regulations during each review.

² R stands for proposed changes to a final rule.