

January 11, 2013

Gene Miskin, Director
Office of Radiological Health
Department of Health and Mental Hygiene
22 Cortlandt Street, 34th Floor
New York, NY 10007

Dear Mr. Miskin:

We have reviewed the proposed changes to the New York City Radiological Health regulations, Article 175 "Radiation Control" received by our office on November 20, 2012. These regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) rules in 10 CFR Parts 20, 30, 31, 32, 33, 35, 61, 150 and the requirements of the two amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with Tobias Lickerman on January 4, 2013.

As a result of our review, we have 12 comments that have been identified in the enclosures. 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 New York City 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 New York City 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](#), "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 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 New York City 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>.

G. Miskin

-2-

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 (610) 337-5214 (monica.orendi@nrc.gov).

Sincerely,

/RA/

Pamela J. Henderson, Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Enclosures:

1. New York City SRS Data Sheet
2. Compatibility Comments

COMPATIBILITY COMMENTS ON *NEW YORK CITY* PROPOSED REGULATIONS

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	175.104(a)	20.2001(a)(4)	2007-3	C	<p>General requirements</p> <p>New York City (NYC) needs to insert “10 CFR” before “§§20.2002, 20.2003” in 175.104(a)(1)(iv).</p> <p>NYC needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 20.2001(a)(4).</p>
2	175.104(a)	20.2008	2007-3	B	<p>Disposal of 11e.(3) and 11e.(4) byproduct material</p> <p>New York City (NYC) needs to insert “10 CFR” before “§§20.2006,” in 175.104(a)(3)(i).</p> <p>NYC needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 20.2008.</p>
3	175.101 (a)(1)(ii)	30.3(a)	2007-3	C	<p>Activities requiring license</p> <p>NYC needs to make the following change to 175.101(a)(1)(ii): “... in accordance with the regulations of 10 CFR” to “...in accordance with the regulations of Article 175.”</p> <p>NYC needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 30.3(a).</p>
4	175.101 (c)(3)	30.15	2007-2 2007-3	B	<p>Certain items containing byproduct material</p> <p>NYC needs to make the following changes:</p> <p>a) NYC needs to remove 175.101(c)(3)(i) from their</p>

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				<p>regulations as proposed in the revisions to address RATS ID 2007-3. This additional language makes NYC's regulation less restrictive than NRC's regulation since 10 CFR 30.15 does not contain equivalent language.</p> <p>b) The proposed language for 175.101(c)(3)(ii)(H) for RATS IDs 2007-2 and 2007-3 are not identical. In RATS ID 2007-3, NYC needs to change "(1 mGy)" to "(1 uCi)."</p> <p>c) NYC needs to remove 175.101(c)(3)(v) "Thermostat dials and pointers ..." This language has been removed from 10 CFR 30.15 and by keeping the language NYC's regulation is less restrictive.</p> <p>d) NYC lists incorrect units in 175.101(c)(3)(vi). NYC needs to change "...37kBq (1mCi)..." to "...37kBq (1uCi)..."</p> <p>e) NYC Lists incorrect units in 175.101(c)(3)(vii) [Electron tubes]. NYC needs to make the following changes: (vii)(B) "37kBq (1mCi)..." to "37kBq(1uCi)..." ; (vii)(C) "185kBq (5mCi)..." to "185kBq (5uCi)..." ; (vii)(D) "1.11MBq (30mCi)..." to "1.11MBq (30uCi)..." ; (vii)(E) "185kBq (5mCi)..." to "185kBq (5uCi)..." ; and (vii)(F) "1.11MBq (30mCi)..." to "1.11MBq (30uCi)..."</p> <p>f) NYC lists incorrect units in 175.101(c)(3)(viii)(C). NYC needs to change "1.85kBq (0.05mCi) of americium-241" to "1.85kBq (0.05uCi) of americium-241."</p> <p>g) NYC needs to delete 175.101(c)(3)(ix) [Spark gap irradiators] from its regulations. NRC does not have equivalent text in 10 CFR 30.15 which makes NYC's regulation less restrictive.</p>

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					NYC needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 30.15.
5	175.101 (c)(2)	30.18	2007-2 2007-3	B	<p>Exempt quantities</p> <p>NYC needs to change the codification in the proposed amendment to implement RATS ID 2007-3 for 30.18(b) from 175.101(c)(2)(iv) to 175.101(c)(2)(v). NYC did not carry forth the 175.101(c)(2)(iv) changes proposed for RATS IDs 2007-2 into the revision for 2007-3.</p> <p>NYC needs to add equivalent regulation text to 10 CFR 30.18(b) to 175.101(c)(2) in order to meet the Compatibility Category B designation assigned to 10 CFR 30.18.</p>
6	175.101 Appendix B	30.71	2007-3	B	<p>Schedule B</p> <p>NYC proposed changes to NYC equivalent Appendix B to Part 30 – Quantities of Licensed Material Requiring Labeling does not address the changes required by RATS ID 2007-3 to the equivalent NYC regulation to 10 CFR 30.71. Section 30.71, Schedule B, is a similar, but separate requirement from Appendix B to Part 30. 10 CFR 30.71, Schedule B and Appendix B to Part 30 are both designated as Compatibility Category B and both need to be adopted by NYC. Although many of the values are similar in the two tables, they are not identical. On review of NYC 175.101, there are no citations to Schedule B, only citations to Appendix B in sections that NRC has citations to Schedule B (the NYC equivalent to 10 CFR 30.15 and 30.18). Note a review</p>

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					<p>of the existing regulations found on the NYC website did not contain Appendix B to 175.101 for a complete review. NYC needs to submit both the equivalent NYC regulations to Schedule B, 10 CFR 30.71, Appendix B to Part 30 and the corresponding provisions in Part 30 that contain references to these tables for review to determine if these provisions have been adopted.</p> <p>NYC needs to make the above change in order to meet the Compatibility Category B designation assigned to 10 CFR 30.71.</p>
7	175.102 (g)(4)	31.5	2007-2 2007-3	C	<p>Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere</p> <p>NYC needs to make the following changes:</p> <ul style="list-style-type: none"> a) Change “32.51 of this chapter” to “10 CFR 32.51” in (ii)(A)(a) and (c). b) Change “in paragraph (a)” to “in paragraph (i)” in (4)(iii). c) Change “parts 30 and 32 of this chapter” to “10 CFR Parts 30 and 32” in (iii)(C)(b) and (iii)(E). d) Change “by paragraph (c)(2) of this section” to “by paragraph (iii)(B) of this section” in (iii)(D)(a) and (b). e) Change “by paragraph (c)(3) of this section” to “by paragraph (iii)(C) of this section” in (iii)(D)(c). f) Change the location of where the report is furnished to from the NRC info to NYC info in, “20.1402 of this chapter” to “10 CFR 20.1402” and “as determined by the Commission” to “as determined by the agency” in

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				<p>(iii)(E).</p> <p>g) Change “part 110 of this chapter” to “10 CFR Part 110” in (iii)(G).</p> <p>h) Change “paragraph (c)(7)” to “paragraph (iii)(G)”; “paragraph (c)(9)” to “paragraph (iii)(I)”; “parts 30 and 32 of this chapter” to “10 CFR Parts 30 and 32”; “or part 30” to “or 10 CFR Part 30”; and “under paragraph (c)(8)(iii)” to “under paragraph (iii)(H)(c)” in (iii)(H)(a).</p> <p>i) Change that the report needs to be furnished to the Agency not the NRC in (iii)(H)(b).</p> <p>j) Change (iii)(H)(c) to state that the licensee needs to obtain written Agency or Department approval (NYC) not NRC approval.</p> <p>k) Change “19 CFR” to “10 CFR” and change to have the report go to the Agency (NYC) not NRC in (iii)(I)(a).</p> <p>l) Change (iii)(K) references from NRC to Agency/Department (respond to written requests from the Agency).</p> <p>m) Changes in (iii)(M)(b): reference NYC’s fee regulations and not NRC’s. (Shall register the devices annually with NYC and pay the fee required by xxx NYC regulation). Change “request for registration received by the Commission” to “request for registration received by the Agency (NYC).” The information must be submitted to the Agency not NRC. Change “30.34 of this chapter” to “10 CFR 30.34.”</p> <p>n) Change references in (iii)(M)(c) from Commission to Agency/ Department (NYC).</p> <p>o) Change (iii)(M)(d) from “(c)(13)(i)” to “(iii)(M)(a)” and change “Commission” to “Agency (NYC).”</p> <p>p) Change (iii)(N) to have the</p>

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					<p>licensee report mailing address changes to the Agency (NYC) not to the NRC.</p> <p>q) Change (iii)(O) reference from "paragraph(c)(2)" to "paragraph (iii)(B)."</p> <p>NYC needs to make the above changes to 175.102(g)(4) in order to meet the Compatibility Category C designation assigned to 10 CFR 31.5.</p>
8	175.102 (g)(9)	31.12	2007-3	C	<p>General license for certain items and self-luminous products containing radium-226</p> <p>NYC needs to make the following changes to 175.102(g)(9):</p> <p>a) Insert "(iii)" after "(i), (ii)" in 175.102(g)(9)(i).</p> <p>b) Change "...10 CFR parts 19, 20, and 21, and § 30.50 and 30.51" in 175.102(g)(9)(ii) to list the corresponding NYC regulation sections.</p> <p>c) Change "Department or the NRC" to "Department and the NRC" in 175.102(g)(9)(iii)(A).</p> <p>d) Change the 2nd (A) to (B) in 175.102(g)(9)(iii). Change "§ 20.2008 of this chapter" to either "10 CFR 20.2008" or to the equivalent NYC regulation. Also change "as otherwise approved by the NRC" to "as otherwise approved by the Department" in 175.102(g)(9)(iii)(B).</p> <p>e) Change "...in accordance with part 110 of this chapter" to "in accordance with 10 CFR Part 110" in 175.102 (g)(9)(iii)(C).</p> <p>f) Change "...a specific license issued under part 30 of this chapter" to "... a specific license issued under 175.101" in 175.102(g)(9)(iii)(D).</p>

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					<p>g) Change "... If the general licensee cannot provide the requested information within the allotted time, it shall, within that same time period, request a longer period to supply the information by providing the Director of the Office of Federal and State Materials and Environmental Management Programs, by an appropriate method listed in § 30.6(a) of this chapter, a written justification for the request" to "...If the general licensee cannot provide the requested information within the allotted time, it shall, within that same time period, request a longer period to supply the information by providing the Department or the Director of the Office of Federal and State Materials and Environmental Management Programs a written justification for the request" in 175.102(g)(9)(iii)(E).</p> <p>NYC needs to make the above changes in order to meet the Compatibility Category C designation assigned to 10 CFR 31.12.</p>
9	175.102 (g)(5) (ii)(D)	32.59	2007-3	B	<p>Same: Leak testing of each source</p> <p>NYC needs to insert "10 CFR" before "§32.57" in 175.102(g)(5)(ii)(D).</p> <p>NYC needs to change "...under § 31.8 of this chapter or equivalent regulations of an Agreement State" to "... under 10 CFR 31.8 or equivalent regulations of an Agreement State" in 175.102(g)(5)(ii)(D).</p> <p>NYC needs to make the above changes in order to meet the Compatibility Category B designation assigned to 10 CFR 32.59.</p>

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10	175.103 (d)(1)	35.100	2007-3	H&S	<p>Use of unsealed byproduct material for uptake, dilution, and excretion studies for which a written directive is not required</p> <p>NYC lists an incorrect reference in 175.103(d)(1). The current reference listed is "175.103(e)" however this is not equivalent to 10 CFR 35.40. This reference needs to be corrected to read "175.103(b)(6)."</p> <p>NYC needs to make the above change in order to meet the Category H&S designation assigned to 10 CFR 35.100.</p>
11	175.103 (d)(2)	35.200	2007-3	H&S	<p>Use of unsealed byproduct material for imaging and localization studies for which a written directive is not required.</p> <p>NYC lists an incorrect reference in 175.103(d)(2). The current reference listed is "175.103(e)" however this is not equivalent to 10 CFR 35.40. This reference needs to be corrected to read "175.103(b)(6)."</p> <p>NYC needs to make the above change in order to meet the Category H&S designation assigned to 10 CFR 35.200.</p>
12	175.101 (m)(3)	150.20	2007-2	C	<p>Recognition of Agreement State licenses.</p> <p>NYC does not regulate reciprocity. This is a function delegated to New York State Department of Health (NYSDOH). All reciprocity requests whether to work inside the City's jurisdiction or not are processed and fall under the rules of NYSDOH. NYC is currently proposing to adopt NRC's rule text which requires those filing for</p>

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					<p>reciprocity to file with NRC instead of NYSDOH and allows for reciprocity work to be done a maximum of 180 days per calendar year when NYSDOH's rule specifies no more than 30 days per calendar year.</p> <p>NYC needs to reference NYSDOH's rule equivalent to NRC's 150.20 instead of NRC's 10 CFR 150.20 rule language in 175.101(m)(3) in order to meet the Compatibility Category C designation assigned to 10 CFR 150.20</p>

STATE REGULATION STATUS

State: New York City Department of Health
 [2 amendment(s) reviewed is identified by a ★
 at the beginning of the equivalent NRC requirement.]

Tracking Ticket Number: 12-36
 Date: January 9, 2013

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	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 (Superceded by 1997-5)	none	Not Required	Not Required	These regulations are not required to be adopted for purposes of Compatibility.
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 10/14/1997	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980	10/15/1994	Final ML113040041	Comments 12/05/2011 ML113110368	
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 ML112260003	No Comments 09/22/2011 ML112450346	

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	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
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	NYCDH does not have authority to regulate this material under its portion of the Agreement.
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997	Final ML061290502	No Comments 06/12/2006 ML061630264	
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 (Part 35 Requirements Superseded by 2002-2)	01/01/1998	Not Applicable	Not Applicable	NYCDH has adopted final regulations equivalent to RATS IDs: 2002-2 and 2005-2. NYCDH does not have authority for the Part 32 activity under its portion of the Agreement
1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final ML061290502	No Comments 06/12/2006 ML061630264	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.

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1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superceded by 1997-5)	06/30/1998	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038	08/14/1998	Final ML070290581	No Comments 02/23/2007 ML070520527	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Final ML061290502	No Comments 06/12/2006 ML061630264	
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			NYCDH has 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 (Superceded by 2004-1)	04/01/1999	Proposed	No Comments 02/09/1999	NYCDH 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 ML061290502	No Comments 06/12/2006 ML061630264	
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.

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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 ML070290581	No Comments 02/23/2007 ML 070520527	
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120	05/29/2000	Final ML100120050	Comments 03/08/2010 ML100330046	
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	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000	Final ML070290581	No Comments 02/23/2007 ML070520527	
1997-7	Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML061290502	No Comments 06/12/2006 ML061630264	
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.

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
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)
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
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			
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001			
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the 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 ML061290502	No Comments 06/01/2006 ML061530099	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Final ML100050662	No Comments 03/08/2010 ML100321001	
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct	02/16/2004	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML061290502	No Comments 06/01/2006 ML061530099	
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	Final ML111390264	Comments 07/07/2011 ML111580570	
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006	Final ML092010319	No Comments 08/17/2009 ML092100446	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Final ML092010319	Comments 08/17/2009 ML092100446	
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement.
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Final ML111390264	Comments 07/07/2011 ML111580570	

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 ML052910113	No Comments 10/20/2005 ML052940009	
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Final ML111390264	Comments 07/07/2011 ML111580570	
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	NYCDH does not have authority to regulate this material under its portion of the Agreement.
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	License Condition ML090080848	No Comments 01/22/2009 ML090120617	
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Final ML111390264	Comments 07/07/2011 ML111580570	
*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 ML12325A757	Comments 01/11/2013 ML12338A241	
*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 ML12325A757	Comments 01/11/2013 ML12338A241	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	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	Final ML092010319	No Comments 08/17/2009 ML092100446	
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011			
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012			
2011-1	Decommissioning Planning Parts 20, 30, 40, 70 76 FR 35512	12/17/2015			
2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 70, and 150 76 FR 56951	11/14/2014	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement
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	Not Applicable	Not Applicable	NYCDH does not have authority to regulate this material under its portion of the Agreement
2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	08/10/2015			
2012-3	Technical Corrections Part 30, 34, 40 and 70 77 FR 39899	08/06/2015			

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Package	Outgoing Package	Notes
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015			