



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

September 27, 2023

Matthew W. McKinley
Radiation Health Branch Manager
Commonwealth of Kentucky
Department for Public Health
275 East Main Street, HS1GWA
Frankfort, KY 40621-0001

Dear Matthew McKinley:

We have reviewed the proposed revisions and new additions to the Kentucky Radiological Health rules, received by our office on May 18, 2023. These regulations were reviewed by comparison to the equivalent to U.S. Nuclear Regulatory Commission (NRC) regulations of 10 CFR Parts 19, 20, 30, 31, 32, 36, 70, and 150, as identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on August 17, 2023, and on August 22, 2023, we sent you a letter documenting that review. Subsequently, in response to a request for clarification regarding that letter, we identified an error in the comment table. Specifically, a sentence from Comment #7 was inadvertently duplicated in Comment #8. Accordingly, we are issuing this letter as a corrected version of the previous August 22 correspondence and apologize for any inconvenience the error may have caused.

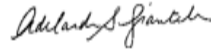
As a result of our review, we have 13 compatibility and 5 editorial comments that have been identified in Enclosure 1. Please note that we have limited our review to regulations required for compatibility and/or health and safety. Under our current procedure, a finding that the Kentucky regulations meet the compatibility and health, and safety categories of the equivalent NRC regulation may only be made based on a review of the final Kentucky 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 in Enclosure 2 summarizes our knowledge of the status of other Kentucky 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: <https://www.nrc.gov/agreement-states>.

If you have any questions regarding the review, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact my staff at AgreementStateRegs.Resource@nrc.gov.

Sincerely,



Signed by Giantelli, Adelaide
on 09/27/23

Adelaide S. Giantelli, 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. Kentucky SRS Data Sheet

SUBJECT: KENTUCKY PROPOSED REGULATIONS TO 10 CFR PARTS 19, 20, 30, 31, 32,
36, 70, 150 DATE September 27, 2023

DISTRIBUTION: SP05
DIR RF 23-35
MFord, RSAO

ADAMS Accession No. ML23142A094 pkg and ML23269A197 letter

OFFICE	NMSS/MSST	NMSS/MSST	OGC	NMSS/MSST
NAME	LSmith	SSahle	JScro	AGiantelli
DATE	n/a	09/26/2023	09/21/2023	09/27/2023

OFFICIAL RECORD COPY

COMPATIBILITY COMMENTS ON KENTUCKY PROPOSED REGULATIONS

STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
1	902 KAR 100:185, Section 2.(1)(a), 902 KAR 100:010 (312)	20.1003 , Definitions, Total Effective Dose Equivalent	A	<p>902 KAR 100:185, Section 2.(1)(a), incorporates by reference the definition of Total Effective Dose Equivalent (TEDE) in 10 CFR 20.1003. However, TEDE is also defined in 902 KAR 100:010 (312) and uses different terminology from 10 CFR 20.1003. Specifically, 902 KAR 100:010 (312) uses different terms “deep-dose” instead of “effective dose” equivalent for external exposures.</p> <p>To prevent confusion and duplication, Kentucky should remove the definition of TEDE from 902 KAR 100:010 (312).</p>
2	902 KAR 100:185 Section 2.1(d)	20.1405	C	<p>Public notification and public participation</p> <p>Kentucky should remove 10 CFR 20.1405 from 902 KAR 100:185 Section 2.(1)’s the list of regulations not incorporated by reference. 10 CFR 20.1405 is a compatibility category C and non-adoption would make Kentucky less restrictive.</p>
3	902 KAR 100:185 Section 2.(2)	Part 20	N/A	<p>100:185 Section 2.(2) was revised based on a prior comment, however "the NRC, or an agreement state" remains at the end of the sentence creating a circular reference.</p> <p>Additionally, 902 KAR 100:185 Section 2.(2) does not currently account for the fact that the reference to the Commission must remain in the definition of special nuclear material in 10 CFR 20.1003, which Kentucky incorporates by reference.</p> <p>To address these issues, 902 KAR 100:185 Section 2.(2) should be revised to read as follows:</p> <p>Except for in the definition of Special Nuclear Material in 10 CFR 20.1003, reference to the "Commission" or "NRC" shall be deemed to be a reference to the "Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch". Reference to “Commission or Agreement State” shall be deemed to be a reference to “Cabinet for Health and Family Services, Department for Public</p>

				Health, Radiation Health Branch, Commission, or Agreement State.”
4	902 KAR 100:040 Section 2.(1)	30.4	NRC	<p>Definitions</p> <p>Kentucky incorporated all the definitions in 10 CFR 30.4 by reference. However, the following definitions are Category NRC and need to be excluded from the incorporation by reference:</p> <p>1) The second paragraph of the definition of “Commencement of Construction” and 2) Paragraph 9ii of the definition of “Construction”</p> <p>Kentucky needs to make the above changes in order to meet the Compatibility Category NRC designation assigned to these definitions in 10 CFR 30.4.</p> <p>Additionally, to avoid duplication and confusion, Kentucky need not adopt the definition of Agreement State in 10 CFR 30.4 because Kentucky regulations already contain the same definition of Agreement State in 902 KAR 100:010 Section 1.(9).</p>
5	902 KAR 100:040 Section 2.(1)	30.10(b)	C	<p>Deliberate misconduct</p> <p>Kentucky should remove 10 CFR 30.10(b) from 902 KAR 100:040 Section 2.(1)’s the list of regulations not incorporated by reference. 10 CFR 30.10(b) is a compatibility category C and non-adoption would make Kentucky less restrictive.</p>
6	902 KAR 100:040 Section 2.(2)	Part 30	N/A	<p>100:040 Section 2.(2) was revised based on a prior comment, however "the NRC, or an agreement state" remains at the end of the sentence creating a circular reference.</p> <p>Additionally, in 10 CFR 30.18(d) and 30.32(g), which Kentucky incorporates by reference, reference “an Agreement State” should mean reference to “an Agreement State or the NRC.”</p> <p>To address these issues 902 KAR 100:040 Section 2.(2) should be revised to read as follows:</p>

				Reference to the "Commission" or "NRC" shall be deemed to be a reference to the "Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch". In 10 CFR 30.18(d) and 30.32(g), reference to "an Agreement State", shall be deemed to be a reference to "an Agreement State or the NRC".
7	902 KAR 100:050 Section 2.(2)	Part 31	N/A	<p>100:050 Section 2.(2) was revised based on a prior comment, however "the NRC, or an agreement state" remains at the end of the sentence creating a circular reference.</p> <p>Further, in 10 CFR 31.5(b)(1)(ii), 31.5(c)(3)(ii), 31.5(c)(8)(i), 31.6, 31.7(a), 31.10(a), 31.10(b)(1), and 31.12(c)(4), all of which Kentucky incorporates by reference, reference "an Agreement State" should mean reference to "an Agreement State or the NRC."</p> <p>Additionally, in 10 CFR 31.6, Kentucky should make clear that reference to "any non-agreement state" or "offshore waters" should mean the "State of Kentucky".</p> <p>To address these issues, 902 KAR 100:050 Section 2.(2) should be revised to read as follows:</p> <p>Reference to the "Commission" or "NRC" shall be deemed to be a reference to the "Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch". In 10 CFR 31.5(b)(1)(ii), 31.5(c)(3)(ii), 31.5(c)(8)(i), 31.6, 31.7(a), 31.10(a), 31.10(b)(1), and 31.12(c)(4), reference to "an Agreement State", shall be deemed to be a reference to "an Agreement State or the NRC".</p> <p>In 10 CFR 31.6, reference to "any non-agreement state" or "offshore waters" shall be deemed a reference to the "State of Kentucky".</p>
8	902 KAR 100:058 Section 2.(2)	Part 32	N/A	<p>100:058 Section 2.(2) was revised based on a prior comment, however "the NRC, or an agreement state" remains at the end of the sentence creating a circular reference.</p> <p>Further, in 10 CFR 32.13, 32.51(a), 32.51(c),</p>

				<p>32.56, 32.59, and 32.72(b)(5)(ii), all of which Kentucky incorporates by reference, reference “an Agreement State” should mean reference to “an Agreement State or the NRC.”</p> <p>To address these issues, 902 KAR 100:058 Section 2.(2) should be revised to read as follows:</p> <p>Reference to the "Commission" or "NRC" shall be deemed to be a reference to the "Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch". Reference to “Commission or Agreement State” shall be deemed to be a reference to “Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch, Commission, or Agreement State.”</p>
9	902 KAR 100:200	Part 36	N/A	<p>Kentucky should revise 902 KAR 100:200 to ensure the appropriate language is substituted for the incorporated provisions in 10 CFR Part 36. Section 2.(2) should be revised to read as follows:</p> <p>Reference to the "Commission" or "NRC" shall be deemed to be a reference to the "Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch". Reference to “NRC or Agreement State” shall be deemed to be a reference to “Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch, NRC, or Agreement State.”</p>
10	902 KAR 100:195 Section 2.(2)	Part 70	N/A	<p>100:195 Section 2.(2) was revised based on a prior comment, however "the NRC, or an agreement state" remains at the end of the sentence creating a circular reference.</p> <p>Additionally, the terms Commission or Atomic Energy Commission in 10 C.F.R. 70.19(a) (1) and 70.19(c)(3) should remain and not be replaced with a reference to the Cabinet.</p> <p>To address these issues, 902 KAR 100:195 Section 2.(2) should be revised to read as follows:</p>

				Reference to the "Commission" or "NRC" shall be deemed to be a reference to the "Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch," except that in in 10 C.F.R. 70.19(a)(1) and 70.19(c)(3), the terms "Commission or the Atomic Energy Commission" remain and do not mean the "Cabinet". In 10 CFR 70.42(b)(1) the word "Department" means the "U.S. Department of Energy".
11	902 KAR 100:195 Section 2.(1)	70.10(b)	C	Deliberate misconduct Kentucky should remove 10 CFR 70.10(b) from 902 KAR 100:195 Section 2.(1)'s the list of regulations not incorporated by reference. 10 CFR 70.10(b) is a compatibility category C and non-adoption would make Kentucky less restrictive.
12	902 KAR 100:065 Section 1.(1)	Part 150	N/A	Kentucky should delete the definition of "Agreement State" in Section 1.(1) since the state already defines "Agreement State" in 902 KAR 100:010 Section 1.(9). Further, to avoid duplication and confusion, Kentucky need not adopt 10 CFR 150.3 definition of Agreement State as it already has the same definition in 902 KAR 100:010 Section 1.(9).
13	902 KAR 100:065 Section 2.(2)	Part 150	N/A	100:065 Section 2.(2) was revised based on a prior comment, however "the NRC, or an agreement state" remains at the end of the sentence creating a circular reference. To address this issue and for added clarity, Kentucky should revise 902 KAR 100:065 Section 2.(2) as follows: Reference to the "Commission" or "NRC" shall be deemed to be a reference to the "Cabinet for Health and Family Services, Department for Public Health, Radiation Health Branch," except that in in 10 C.F.R. 150.2 the terms "Commission or the Atomic Energy Commission" remain and do not mean the "Cabinet." In 10 CFR 150.20, where the words "non-agreement states", "areas of exclusive federal jurisdiction within agreement states", or "offshore waters" are used in 150.20(a)(1)(i), (ii), (iii), (b), (b)(3), and (b)(4) substitute the words "the State of

				<p>Kentucky”. Where the words “agreement state license” are used in 10 CFR 150.20, also add the words “Nuclear Regulatory Commission license”. Where the words “license issued by an agreement state” are used in 10 CFR 150.20 also add the words “license issued by the Nuclear Regulatory Commission”. Where the words “license from an agreement state” are used in 10 CFR 150.20 also add the words “license from the Nuclear Regulatory Commission”.</p>
--	--	--	--	--

EDITORIAL COMMENTS ON KENTUCKY PROPOSED REGULATIONS

STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
1	902 KAR 100:185 Section 2(1)(a)	20.1003	D	The current wording of 902 KAR 100:185 Section 2(1)(a) could be misread that the entirety of 10 CFR 20.1003 is excluded from the incorporation by reference. To prevent this confusion, Kentucky should consider revising 902 KAR 100:185 Section 2(1)(a) to read “The definition of licensee in 10 CFR 20.1003”
2	902 KAR 100:040 Section 1	N/A	N/A	Line 20 uses “United State” in lieu of “United States”
3	902 KAR 100:050 Section 1	N/A	N/A	Line 20 uses “United State” in lieu of “United States”
4	902 KAR 100:058 Section 1	N/A	N/A	Line 5 uses “United State” in lieu of “United States”

5	902 KAR 100:065 Section 1	N/A	N/A	Line 20 uses "United State" in lieu of "United States"
---	---------------------------------	-----	-----	--

STATE REGULATION STATUS

State: Kentucky

Tracking Ticket Number: 23-35

Date: September 27, 2023

[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 (Superseded by 1997-5)	01/10/1994	Final	No Comments 03/15/1996	Kentucky has adopted Final Regulations equivalent to RATS ID: 1997-5.
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 (Superseded by 1997-5)	none	Not Required	Not Required	Kentucky 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 04/17/1998	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40 and 70 56 FR 64980;	10/15/1994	Final Proposed ML18170A181 Final ML19043A753	No Comments 03/15/1996 Comments 7/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Parts 34 and 39 by reference Kentucky submitted final regulations that adopt 10 CFR Parts 34 and 39 by reference. (Kentucky has submitted proposed regulations for Parts 20, 30, 31, 40 and 70. See ML20015A324).

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2)	01/27/1995	Final	No Comments 03/15/1996	
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30 and 35 57 FR 45566	none	Not Required	Not Required	Kentucky has adopted Final Regulations equivalent to RATS ID: 1997-5.
1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30 and 40 58 FR 39628	10/25/1996	Final	No Comments 03/15/1996	
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Not Applicable ⁱ	Not Applicable	Kentucky does not have any licensees subject to these regulations. (See SECY-95-112)
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Not Applicable ¹	Not Applicable	Kentucky does not have any licensees subject to these regulations. (See SECY-95-112)
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40 and 70 58 FR 68726; 59 FR 1618	none	Not Required	Not Required	These regulations 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	Kentucky does not have authority to regulate this material under its Agreement.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40 and 70 59 FR 36026	08/15/1997	Final	No Comments 04/17/1998	
1995-1	Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32 and 35 59 FR 61767; 59 FR 65243; 60 FR 322	01/01/1998	Final Proposed ML18170A181 Final ML19043A753	No Comments 04/17/1998 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	 Kentucky submitted proposed regulations that adopt 10 CFR Part 35 by reference Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference. (Kentucky has submitted proposed regulations for Parts 30 and 32. See ML20015A324).
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final	No Comments 04/17/1998	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20 and 61 60 FR 15649; 60 FR 25983	03/01/1998	R ² ML12213A254 Proposed ML18170A181 Final ML19043A753	No Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	 Kentucky submitted proposed regulations that adopt 10 CFR Part 61 reference Kentucky submitted final regulations that adopt 10 CFR Part 61 reference. (Kentucky has submitted proposed regulations for Part 20. See ML20015A324).

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superceded by 1997-5)	06/30/1998	Final	No Comments 03/15/1996	Kentucky has adopted Final Regulations equivalent to RATS ID: 1997-5.
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19 and 20 60 FR 36038	08/14/1998	Final	No Comments 04/17/1998	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40 and 70 60 FR 38235	11/24/1998	R ² ML12213A254	No Comments 09/14/2012 ML12234A371	
1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20 and 35 60 FR 48623 (Superceded by 2002-2 and 2005-2)	10/20/1998			
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 Proposed ML18170A181 Final ML19043A753	Comments 06/21/2000 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky has not yet adopted Final Regulations equivalent to RATS ID: 2004-1. Kentucky submitted proposed regulations that adopt 10 CFR Part 71 by reference Kentucky submitted final regulations that adopt 10 CFR Part 71 by reference.
1996-2	One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40 and 70 61 FR 1109	02/15/1999	Not Required	Not Required	These regulations 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
1996-3	Termination or Transfer of Licensed Activities: Record keeping Requirements Parts 20, 30, 40, 61 and 70 61 FR 24669	06/17/1999	Final Proposed ML18170A181 Final ML19043A753	No Comments 06/21/2000 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 61 by reference Kentucky submitted final regulations that adopt 10 CFR Part 61 by reference. (Kentucky has submitted proposed regulations for Parts 20, 30, 40, and 70. See ML20015A324).
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 04/17/1998	
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 ML010780156	No Comments 03/30/2001 ML010890409	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20 and 35 62 FR 4120	05/29/2000	Final Proposed ML18170A181 Final ML19043A753	No Comments 04/17/1998 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 35 by reference Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference. (Kentucky has submitted proposed regulations for Part 20. See ML20015A324).

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superceded by 2004-1)	02/10/2000	Not Required	Not Required	These regulations 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 and 150 62 FR 28947	06/27/2000	Final ML010780156 Proposed ML18170A181 Final ML19043A753	Comments 03/30/2001 ML010890409 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Parts 34 and 71 by reference Kentucky submitted final regulations that adopt 10 CFR Parts 34 and 71 by reference.. (Kentucky has submitted proposed regulations for Parts 30 and 150. See ML20015A324).
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40 and 70 62 FR 39057	08/20/2000	Final	No Comments 06/21/2000	
1997-7	Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	Final	No Comments 04/17/1998	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71 and 150 63 FR 1890; 63 FR 13773	02/12/2001	Final Proposed ML18170A181 Final ML19043A753	No Comments 06/21/2000 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Parts 61 and 71 by reference Kentucky submitted final regulations that adopt 10 CFR Parts 61 and 71 by reference. (Kentucky has submitted proposed regulations for Parts 30, 40, 70, and 150. See ML20015A324).
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40 and 70 63 FR 29535	07/01/2001	Not Required	Not Required	These regulations are not required to be adopted for purposes of Compatibility.
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 regulations 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 ML010780156 Proposed ML18170A181 Final ML19043A753	No Comments 03/30/2001 ML010890409 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 34 by reference Kentucky submitted final regulations that adopt 10 CFR Part 34 by reference.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 32, 35, 36 and 39 63 FR 39477; 63 FR 45393	10/26/2001	R ² ML12213A254 Proposed ML18170A181 Final ML19043A753	Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Parts 35 and 39 by reference Kentucky submitted final regulations that adopt 10 CFR Parts 35 and 39 by reference. (Kentucky has submitted proposed regulations for Parts 20 and 32. See ML20015A324). Kentucky does not have any licensees subject to Part 36 regulations. (See SECY-95-112)
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	R ² ML12213A254	No Comments 09/14/2012 ML12234A371	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	Kentucky does not have 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 regulations 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	R ² ML12213A254	No Comments 09/14/2012 ML12234A371	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	R ² ML12213A254 Proposed ML18170A181 Final ML19043A753	No Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 39 by reference Kentucky submitted final regulations that adopt 10 CFR Part 39 by reference.
2000-2	New Dosimetry Technology Parts 34, 36 and 39 65 FR 63750	01/08/2004	R ² ML12213A254 Proposed ML18170A181 Final ML19043A753	No Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Part 36 regulation changes were not adopted by Kentucky because they do not have any licensees. See RATS ID: 1993-2. Kentucky submitted proposed regulations that adopt 10 CFR Parts 34 and 39 by reference Kentucky submitted final regulations that adopt 10 CFR Parts 34 and 39 by reference. Kentucky does not have any licensees subject to Part 36 regulations. (See SECY-95-112).
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31 and 32 65 FR 79162	02/16/2004	License Condition ML040550046 Final ML19325D004	Comments 03/16/2004 ML040770705 Comments 12/17/2019 ML19325C948	Part 32.52 (a) & (b) only

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	R ² ML12213A254	No Comments 09/14/2012 ML12234A371	
2002-2	Medical Use of Byproduct Material Parts 20, 32 and 35 67 FR 20249	10/24/2005	Final ML12213A254 Proposed ML18170A181 Final ML19043A753	Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Parts 35 by reference Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference. (Kentucky has submitted proposed regulations for Parts 20 and 32. See ML20015A324).
2003-1	Financial Assurance for Materials Licensees Parts 30, 40 and 70 68 FR 57327	12/03/2006	R ² ML12213A254	No Comments 09/14/2012 ML12234A371	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	R ² ML12213A254 Proposed ML18170A181 Final ML19043A753	No Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 71 by reference Kentucky submitted final regulations that adopt 10 CFR Part 71 by reference.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	R ² ML12213A254	No Comments 09/14/2012 ML12234A371	
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	R ² ML12213A254 Proposed ML18170A181 Final ML19043A753	No Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 35 by reference Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference.
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML053180137	No Comments 11/15/2005 ML053190005	
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	R ² ML12213A254 Proposed ML18170A181 Final ML19043A753	No Comments 09/14/2012 ML12234A371 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 35 by reference Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference. (Kentucky has submitted proposed regulations for Parts 20, 30, 32, 40, and 70. See ML20015A324).

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	Not Applicable	Not Applicable	Kentucky responded on 03/02/2007 to FSME 06-110 stating that they currently have no licensees applicable to this rule ¹ . ML070610044
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	License Condition ML083180064	No Comments 12/17/2008 ML083220486	
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Proposed ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 35 by reference Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference. (Kentucky has submitted proposed regulations for Part 32. See ML20015A324).
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32 and 150 72 FR 58473	12/17/2010			
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61 and 150 72 FR 55864	11/30/2010	Proposed ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Parts 33, 35 and 61 by reference Kentucky submitted final regulations that adopt 10 CFR Parts 33, 35 and 61 by reference. (Kentucky has submitted proposed regulations for Parts 20, 30, 31, 32, and 150. See ML20015A324).

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 ML080990413	No Comments 05/02/2008 ML081220993	
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19 and 20 72 FR 68043	02/15/2011	Final ML19325D004 Proposed ML20015A334	Comments 12/17/2019 ML19325C948 Comments 03/16/2020 ML20015A324	Kentucky submitted proposed regulations that adopt 10 CFR Parts 19 and 20 by reference
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Proposed ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 35 by reference Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference.
2011-1	Decommissioning Planning Parts 20, 30, 40 and 70 76 FR 35512	12/17/2015	Final ML19325D004	Comments 12/17/2019 ML19325C948	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 70 and 150 76 FR 56951	11/14/2014	Proposed ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 39 by reference Kentucky submitted final regulations that adopt 10 CFR Part 39 by reference. (Kentucky has submitted proposed regulations for Parts 30, 40, and 70. See ML20015A324). Kentucky does not have any licensees subject to Part 36 regulations. (See SECY-95-112).
2012-1	Change of Compatibility of Parts 31.5 and 31.6 (See RATS ID: 2001-1 for Rule text) 77 FR 3640	01/25/2015	Final ML19325D004	Comments 12/17/2019 ML19325C948	
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 ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 71 by reference Kentucky submitted final regulations that adopt 10 CFR Part 71 by reference.
2012-3	Technical Corrections Parts 30, 34, 40 and 71 77 FR 39899	08/06/2015	Proposed ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 34 and 71 by reference Kentucky submitted final regulations that adopt 10 CFR Part 34 and 71 by reference. (Kentucky has submitted proposed regulations for Parts 30 and 40. See ML20015A324).

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015			
2013-1	Physical Protection of Byproduct Material Parts 20, 30, 32, 33, 34, 35, 36, 37, 39 and 71 78 FR 16922	03/19/2016	Final ML16062A063 Proposed ML18170A181 Final ML19043A753	No Comments 03/04/2016 MI16062A040 Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Part 37 only Kentucky submitted proposed regulations that adopt 10 CFR Parts 33, 34, 35, 39 and 71 by reference Kentucky submitted final regulations that adopt 10 CFR Parts 33, 34, 35, 39 and 71 by reference. (Kentucky has submitted proposed regulations for Parts 20, 30, and 32. See ML20015A324). Kentucky does not have any licensees subject to Part 36 regulations. (See SECY-95-112).
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions Parts 30, 40 and 70 78 FR 32310	08/27/2016			
2015-1	Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments Part 70 79 FR 57721, 80 FR 143	01/26/2018	Final ML19325D004	No Comments 12/17/2019 ML19325C948	
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	Final ML19325D004	No Comments 12/17/2019 ML19325C948	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
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 ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 71 by reference Kentucky submitted final regulations that adopt 10 CFR Part 71 by reference.
2015-4	Miscellaneous Corrections Parts 37 and 40 80 FR 45841	09/02/2018	Final ML19325D004	Comment 12/17/2019 ML19325C948	
2015-5	Miscellaneous Corrections Parts 19, 20, 30, 32, 37, 40, 61, 70, 71 and 150 80 FR 74974	12/31/2018	Proposed ML18170A181 Final ML19043A753	Comments 07/27/2018 ML18170A180 No Comments 02/25/2019 ML19043A752	Kentucky submitted proposed regulations that adopt 10 CFR Part 61 and 71 by reference Kentucky submitted final regulations that adopt 10 CFR Part 61 and 71 by reference, except Part 37. (Kentucky has submitted proposed regulations for Parts 19, 20, 30, 31, 32, 40, 70 and 150. See ML20015A324).
2018-1	Medical Use of Byproduct Material – Medical Event Definitions, Training and Experience, and Clarifying Amendments, Parts 30, 32 and 35	01/14/2022	Final ML19325D004	Comments 12/17/2019 ML19325C948	Kentucky submitted final regulations that adopt 10 CFR Part 35 by reference
2018-2	Miscellaneous Corrections – Organizational Changes Parts 37, 40, 70 and 71	12/21/2021			Kentucky has submitted proposed regulations incorporating Parts 40 and 70 by reference. Kentucky has adopted Part 71 by reference (ML19043A752)

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2018-3	Miscellaneous Corrections Parts 1, 2, 34, 37, 50, 71, 73, and 140	07/30/2022			Kentucky has adopted Parts 34 and 71 by reference (ML19043A752 and ML19043A752)
2019-1	Miscellaneous Corrections Parts 2, 21, 37, 50, 52, 73, and 110	12/18/2022			
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			Kentucky has adopted Part 71 by reference (ML19043A752). Kentucky has submitted proposed regulations adopting Part 40 by reference (ML20015A324)
2020-1	Individual Monitoring Devices 10 CFR Parts 34, 36, and 39	06/16/2023			Kentucky has adopted Parts 34 and 39 by reference (ML19043A752) Kentucky has submitted proposed regulations adopting Part 36 by reference. However, Kentucky does not have any licensees subject to Part 36 regulations. (See SECY-95-112).
2020-2	Social Security Number Fraud Prevention 10 CFR Parts 9 and 35	08/17/2023			Kentucky has adopted Part 35 by reference (ML19325C948)
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			Kentucky has submitted proposed regulations that adopt Part 19, 20, 30, 40, and 70 by reference (ML20015A324 and ML23142A094) Kentucky has adopted Parts 34, 35, 61, and 71 by reference (ML19043A752, ML19325C948, and ML19043A752)

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2021-1	Miscellaneous Corrections 10 CFR Parts 2, 11, 20, 25, 32, 35, 37, 50, 52,55, 70, 72, 73, 95, and 110	09/08/2024			Kentucky has submitted proposed regulations that adopt Parts 20, 32, and 70 by reference (ML23142A094) Kentucky has adopted Part 35 by reference (ML19325C948)
2021-2	Miscellaneous Corrections 10 CFR Parts 9, 37, 40, 50, 51, 52, 55, 71, 73, and 110	12/30/2024			Kentucky has submitted proposed regulations to adopt Part 40 by reference (ML20015A324) Kentucky has adopted Part 71 by reference (ML19043A752)
2022-1	Miscellaneous Corrections 10 CFR 1, 2, 20, 30, 40, 50, 55, 70, 73, and 170	none			Provisions are not required for compatibility.
2022-2	Miscellaneous Corrections 10 CFR Parts 20, 35, 50, 51, 52, 72, 73, 110, and 150	none			Provisions are not required for compatibility.
NA	10 CFR Parts 19, 20, 30, 31, 32, 40, 70, and 150	NA	Proposed ML20015A334	Comments 03/16/2020 ML20015A324	Kentucky submitted proposed regulations that adopt parts 20, 30, 31, 32, 40, 70, and 150 by reference.
*2008-1	Miscellaneous Corrections, 10 CFR Parts 19 and 20		Proposed ML23142A105	Comments 09/27/2023 ML23142A094	Kentucky also submitted changes to close NRC RATS ID 2008-1.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
*NA	10 CFR Parts 20, 30, 31, 32, 36, 70, 150	NA	Proposed ML23142A105	Comments 09/27/2023 ML23142A094	Kentucky submitted revisions to previously proposed regulations that adopt parts 30, 31, 32, and 150 by reference. Kentucky submitted new proposed regulations that adopt parts 20, 36, and 70 by reference.
*2008-1	Miscellaneous Corrections, 10 CFR Part 19		Proposed ML23142A105	Comments 09/27/2023 ML23142A094	Kentucky also submitted revisions to the state's equivalent of 10 CFR Part 19.