



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

January 13, 2016

Mr. Charles Maguire, Director
Radiation Materials Division, MC 233
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Maguire:

We have reviewed the proposed revisions to the Texas Commission on Environmental Quality (TCEQ) rules in Title 30 of the Texas Administrative Code Chapter 336 Radioactive Substance Rules, received by our office on November 17, 2015. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules 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 Bobby Janecka on January 13, 2016.

As a result of our review, we have 12 comments related to compatibility and one comment not related to compatibility but should be addressed. These comments 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 TCEQ 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 TCEQ 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 Material Safety, State, Tribal, and Rulemaking Programs, NMSS.

The SRS Data Sheet summarizes our knowledge of the status of other TCEQ 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>.

C. Maguire

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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 (610) 337-6942 (Michelle.Beardsley@nrc.gov) or Binesh Tharakan at (817) 200-1116 (Binesh.Tharakan@nrc.gov).

Sincerely,

*/RA/
PMichalak for PHenderson*

Pamela J. Henderson, Deputy Director
Division of Material Safety, State, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. Compatibility & Non-Compatibility Comments
2. TCEQ SRS Data Sheet

COMPATIBILITY COMMENTS ON TCEQ PROPOSED REGULATIONS

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
1	§336.2	37.5	2013-1	[B]	<p>Definition: Agreement State</p> <p>TCEQ’s definition of Agreement State is missing the sentence “Non-agreement State means any other State.” TCEQ’s definition of Agreement State also adds the phrase “through October 24, 1992 (Public Law 102-486).”</p> <p>TCEQ needs to add the sentence “Non-agreement State means any other State” and remove the phrase “through October 24, 1992 (Public Law 102-486)” in order to meet the Compatibility Category B designation assigned to 10 CFR 37.5.</p>
2	§336.2	37.5	2013-1	B	<p>Category 2 quantity of radioactive material</p> <p>TCEQ’s definition of Category 2 quantity of radioactive material is missing the last sentence “category 2 quantities of radioactive material do not include the radioactive material contained in any fuel assembly, subassembly, fuel rod, or fuel pellet.”</p> <p>TCEQ needs to add the sentence indicated above in order to meet the Compatibility Category B designation assigned to 10 CFR 37.5</p>
3	§336.357(g)	§37.31(a)-(d)	2013-1	B	<p>Protection of Information</p> <p>TCEQ regulations in 336.357(g)(4) need to indicate that the authorized representative should be from the commission and not the NRC.</p> <p>TCEQ needs to change “NRC” to “commission” as indicated above in order to meet the Compatibility</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Category B designation assigned to 10 CFR 37.31(d).
4	§336.357(i)(1)(C)	§37.41(a)	2013-1	B	<p>Security Program</p> <p>TCEQ’s regulations in 336.357(i)(1)(C) needs to indicate that TCEQ is to receive the written notification, not the NRC, i.e., TCEQ needs to change 336.357(i)(1)(C) to read, “Any licensee that has not previously implemented the Security Orders or been subject to the provisions of this subsection and subsections (j) – (q) of this section shall provide written notification to the commission NRC regional office specified in § 30.6 of this chapter at least 90 days before aggregating radioactive material to a quantity that equals or exceeds the category 2 threshold”</p> <p>TCEQ needs to make the changes indicated above in order to meet the Compatibility Category B designation assigned to 10 CFR 37.41(a)</p>
5	§336.357(j)(1)(A), §336.357(j)(A)(i), & §336.357(j)(A)(ii).	§37.43(a)	2013-1	B	<p>General security program requirements</p> <p>TCEQ changed the word “subpart,” found in the CFR, to “subsection.” According to 10 Tex. Admin. Code § 91.33, these two words carry different meanings that would not encompass the same set of rules / regulations.</p> <p>TCEQ needs to change the phrase “this subsection” found in §336.357(j)(1)(A), §336.357(j)(A)(i), & §336.357(j)(A)(ii) to the phrase “subsection (i) of this section, this subsection, and subsections (k)-(q) of this section” in order to meet the</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Compatibility Category B designation assigned to 10 CFR 37.43(a)
6	§336.357(j)(3)(C)(iii)	§37.43(c)(1)-(c)(3)	2013-1	B	<p>General security program requirements</p> <p>TCEQ’s regulations in 336.357(j)(3)(C)(iii) needs to delete “NRC” and insert “commission”</p> <p>TCEQ needs to change their regulations as indicated above in order to meet the Compatibility Category B designation assigned to 37.43(c)(1)-(c)(3).</p>
7	§336.357(q)(1) & (q)(2)	§37.57(a) & (b)	2013-1	C	<p>Reporting of Events</p> <p>TCEQ regulations in 336.357(q)(1) and (q)(2) should not require reporting to NRC in addition to the commission., i.e., TCEQ needs to delete “...and the NRC’s Operations Center at (301) 816-5100”.</p> <p>TCEQ needs to make the change indicated above in order to meet the Compatibility Category C designation assigned to 10 CFR 37.57(a) and (b).</p>
8	§336.357(q)(3)	§37.57(c)	2013-1	C	<p>Reporting of Events</p> <p>TCEQ regulations should not require reporting to NRC in addition to the commission, i.e., 336.357(q)(3) should read, “...by a written report submitted to the executive director and the NRC by an appropriate method listed in 10 CFR §37.7. The report must include sufficient information for NRC commission analysis and evaluation,...”.</p> <p>TCEQ needs to make the above change in order to meet the</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					Compatibility Category C designation assigned to 10 CFR 37.57(c).
9	§336.357(u)(1), (u)(3), and (u)(4)	§37.77(a)-(d)	2013-1	B	<p>Advance notification of shipment of category 1 quantities of radioactive material</p> <p>TCEQ's regulations contain errors in notification requirements and NRC contact information. TCEQ needs to make the following changes:</p> <ol style="list-style-type: none"> 1) TCEQ needs to update names and addresses. In 336.357(u)(1), TCEQ needs to delete the old FSME address and insert the new NMSS address in the following statement, "A list of the contact information is also available upon request from the Director, Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs, Director, Division of Material, State, Tribal, and Rulemaking Programs, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission..." (FSME was merged into NMSS, see 79 FRN 75735). 2) TCEQ's regulation for advanced notification needs to be changed to indicate that the advanced notification for those shipments initially made by an Agreement State licensee, should go to the commission and not the NRC where indicated by the double

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					<p>asterisk in the Summary of Change to CFR column. (See 78 FRN 16922)</p> <p>3) In 336.357(u)(1)(C), TCEQ needs to delete NRC and insert the commission in the following statement “A notification delivered by any means other than mail must reach NRC the commission at least 4 days before...”</p> <p>TCEQ needs to make the changes indicated above in order to meet the Compatibility Category B designation assigned to 10 CFR 37.77(a)- (d).</p>
10	§336.357(u)	§37.77(f)	2013-1 2015-2	C	<p>Advance notification of shipment of category 1 quantities of radioactive material</p> <p>TCEQ omitted requirements for “Protection of Information” from 336.357(u).</p> <p>TCEQ needs to add a new paragraph 336.357(u)(6) which is equivalent to “Protection of information. State officials, State employees, and other individuals, whether or not licensees of the commission, NRC, or an Agreement State, who receive schedule information of the kind specified in 336.357(u)(2) shall protect that information against unauthorized disclosure as specified in 336.357(j)(4)”</p> <p>TCEQ needs to submit regulations that meet the essential objectives of 37.77(f) in order to meet the Compatibility Category C designation assigned to 37.77(f).</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
11	§336.357(w) (1) - (7)	§37.81(a)-(g)	2013-1	B	<p>Reporting of events.</p> <p>TCEQ’s regulations in 336.357(w)(1) - (w)(7) should require that licensee events be reported to the commission, not to both the commission and the NRC.</p> <p>In addition, TCEQ needs to delete references to NRC notification, as indicated below: “The initial telephonic notification required by paragraphs (1) -(4) of this subsection must be followed within a period of 30 days by a written report submitted to the executive director and NRC by an appropriate method listed in 10 CFR §37.7. A written report is not required for notifications on suspicious activities required by paragraphs (3) and (4) of this subsection. In addition, the licensee shall provide one copy of the written report addressed to the Director, Division of Security Policy, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0004.”</p> <p>TCEQ needs to make the changes indicated above in order to meet the Compatibility Category B designation assigned to 10 CFR 37.81(a)-(g).</p>
12	§336.357(z)	10 CFR 37 Appendix A	2013-1	B	<p>Category 1 and Category 2 Radioactive Materials</p> <p>TCEQ’s regulation omits “≥ 1.0” from the summation equation in 336.357(z).</p> <p>TCEQ needs to add the above to their</p>

STATE SECTION		NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS
					<p>regulation in order to meet the Compatibility Category B designation assigned to Appendix A of Part 37.</p> <p>Note: TCEQ acknowledged this omission in their letter dated August 21, 2014, and stated that they will correct this error during the public comment period.</p>

COMMENT NOT RELATED TO COMPATIBILITY

1	§336.357 (e)(3)(A) and (B)	§37.27(c)	2013-1	B	<p>Requirements for criminal history checks...</p> <p>TCEQ needs to update the address in 336.357(e)(3)(A) and (B) and phone number in 336.357(e)(3)(B).</p> <p>TCEQ needs to change the phone number from 301-492-3531 to 301-415-7513 in the following statement <i>“(For guidance on making electronic payments, contact the Security Branch, Division of Facilities and Security at 301-415-7513.)...”</i></p> <p>TCEQ needs to update the address to Division of Facilities and Security, 11545 Rockville Pike, ATTN: Criminal History Program/Mail Stop T-03B46M, Rockville, Maryland 20852-2738.</p> <p><i>Note: See FSME-13-081 dated August 16, 2013, for notification to Agreement States of the change of address from that published in the regulations.</i></p>
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STATE REGULATION STATUS

State: Texas Commission on Environmental Quality

Tracking Ticket Number: 16-21

Date: 01/13/2016

[# 2 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	Not Applicable	Not Applicable	TX DSHS Responsibility
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 (Superceded by 1997-5)	none	Not Applicable	Not Applicable	TX DSHS Responsibility
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	No Comments 01/07/1998	
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2)	01/27/1995	Not Applicable	Not Applicable	TX DSHS Responsibility
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	No Comments 01/07/1998	
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Not Applicable	Not Applicable	TX DSHS Responsibility
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Final	No Comments 01/07/1998	
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 58 FR 68726; 59 FR 1618	none	Final	No Comments 01/07/1998	
1994-2	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220	07/01/1997	Final	No Comments 01/07/1998	
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026	08/15/1997	Final	No Comments 01/07/1998	
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	Not Applicable	Not Applicable	TX DSHS Responsibility

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1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final	No Comments 01/07/1998	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983	03/01/1998	Final	No Comments 01/07/1998	
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superceded by 1997-5)	06/30/1998	Not Applicable	Not Applicable	TX DSHS Responsibility
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038	08/14/1998	Final	No Comments 01/07/1998	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235	11/24/1998	Final	No Comments 01/07/1998	
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	Not Applicable	Not Applicable	TX DSHS Responsibility
1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 (Superceded by 2004-1)	04/01/1999	Not Applicable	Not Applicable	TX DSHS Responsibility

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
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	No Comments 01/07/1998	
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Final ML012610092	No Comments 11/26/01 ML013330250	
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	Not Applicable	Not Applicable	TX DSHS Responsibility
1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120	05/29/2000	Not Applicable		TX DSHS Responsibility
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	TX DSHS Responsibility

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057	08/20/2000	Final ML063450071	No Comments 01/09/2007 ML070090204	
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	TX DSHS Responsibility
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML063450071	No Comments 1/09/07 ML070090204	
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)
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	TX DSHS Responsibility
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 ML012610092	No Comments 11/26/2001 ML013330250	

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1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Final ML063450071	No Comments 01/09/2007 ML070090204	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	R ¹ ML13240A300	Comments 10/03/2013 ML13240A299	
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 ML012610092	No Comments 11/26/2001 ML013330250	
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Not Applicable	Not Applicable	TX DSHS Responsibility
2000-2	New Dosimetry Technology Parts 34, 36, 39 65 FR 63750	01/08/2004	Not Applicable	Not Applicable	TX DSHS Responsibility
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31, 32 65 FR 79162	02/16/2004	Not Applicable	Not Applicable	TX DSHS Responsibility

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	Final ML063450071	No Comments 01/09/2007 ML070090204	
2002-2	Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249	10/24/2005	Not Applicable	Not Applicable	TX DSHS Responsibility
2003-1	Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327	12/03/2006	Final ML063450071	No Comments 01/09/2007 ML070090204	
2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Not Applicable	Not Applicable	TX DSHS Responsibility
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Not Applicable	Not Applicable	TX DSHS Responsibility
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Not Applicable	Not Applicable	TX DSHS Responsibility
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	Final ML14055A034 License Condition ML052240226	No Comments 05/03/2014 ML14055A027 No Comments 12/12/2005 ML053420404	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009			
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	TX DSHS Responsibility
2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	Final ML14055A034	No Comments 05/13/2014 ML14055A027	Note: TCEQ adopted this provision prior to the LLW site becoming operational and receiving waste.
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Not Applicable	Not Applicable	TX DSHS Responsibility
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	Not Applicable	Not Applicable	TX DSHS Responsibility
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 ML14055A034	No Comments 05/13/2014 ML14055A027	
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 ML082100350	No Comments 09/11/2008 ML082410019	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043	02/15/2011	Final ML14055A034	Comments 05/13/2014 ML14055A027	
2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012			TX DSHS Responsibility
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			
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			TX DSHS Responsibility
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 Parts 30, 34, 40 and 71 77 FR 39899	08/06/2015			
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015			

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
*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	Proposed ML15323A211	Comments 01/13/2016 ML15323A207	
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			
*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 ML15323A211	Comments 01/13/2016 ML15323A207	
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71 80 FR 33987	07/13/2018			
2015-4	Miscellaneous Corrections Parts 37 and 40 80 FR 45841	09/02/2018			
2015-5	Miscellaneous Corrections Parts 19, 20, 30, 32, 37, 40, 61, 70, 71, and 150 80 FR 74974	12/31/2018			
N/A	Compact Waste Disposal Facility and Commingling of Waste Part 61	N/A	Final ML121230326	No Comments 06/29/2012 ML12152A150	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
N/A	10 CFR Part 40	N/A	R ¹ ML13240A300	Comments 10/03/2013 ML13240A299	
N/A	Exemption for Radioactive Substances from Disposal Requirements	N/A	Final ML13176A107	No Comments 08/15/2013 ML13176A104	
N/A	Legislation on Production Area Authorizations and Compact Waste	N/A	Final ML13178A064	No Comments 08/23/2013 ML13178A059	