



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

July 29, 2021

Mr. Brian Vamvakias, Radiation Unit Manager
Policy, Standards, and Quality Assurance Section
Consumer Product Division
Texas Department of State Health Services
P.O. Box 149347
Austin, TX 78714-9347

Dear Mr. Vamvakias:

We have reviewed the proposed and final revisions to the Texas Regulations for Control of Radiation, 25 Texas Administrative Code (TAC), §289.252 relating to Licensing of Radioactive Material, §289.256 relating to Medical and Veterinary Use of Radioactive Material, and §289.257 relating to Packaging and Transportation of Radioactive Material, received by our office on June 16, 2021. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and Regulation Amendment Tracking System Identification Number(s) (RATS ID) 2015-3, 2015-4, 2015-5, 2018-1, 2018-2, 2018-3, 2019-1, 2019-2, and 2020-2 as identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on July 27, 2021.

As a result of our review, we have 13 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 Texas 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 Texas 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 Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements."

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 NMSS Procedure SA-201, "Review of State Regulatory Requirements," please highlight the final changes, and provide a copy to Division of Materials Safety, Security, State, and Tribal Programs, NMSS.

The SRS Data Sheet summarizes our knowledge of the status of other Texas 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 comments, 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) or Stephen Poy at (301) 415-7135 (stephen.poy@nrc.gov).

Sincerely,



Signed by Anderson, Brian
on 07/29/21

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

Enclosures:

1. Compatibility Comments
2. Texas SRS Data Sheet

SUBJECT: LETTER TO B. VAMVAKIAS RE: FINAL REGULATIONS TO RATS ID 2015-3, 2015-4 AND 2015-5 AND PROPOSED REGULATIONS TO RATS ID 2018-1, 2018-2, 2018-3, 2019-1, 2019-2, AND 2020-2 Date July 29, 2021

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DATE	7/22/21	7/22/21	N/A	7/29/2021

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COMPATIBILITY COMMENTS ON TEXAS PROPOSED REGULATIONS

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	§289.256 (l)	§ 35.57	2018-1	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>Section 289.256(l)(5)(A) states, “permit issued by an NRC master material license of broad scope on or before October 24, 2005, need not comply with the training requirements of subsections (jj) through (ttt) of this section.”</p> <p>The above statement needs to include reference to the equivalent of 10 CFR 35.190.</p> <p>The above needs to replace the reference to subsection jj with a reference to subsection gg such that the above statement reads, ““permit issued by an NRC master material license of broad scope on or before October 24, 2005, need not comply with the training requirements of subsections (gg) through (ttt) of this section”</p> <p>Section 289.256(l)(5)(B) states, “permit issued by an NRC master material licensee, a permit issued by the department, the NRC, or an agreement state broad scope licensee, or a permit issued by an NRC master material license of broad scope on or before October 24, 2005, need not comply with the training requirements of subsections (jj) through (ttt) of this section”</p> <p>The above statement needs to include reference to the equivalent of 10 CFR 35.190.</p>

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				<p>The above needs to replace the reference to subsection jj with a reference to subsection gg such that the above statement reads, “permit issued by an NRC master material licensee, a permit issued by the department, the NRC, or an agreement state broad scope licensee, or a permit issued by an NRC master material license of broad scope on or before October 24, 2005, need not comply with the training requirements of subsections (gg) through (ttt) of this section”</p> <p>Section 289.256(l)(5)(C) states, “Physicians, dentists, or podiatrists who used only accelerator-produced radioactive materials, discrete sources of radium-226, or both, for medical uses performed at a government agency or federally recognized Indian Tribe before November 30, 2007, or at all other locations of use before August 8, 2009, or an earlier date as noticed by the NRC, need not comply with the training requirements of subsections (jj) through (ttt)”</p> <p>The above statement needs to include reference to the equivalent of 10 CFR 35.190.</p> <p>The above needs to replace the reference to subsection jj with a reference to subsection gg such that the above statement reads, “Physicians, dentists, or podiatrists who used only accelerator-produced radioactive materials, discrete sources of radium-226, or both, for medical uses performed at a government agency or federally recognized Indian Tribe before November 30, 2007, or at all other locations of use before August 8, 2009, or an earlier date as noticed by the NRC, need not comply with the</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>training requirements of subsections (gg) through (ttt)”</p> <p>Texas needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.57.</p>
2	§289.256 (gg)	§ 35.190	2018-1	B	<p>Training for uptake, dilution, and excretion studies.</p> <p>Section 289.256 (gg)(3)(B) states, “has obtained written attestation that the individual has satisfactorily completed the requirements in this paragraph and”</p> <p>Texas needs to replace the reference to “this paragraph” in the above statement to a reference to Section 289.256 (gg)(1)(B)(3) such that it reads, “has obtained written attestation that the individual has satisfactorily completed the requirements in paragraph Section 289.256 (gg)(1)(B)(3)and”</p> <p>Section 289.256 (gg)(3)(B)(ii) states, “. . .The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in this paragraph.”</p> <p>Texas needs to replace the reference to “this paragraph” in the above statement to a reference to Section 289.256 (gg)(1)(B)(3) such that it reads, “. . .The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons</p>

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					<p>of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in the paragraph in Section 289.256 (gg)(1)(B)(3).”</p> <p>Texas needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.190.</p>
3	§289.256 (ii)	§ 35.204	2018-1	H&S	<p>Permissible molybdenum-99, strontium-82, and strontium-85 concentrations</p> <p>Section 289.256 (ii) states, “The licensee shall report any measurement that exceeds the limits in paragraph (1) of this subsection at the time of generator elution, in accordance with subsection (xxx) of this section.”</p> <p>Texas section 289.256 (www) is the equivalent to 10 CFR 35.3204. Texas needs to replace the reference to subsection (xxx) in the above statement with a reference to subsection (www) such that the above reads, “The licensee shall report any measurement that exceeds the limits in paragraph (1) of this subsection at the time of generator elution, in accordance with subsection (www) of this section.”</p> <p>Texas needs to make the above changes to meet the Compatibility Category H&S designation assigned to 10 CFR 35.204.</p>
4	§289.256 (jj)	§ 35.290	2018-1	B	<p>Training for imaging and localization studies</p> <p>Section 289.256 (jj)(3)(B) states, “has obtained written attestation that the individual has satisfactorily completed the requirements in paragraph (3)(A) of this subsection”</p>

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					<p>Texas needs to replace the reference to paragraph (3)(A) with a reference to paragraph (3) such that the above statement reads, "has obtained written attestation that the individual has satisfactorily completed the requirements in paragraph (3) of this subsection"</p> <p>Section 289.256 (jj)(3)(B)(ii) states, "The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in this paragraph."</p> <p>Texas needs to replace the reference to "this paragraph to a reference to the paragraph 289.256 (jj)(3) such that the above statement reads, "The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in the paragraph 289.256 (jj)(3)"</p> <p>Texas needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.290.</p>
5	§289.256 (nn)(1) and (nn)(2) (A)(ii)(VI) and (nn)(2)(B)	§ 35.390	2018-1	B	<p>Training for use of unsealed byproduct material for which a written directive is required</p> <p>Section 289.256(nn)(2)(B)(ii) states, "A residency program director who</p>

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				<p>affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in subsections (l) or (kk) of this section, or equivalent NRC or agreement state requirements,”</p> <p>Texas needs to replace the phrase with references to subsections (l) and (kk) with references to to subsection (l) and (nn) such that the above statement reads, “A residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in subsections (l) or (nn) of this section, or equivalent NRC or agreement state requirements”</p> <p>Section 289.256(nn)(2)(B)(ii) states, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in this paragraph.”</p> <p>Texas needs to replace the reference to “this paragraph” in the statement above with a reference to paragraph (2) of this section such that the above reads, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American</p>

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					<p>Osteopathic Association and must include training and experience specified in paragraph (2) of this section.”</p> <p>Texas needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.390.</p>
6	§289.256 (oo)	§ 35.392	2018-1	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>289.256 (oo)(3)(B)(ii) states, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in this paragraph.”</p> <p>Texas needs to replace the reference to “this_paragraph” in the above statement with a reference to paragraph (3) of this section such that the above reads, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in paragraph (3) of this section.”</p> <p>Texas needs to make the above changes to meet the Compatibility</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Category B designation assigned to 10 CFR 35.392.
7	§289.256 (pp)	§ 35.394	2018-1	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>Section 289.256 (pp)(3)(B)(ii) states, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in this paragraph.” Texas needs to replace the reference to “this paragraph” in the above statement with a reference to paragraph (3) of this section such the the above statement reads, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in paragraph (3) of this section.”</p> <p>Texas needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.394.</p>
8	§289.256 (qq)	§ 35.396	2018-1	B	<p>Training for the parenteral administration of unsealed byproduct material requiring a written directive</p> <p>Section 289.265(qq)(2)(C)(i) states, “a preceptor authorized user who meets the requirements of subsection (l) of</p>

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				<p>this section, subsection (nn) of this section, or this subsection, or equivalent NRC or agreement state requirements, and shall have experience in administering dosages in the same category or categories as the individual requesting authorized user status; or “</p> <p>Texas needs to replace the phrase above, “and shall have experience in administering dosages in the same category or categories as the individual requesting authorized user status; or “</p> <p>with the phrase, “A preceptor authorized user who meets the requirements in subsection (nn) of this section, this section, or equivalent Agreement State requirements, must have experience in administering dosages in the same category or categories as the individual requesting authorized user status; or”</p> <p>such that the above reads, “a preceptor authorized user who meets the requirements of subsection (l) of this section, subsection (nn) of this section, or this subsection, or equivalent NRC or agreement state requirements. A preceptor authorized user who meets the requirements in subsection (nn) of this section, this section, or equivalent Agreement State requirements, must have experience in administering dosages in the same category or categories as the individual requesting authorized user status; or”</p> <p>Section 289.265(qq)(2)(C)(ii) states, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons</p>

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					<p>of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in this paragraph.”</p> <p>Texas needs to replace the reference to “this paragraph” in the above statement with a reference to paragraph (2) of this section such that the above reads, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in paragraph (2) of this section.”</p> <p>Texas needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.396.</p>
9	§289.256 (ccc)	§ 35.590	2018-1	B	<p>Training for use of sealed sources and medical devices for diagnosis.</p> <p>Section 289.256(ccc)(1) states, “is certified by a specialty board whose certification process includes all of the requirements of paragraphs (2) and (3) of this subsection”</p> <p>Texas needs to replace references to paragraphs (2) and (3) above with references to (3) and (4) such that the above statement reads, “is certified by a specialty board whose certification process includes all of the requirements of paragraphs (3) and (4) of this subsection”</p> <p>Texas needs to make the above changes to meet the Compatibility</p>

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
				Category B designation assigned to 10 CFR 35.590.
10	§289.256 (ttt)	§ 35.690	2018-1	<p data-bbox="829 323 1534 464">Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units</p> <p data-bbox="829 495 1534 793">Section 289.256 (ttt)(2)(A)(ii) states, “500 hours of work experience, under the supervision of an authorized user who meets the requirements of subsection (l) of this section, this subsection, or equivalent NRC or agreement state requirements at a medical facility that is authorized to use radioactive material”</p> <p data-bbox="829 831 1534 1266">Texas needs to include a reference to the equivalent of 10 CFR 35.600 (section 289.256 (ddd) in the above statement such that the above reads, “500 hours of work experience, under the supervision of an authorized user who meets the requirements of subsection (l) of this section, this subsection, or equivalent NRC or agreement state requirements at a medical facility that is authorized to use radioactive material in section 289.256 (ddd)”</p> <p data-bbox="829 1304 1534 1703">Section 289.256 (ttt)(2)(B)(ii) states, “The residency training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in this paragraph;”</p> <p data-bbox="829 1740 1534 1898">Texas needs to replace the reference to “this paragraph” in the above statement to paragraph 2(A) of this section” such that the above statement reads, “The residency</p>

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					<p>training program must be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and must include training and experience specified in paragraph 2(A) of this section”</p> <p>Texas needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.690.</p>
11	§289.256 (uuu)	§ 35.3045	2018-1	C	<p>Report and notification of a medical event</p> <p>Section 289.256 (uuu) states, “The licensee shall report any event, except for an event-that results-from patient intervention”</p> <p>Texas needs to include the phrase “as a medical event” in the above statement such that the above reads, “The licensee shall report any event as a medical event, except for an event-that results-from patient intervention”</p> <p>Texas needs to make the above changes to meet the Compatibility Category C designation assigned to 10 CFR 35.3045.</p>
12	§289.202 (xx) or (ww)- (bbb)	§ 34.101(c)	2018-3	C	<p>Notifications</p> <p>Texas omits their equivalent regulations to 10 CFR 34.101.</p> <p>Texas needs to provide their equivalent to 10 CFR 34.101 for review to meet the Compatibility Category C designation assigned to 10 CFR 34.101.</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
13	§289.257(q)	§ 71.97(c)(3)	2018-3	B	<p>Advance notification of shipment of irradiated reactor fuel and nuclear waste</p> <p>Section 289.257(q)(4)(c)(iii) states, “A list of the names and mailing addresses of the governors’ designees and Tribal officials’ designees of participating Tribes is available on request from the Director, Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.”</p> <p>Texas needs to replace the reference to Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs with a reference to Division of Materials Safety, Security, State, and Tribal Programs-, Office of Nuclear Material Safety and Safeguards such that the above phrase reads, “A list of the names and mailing addresses of the governors’ designees and Tribal officials’ designees of participating Tribes is available on request from the Director, Division of Materials Safety, Security, State, and Tribal Programs-, Office of Nuclear Material Safety and Safeguards, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.”</p> <p>Texas needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 71.97.</p>

STATE REGULATION STATUS

State: Texas Department of State Health Services

Tracking Ticket Number: 21-36

Date: July 29, 2021

[# amendment(s) reviewed identified by a * at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (Superceded by 1997-5)	01/10/1994	Final ML051520266	No Comments 10/31/2005 ML053050013	Texas 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	Texas 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 11/06/1997	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980;	10/15/1994	Final ML052060129	No Comments 09/29/2005 ML052720491	
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2)	01/27/1995	Not Required	Not Required	Texas has adopted Final Regulations equivalent to RATS ID: 2002-2.
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.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628	10/25/1996	Final ML052060129 Revised Final ML18234A459	Comments 09/29/2005 ML052720491 No Comments 10/16/2018 ML18234A448	
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Final ML051520266	No Comments 08/12/2005 ML052280032	
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Not Applicable	Not Applicable	Texas DSHS does not have responsibility for these regulations. See SRS sheet for Texas CEQ.
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618	none	Final ML062860025	No Comments 11/21/2006 ML063200232	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	Texas CEQ Responsibility
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997	Final ML052060129	No Comments 09/29/2005 ML052720491	
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	No Comments 03/17/1999	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final ML051520266	No Comments 10/31/2005 ML053050013	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Final ML112510357	No Comments 11/22/2011 ML113000228	
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superceded by 1997-5)	06/30/1998	Final ML051520266	No Comments 10/31/2005 ML053050013	Texas 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 03/17/1999	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Final ML052060129	No Comments 09/29/2005 ML052720491	
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623 (Superceded by 2002-2 and 2005-2)	10/20/1998	Final ML051520266	No Comments 10/31/2005 ML053050013	Texas has not yet adopted Final Regulations equivalent to RATS ID: 2005-2.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 (Superceded by 2004-1)	04/01/1999	Final ML052060129	Comments 09/29/2005 ML052720491	Texas has adopted Final Regulations equivalent to RATS ID: 2004-1.
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 ML062860025	No Comments 11/21/2006 ML063200232	Part 30 only. Part 61 applies to TXCEQ.
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Final	No Comments 07/07/2000	
1997-2	Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662	02/27/2000	Final ML063030232	No Comments 11/27/2006 ML063200389	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120	05/29/2000	Final	No Comments 07/07/2000	
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superceded 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)

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
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	No Comments 07/07/2000	
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000	Final	No Comments 07/07/2000	
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 ML052060129	No Comments 09/29/2005 ML052720491	
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML063030232	No Comments 11/27/2006 ML063200389	
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.
1998-3	License Term for Medical Use Licenses Part 35 63 FR 31604 (Superceded 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) Texas has adopted Final Regulations equivalent to RATS ID: 2002-2.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Final ML093110052	No Comments 01/21/2010 ML093520035	
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 32, 35, 36, 39 63 FR 39477; 63 FR 45393	10/26/2001	Final	No Comments 07/07/2000	
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Final	No Comments 07/07/2000	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	Texas CEQ Responsibility
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 ML062750348	No Comments 11/21/2006 ML063200232	
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Final ML051520266	No Comments 11/30/2006 ML063340007	

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2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Final ML093110052	No Comments 01/21/2010 ML093520035	
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	Final ML120650638	No Comments 04/02/2012 ML120660270	Note: See RATS ID 2012-1 for the changes of compatibility review.
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML102240370	No Comments 11/19/2010 ML102740009	
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	R ¹ ML14258B117 Final ML15078A299	Comments 12/16/2014 ML14258A158 No Comments 05/26/2015 ML15078A285	
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006	Final ML112510357	No Comments 11/22/2011 ML113000228	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	R ¹ ML14258B117 Final ML15078A299	No Comments 12/16/2014 ML14258A158 No Comments 05/26/2015 ML15078A285	

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2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Final ML093110052	No Comments 01/21/2010 ML093520035	
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	R ¹ ML14258B117 Final ML15078A299	No Comments 12/16/2014 ML14258A158 No Comments 05/26/2015 ML15078A285	
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML052240226	No Comments 12/12/2005 ML053420404	
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	R ¹ ML14258B117 Final ML15078A299	Comments 12/16/2014 ML14258A158 No Comments 05/26/2015 ML15078A285	
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	Final ML093110052	No Comments 01/21/2010 ML093520035	
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	Final ML093110052	No Comments 01/21/2010 ML093520035	

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2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Final ML102240370	No Comments 11/19/2010 ML102740009	
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	Final ML15078A299 Revised Final ML15300A187 Revised Final ML16076A353 Revised Final ML18234A459	Comments 05/26/2015 ML15078A285 No Comments 02/08/2016 ML15300A167 Comments 06/16/2016 ML16076A350 No Comments 10/16/2018 ML18234A448	
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864	11/30/2010	Final ML15078A299 Revised Final ML15300A187 Revised Final ML16076A353 Revised Final ML18234A459	Comments 05/26/2015 ML15078A285 Comments 02/08/2016 ML15300A167 Comments 06/16/2016 ML16076A350 Comments 10/16/2018 ML18234A448	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2007-4	Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901	06/05/2008	License Condition ML080350004	No Comments 02/13/2008 ML080440203	
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011	Final ML112510357	No Comments 11/22/2011 ML113000228	
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Final ML112510357	No Comments 11/22/2011 ML113000228	
2011-1	Decommissioning Planning Parts 20, 30, 40, and 70 76 FR 35512	12/17/2015	Proposed ML16218A245 Final ML16321A333 Proposed ML18162A279 Final ML18319A068	Comment 09/10/2016 ML16218A244 Comment 01/18/2017 ML16321A324 Comment 6/19/2018 ML18162A244 No Comments 12/07/2018 ML18317A175	The ADAMS package and associated documents incorrectly characterize this submission as “revised final” regulations instead of “proposed” regulations.

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2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 70, and 150 76 FR 56951	11/14/2014	Proposed ML 14258B117 Final ML15078A299 Revised Final ML15300A187 Revised Final ML16076A353 Revised Final ML18234A459	No Comments 12/16/2014 ML14258A158 Comments 05/26/2015 ML15078A285 Comment 02/08/2016 ML15300A167 Comments 06/16/2016 ML16076A350 No Comments 10/16/2018 ML18234A448	
2012-1	Change of Compatibility of 10 CFR 31.5 and 31.6 (See RATS ID: 2001-1 for Rule text) 77 FR 3640	01/25/2015	Final ML120650638	No Comments 04/02/2012 ML12066270	
2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	08/10/2015	Proposed ML14258B117 Final ML15078A299	No Comments 12/16/2014 ML14258A158 No Comments 05/26/2015 ML15078A285	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2012-3	Technical Corrections Part 30, 34, 40 and 71 77 FR 39899	08/06/2015	Proposed ML14258B117 Final ML15078A299	No Comments 12/16/2014 ML14258A158 No Comments 05/26/2015 ML15078A285	
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015	Proposed ML14258B117 Final ML15078A299 Revised Final ML15300A187 Revised Final ML16076A353 Revised Final ML18234A459	Comments 12/16/2014 ML14258A158 Comments 05/26/2015 ML15078A285 Comment 02/08/2016 ML15300A167 Comments 06/16/2016 ML16076A350 No Comments 10/16/2018 ML18234A448	
2013-1	Physical Protection of Byproduct Material, 10 CFR Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, and 71 78 FR 16922	03/19/2016	Proposed ML15300A238 Final ML16076A353	Comments 12/01/2015 ML15300A222 No Comments 06/16/2016 ML18076A350	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions, 10 CFR Parts 30, 40, and 70 78 FR 32310	08/27/2016	Proposed ML15300A238 Final ML16076A353 Revised Final ML18234A459	No Comments 12/01/2015 ML15300A222 Comments 06/16/2016 ML16076A350 No Comments 10/16/2018 ML18234A448	
2015-1	Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments Part 70 79 FR 57721, 80 FR 143	01/26/2018	Proposed ML15300A238 Final ML16076A353	No Comments 12/01/2015 ML15300A222 No Comments 06/16/2016 ML16076A350	
2015-2	Safeguards Information - Modified Handling Categorization, Change for Materials Facilities Parts 30, 37, 73, and 150 79 FR 58664, 80 FR 3865	01/28/2018	Proposed ML15300A238 Final ML16076A353	No Comments 12/01/2015 ML15300A222 No Comments 06/16/2016 ML16076A350	
*2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71 80 FR 33987	07/13/2018 *extended to 08/15/2020 See STC 17-060	Proposed ML18234A459 Final ML21182A354	Comments 10/16/2018 ML18234A448 No Comments 07/29/2021 ML21182A323	

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*2015-4	Miscellaneous Corrections, Parts 37 and 40 80 FR 45841	09/02/2018	Proposed ML18234A459 Final ML21182A354	No Comments 10/16/2018 ML18234A448 No Comments 07/29/2021 ML21182A323	
*2015-5	Miscellaneous Corrections Parts 19, 20, 30, 32, 37, 40, 61, 70, 71, and 150 80 FR 74974	12/31/2018	Proposed ML18234A459 Final ML21182A354	Comments 10/16/2018 ML18234A448 No Comments 07/29/2021 ML21182A323	
*2018-1	Medical Use of Byproduct Material – Medical Event Definitions, Training and Experience, and Clarifying Amendments Parts 30, 32 and 35	01/14/2022	Proposed ML21182A354	Comments 07/29/2021 ML21182A323	
*2018-2	Miscellaneous Corrections - Organizational Changes Parts 37, 40, 70 and 71	12/21/2021	Proposed ML21182A354	No Comments 07/29/2021 ML21182A323	
*2018-3	Miscellaneous Corrections Parts 1, 2, 34, 37, 50, 71, 73, and 140	07/30/2022	Proposed ML21182A354	Comments 07/29/2021 ML21182A323	
*2019-1	Miscellaneous Corrections Parts 2, 21, 37, 50, 52, 73, and 110	12/18/2022	Proposed ML21182A354	No Comments 07/29/2021 ML21182A323	

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*2019-2	Organizational Changes and Conforming Amendments Parts 1, 2, 37, 40, 50, 51, 52, 55, 71, 72, 73, 74, 100, 140, and 150	12/30/2022	Proposed ML21182A354	No Comments 07/29/2021 ML21182A323	
2020-1	Individual Monitoring Devices 10 CFR Parts 34, 36, and 39	06/16/2023			
*2020-2	Social Security Number Fraud Prevention 10 CFR Parts 9 and 35	08/17/2023	Proposed ML21182A354	No Comments 07/29/2021 ML21182A323	
2020-3	Miscellaneous Corrections 10 CFR Parts 1, 2, 19, 20, 21, 30, 34, 35, 40, 50, 51, 52, 60, 61, 62, 63, 70, 71, 72, 73, 74, 75, 76, 110, and 140	11/16/2023			
N/A	10 CFR 35.11, 35.63, 35.92 and 35.204	N/A	Final ML112510357	No Comments 11/22/2011 ML113000228	
N/A	10 CFR 34 and 39 Not Associated with a Specific RATS	N/A	Final ML113340070	Comments 01/11/2012 ML113550343	
N/A	10 CFR 20, 30, 31, 32, 35, 70 and 71 Not Associated with a Specific RATS	N/A	Proposed ML14258B117 Final ML15078A299	Comments 12/16/2014 ML14258A158 Comments 05/26/2015 ML15078A285	Comments are regarding 10 CFR Parts 20.1403, 20.1405 and 31.12(c)(4).