

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

February 8, 2016

Mr. Richard Ratliff, Director Radiation Program Texas Department of State Health Services P.O. Box 149347, MC 1987 Austin, TX 78714-9347

Dear Mr. Ratliff:

We have reviewed the final revisions to the Texas regulations for Control of Radiation, 25 Texas Administrative Code, received by our office on October 22, 2015. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and the requirements of the four amendments identified in the enclosed State Regulation Status (SRS) Data Sheet.

As a result of our review, we have nine comments that have been identified in the enclosure. Please note that we have limited our review to regulations required for compatibility and/or health and safety. We have determined that if these regulations are revised, 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 you revise your regulations to address our comments, 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 location of any changes made by [State], in response to our comments, 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 [State] 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.

R. Ratliff

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 (<u>Michelle.Beardsley@nrc.gov</u>) or Lizette Roldán-Otero at 817-200-1596 (<u>Lizette.Roldan@nrc.gov</u>).

Sincerely,

## /RA Paul Michalak for

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

Enclosures:

1. Compatibility Comments

2. Texas SRS Data Sheet

## COMPATIBILITY COMMENTS ON TEXAS FINAL REGULATIONS

| STA | TE SECTION                    | NRC SECTION       | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|-----|-------------------------------|-------------------|---------|----------|---|
| 1   | 289.252<br>(a)(2)             | 30.3(a)           | 2007-3  | С        | Activities requiring license<br>TX omits the words "manufacture,<br>produce" after the phrase "Unless<br>otherwise exempted, no person<br>shall"<br>TX needs to include the words in<br>289.252(a)(2) as indicated above in<br>order to meet the Compatibility<br>Category C designation assigned to<br>10 CFR Part 30.3(a).  |
| 2   | 289.251(e)<br>(3)(A)(i)(I)(h) | 30.15(a)(1)(viii) | 2007-3  | В        | Certain items containing byproduct<br>material<br>TX uses the implementation date of<br>January 1, 1986 instead of the NRC's<br>implementation date of November 30,<br>2007, which may cause<br>transboundary implications.<br>TX needs to amend the<br>implementation date as indicated<br>above in order to meet the<br>Compatibility Category B designation<br>assigned to 10 CFR Part<br>30.15(a)(1)(viii). |
| 3   | 289.251<br>(e)(3)(C)(i)       | 30.20(a)          | 2007-3  | В        | Gas and aerosol detectors<br>containing byproduct material<br>TX adds the phrase "to protect life or<br>property from fires and airborne<br>hazards" instead of "to protect health,<br>safety, or property".<br>TX needs to replace the phrase in<br>289.251(e)(3)(C)(i) as indicated<br>above in order to meet the<br>Compatibility Category B designation   |

Enclosure 1

| STA | TE SECTION         | NRC SECTION           | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|-----|--------------------|-----------------------|---------|----------|---|
|     |                    |                       |         |          | assigned to 10 CFR 30.20(a).  |
| 4   | 289.251(I)(2)      | 30.71 –<br>Schedule B | 2007-3  | В        | <ul> <li>30.71 Schedule B</li> <li>TX added 3 isotopes to its Schedule<br/>B table: Beryllium-7, Radon-222,<br/>Strontium-87m.</li> <li>TX needs to remove the isotopes, and<br/>their associated microcuries' value,<br/>indicated above in order to meet the<br/>Compatibility Category B designation<br/>assigned to 10 CFR Part 30.71.</li> </ul>   |
| 5   | 289.252(jj)<br>(7) | 30.72                 | 2007-3  | H&S      | Schedule C – Quantities of<br>radioactive material requiring<br>consideration of the need for an<br>emergency plan for responding to<br>a release<br>TX amends the curie quantity amount<br>for Cesium-137 from 3,000 to 2,000.<br>Additionally, TX uses the chemical<br>symbol "Sr," used for Strontium, for<br>the isotope Sulfur-35, instead of the<br>chemical symbol "S."<br>TX needs to amend the curie quantity<br>amount and the chemical symbol<br>indicated above in order to meet the<br>Compatibility Category H&S<br>designation assigned to 10 CFR Part<br>30.72. |
| 6   | 289.256<br>(a)(1)  | 35.11(a)              | 2007-3  | С        | License required<br>TX omits the words "manufacture,<br>produce" after the phrase in the<br>second sentence, "Unless otherwise<br>exempted, no person shall"<br>TX needs to include the words in  |

| STA | TE SECTION                      | NRC SECTION             | RATS ID       | CATEGORY | SUBJECT and COMMENTS  |
|-----|---------------------------------|-------------------------|---------------|----------|---|
|     |                                 |                         |               |          | 289.256(a)(1) as indicated above in<br>order to meet the Compatibility<br>Category C designation assigned to<br>10 CFR Part 35.11(a).   |
| 7   | 289.251<br>(f)(4)(K)            | 31.12(b)<br>31.12(a)(5) | 2007-3<br>N/A | C        | General license for certain items<br>and self-luminous products<br>containing radium-226<br>Texas omits:<br>1) 31.12(b) which exempts general<br>licensees from parts 19, 20, 21, etc.<br>and<br>2) the second sentence of 31.12(a)(5)<br>"For the purposes of this paragraph,<br>"small radium sources" means<br>discrete survey instrument check<br>sources,"<br>Texas needs to add requirements that<br>meet the essential objectives of 10<br>CFR 31.12(b) and 31.12(a)(5) to<br>§289.251(f)(4)(K) in order to meet the<br>Compatibility Category C designation<br>assigned to 10 CFR Part 31.12.<br>COMMENT STANDS FROM NRC<br>LETTER DATED MAY 26, 2015/<br>ML15078A285.<br>Texas states in their letter dated<br>October 22, 2015, that they will<br>address in a future rulemaking. |
| 8   | 289.252(e)<br>and<br>289.253(b) | 39.13                   | 2011-2        | H&S      | Specific licenses for well logging<br>Texas omitted the revised §39.13<br>language from their regulations.<br>Texas needs to add the revised<br>language in 10 CFR 39.13 to<br>289.252(e) and 289.2539(b) in order<br>to meet the Compatibility Category<br>H&S designation assigned to 10 CFR<br>39.13.  |

| STA | TE SECTION        | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS<br>COMMENT STANDS FROM NRC<br>LETTER DATED MAY 26, 2015/<br>ML15078A285.<br>Texas states in their letter dated<br>October 22, 2015, that they will<br>address in a future rulemaking.  |
|-----|-------------------|-------------|---------|----------|---|
| 9   | 289.252(v)<br>(1) | 32.210(a)   | 2012-4  | В        | Registration of product information<br>TX changes the word "may" to "shall"<br>in their regulations, which may cause<br>transboundary implications.<br>TX needs replace the word "shall"<br>with "may" in order to meet the<br>Compatibility Category B designation<br>assigned to 10 CFR Part 32.210(a). |

## STATE REGULATION STATUS

State: Texas Department of State Health Services

Tracking Ticket Number: 16-07 Date: 02/08/2016

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

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes  |
|---------|--|--------------------------------|----------------------|--|--|
| 1991-1  | Safety Requirements for Radiographic Equipment<br>Part 34<br>55 FR 843<br>( <b>Superceded by 1997-5)</b>   | 01/10/1994                     | Final<br>ML051520266 | No Comments<br>10/31/2005<br>ML053050013 | Texas has adopted Final<br>Regulations equivalent to RATS ID:<br>1997-5.               |
| 1991-2  | ASNT Certification of Radiographers<br>Part 34<br>56 FR 11504<br>( <b>Superceded by 1997-5)</b>  | none                           | Not Required         | Not Required                             | Texas has adopted Final<br>Regulations equivalent to RATS ID:<br>1997-5.               |
| 1991-3  | Standards for Protection Against Radiation<br>Part 20<br>56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR<br>57877; 58 FR 67657; 59 FR 41641; 60 FR 20183; | 01/01/1994                     | Final                | No Comments<br>11/06/1997                |  |
| 1991-4  | Notification of Incidents<br>Parts 20, 30, 31, 34, 39, 40 and 70<br>56 FR 64980;   | 10/15/1994                     | Final<br>ML052060129 | No Comments<br>09/29/2005<br>ML052720491 |  |
| 1992-1  | Quality Management Program and<br>Misadministrations<br>Part 35<br>56 FR 34104<br>(Superceded by 2002-2)   | 01/27/1995                     | Not Required         | Not Required                             | Texas has adopted Final<br>Regulations equivalent to RATS ID:<br>2002-2.               |
| 1992-2  | Eliminating the Recordkeeping Requirements<br>for Departures from Manufacturer's Instructions<br>Parts 30 and 35<br>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<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes   |
|---------|---|--------------------------------|----------------------|--|---|
| 1993-1  | Decommissioning Recordkeeping and License<br>Termination: Documentation Additions [Restricted<br>areas and spill sites]<br>Parts 30, 40<br>58 FR 39628            | 10/25/1996                     | Final<br>ML052060129 | Comments<br>09/29/2005<br>ML052720491    |   |
| 1993-2  | Licensing and Radiation Safety Requirements for<br>Irradiators<br>Part 36<br>58 FR 7715   | 07/01/1996                     | Final<br>ML051520266 | No Comments<br>08/12/2005<br>ML052280032 |   |
| 1993-3  | Definition of Land Disposal and Waste Site QA<br>Program<br>Part 61<br>58 FR 33886  | 07/22/1996                     | Not Applicable       | Not Applicable                           | Texas DSHS does not have<br>responsibility for these regulations.<br>See SRS sheet for Texas CEQ. |
| 1994-1  | Self-Guarantee as an Additional Financial<br>Mechanism<br>Parts 30, 40 and 70<br>58 FR 68726; 59 FR 1618  | none                           | Final<br>ML062860025 | No Comments<br>11/21/2006<br>ML063200232 | These regulation changes are not required to be adopted for purposes of Compatibility.            |
| 1994-2  | Uranium Mill Tailings Regulations: Conforming<br>NRC Requirements to EPA Standards<br>Part 40<br>59 FR 28220  | 07/01/1997                     | Not Applicable       | Not Applicable                           | Texas CEQ Responsibility  |
| 1994-3  | Timeliness in Decommissioning Material Facilities<br>Parts 30, 40 and 70<br>59 FR 36026   | 08/15/1997                     | Final<br>ML052060129 | No Comments<br>09/29/2005<br>ML052720491 |   |
| 1995-1  | Preparation, Transfer for Commercial Distribution,<br>and Use of Byproduct Material for Medical Use<br>Parts 30, 32 and 35<br>59 FR 61767; 59 FR 65243; 60 FR 322 | 01/01/1998                     | Final                | No Comments<br>03/17/1999                |   |

| RATS ID | NRC Chronology Identification   | Date Due for<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes  |
|---------|---|--------------------------------|----------------------|--|--|
| 1995-2  | Frequency of Medical Examinations for Use of<br>Respiratory Protection Equipment<br>Part 20<br>60 FR 7900                               | 03/13/1998                     | Final<br>ML051520266 | No Comments<br>10/31/2005<br>ML053050013 |  |
| 1995-3  | Low-Level Waste Shipment Manifest Information<br>and Reporting<br>Parts 20 and 61<br>60 FR 15649; 60 FR 25983                           | 03/01/1998                     | Final<br>ML112510357 | No Comments<br>11/22/2011<br>ML113000228 |  |
| 1995-4  | Performance Requirements for Radiography<br>Equipment<br>Part 34<br>60 FR 28323<br>(Superceded by 1997-5)                               | 06/30/1998                     | Final<br>ML051520266 | No Comments<br>10/31/2005<br>ML053050013 | Texas has adopted Final<br>Regulations equivalent to RATS ID:<br>1997-5.         |
| 1995-5  | Radiation Protection Requirements: Amended<br>Definitions and Criteria<br>Parts 19 and 20<br>60 FR 36038                                | 08/14/1998                     | Final                | No Comments<br>03/17/1999                |  |
| 1995-6  | Clarification of Decommissioning Funding<br>Requirements<br>Parts 30, 40 and 70<br>60 FR 38235  | 11/24/1998                     | Final<br>ML052060129 | No Comments<br>09/29/2005<br>ML052720491 |  |
| 1995-7  | Medical Administration of Radiation and Radioactive<br>Materials<br>Parts 20 and 35<br>60 FR 48623<br>(Superceded by 2002-2 and 2005-2) | 10/20/1998                     | Final<br>ML051520266 | No Comments<br>10/31/2005<br>ML053050013 | Texas has not yet adopted Final<br>Regulations equivalent to RATS ID:<br>2005-2. |
| 1996-1  | Compatibility with the International Atomic Energy<br>Agency<br>Part 71<br>60 FR 50248; 61 FR 28724<br>(Superceded by 2004-1)           | 04/01/1999                     | Final<br>ML052060129 | Comments<br>09/29/2005<br>ML052720491    | Texas has adopted Final<br>Regulations equivalent to RATS ID:<br>2004-1.         |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes   |
|---------|--|--------------------------------|----------------------|--|---|
| 1996-2  | One Time Extension of Certain Byproduct, Source<br>and Special Nuclear Materials Licenses<br>Parts 30, 40 and 70<br>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:<br>Record keeping Requirements<br>Parts 20, 30, 40, 61 and 70<br>61 FR 24669                                 | 06/17/1999                     | Final<br>ML062860025 | No Comments<br>11/21/2006<br>ML063200232 | Part 30 only. Part 61 applies to TXCEQ.   |
| 1997-1  | Resolution of Dual Regulation of Airborne Effluents<br>of Radioactive Materials; Clean Air Act<br>Part 20<br>61 FR 65120                                     | 01/9/2000                      | Final                | No Comments<br>07/07/2000                |   |
| 1997-2  | Recognition of Agreement State Licenses in Areas<br>Under Exclusive Federal Jurisdiction Within an<br>Agreement State<br>Part 150<br>62 FR 1662              | 02/27/2000                     | Final<br>ML063030232 | No Comments<br>11/27/2006<br>ML063200389 |   |
| 1997-3  | Criteria for the Release of Individuals Administered<br>Radioactive Material<br>Parts 20 and 35<br>62 FR 4120  | 05/29/2000                     | Final                | No Comments<br>07/07/2000                |   |
| 1997-4  | Fissile Material Shipments and Exemptions<br>Part 71<br>62 FR 5907<br><b>(Superceded by 2004-1)</b>  | 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<br>Safety Requirements for Industrial Radiography<br>Operations<br>Parts 30, 34, 71 and 150<br>62 FR 28947 | 06/27/2000                     | Final                | No Comments<br>07/07/2000                |   |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes   |
|---------|--|--------------------------------|----------------------|--|---|
| 1997-6  | Radiological Criteria for License Termination<br>Parts 20, 30, 40 and 70<br>62 FR 39057  | 08/20/2000                     | Final                | No Comments<br>07/07/2000                |   |
| 1997-7  | Exempt Distribution of a Radioactive Drug<br>Containing One Micro curie of Carbon-14 Urea<br>Part 30<br>62 FR 63634                          | 01/02/2001                     | Final<br>ML052060129 | No Comments<br>09/29/2005<br>ML052720491 |   |
| 1998-1  | Deliberate Misconduct by Unlicensed Persons<br>Parts 30, 40, 61, 70, 71 and 150<br>63 FR 1890; 63 FR 13773                                   | 02/12/2001                     | Final<br>ML063030232 | No Comments<br>11/27/2006<br>ML063200389 |   |
| 1998-2  | Self-Guarantee of Decommissioning Funding by<br>Nonprofit and Non-Bond-Issuing Licensees<br>Parts 30, 40 and 70<br>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<br>Part 35<br>63 FR 31604<br><b>(Superceded by 2002-2)</b>   | 07/10/2001                     | Not Required         | Not Required                             | These regulation changes are not<br>required to be adopted for purposes<br>of Compatibility. (See STP-98-074)<br>Texas has adopted Final<br>Regulations equivalent to RATS ID:<br>2002-2. |
| 1998-4  | Licenses for Industrial Radiography and Radiation<br>Safety Requirements for Industrial Radiographic<br>Operations<br>Part 34<br>63 FR 37059 | 07/09/2001                     | Final<br>ML093110052 | No Comments<br>01/21/2010<br>ML093520035 |   |
| 1998-5  | Minor Corrections, Clarifying Changes, and a Minor<br>Policy Change<br>Parts 20, 32, 35, 36 and 39<br>63 FR 39477; 63 FR 45393               | 10/26/2001                     | Final                | No Comments<br>07/07/2000                |   |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter   | Outgoing<br>Package                      | Notes  |
|---------|--|--------------------------------|----------------------|--|--|
| 1998-6  | Transfer for Disposal and Manifests: Minor<br>Technical Conforming Amendment<br>Part 20<br>63 FR 50127   | 11/20/2001                     | Final                | No Comments<br>07/07/2000                |  |
| 1999-1  | Radiological Criteria for License Termination of<br>Uranium Recovery Facilities<br>Part 40<br>64 FR 17506  | 06/11/2002                     | Not Applicable       | Not Applicable                           | Texas CEQ Responsibility   |
| 1999-2  | Requirements for Those Who Possess Certain<br>Industrial Devices Containing Byproduct Material to<br>Provide Requested Information<br>Part 31<br>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<br>Internal Exposure<br>Part 20<br>64 FR 54543; 64 FR 55524  | 02/02/2003                     | Final<br>ML062750348 | No Comments<br>11/21/2006<br>ML063200232 |  |
| 2000-1  | Energy Compensation Sources for Well Logging<br>and Other Regulatory Clarifications<br>Part 39<br>65 FR 20337  | 05/17/2003                     | Final<br>ML051520266 | No Comments<br>11/30/2006<br>ML063340007 |  |
| 2000-2  | New Dosimetry Technology<br>Parts 34, 36 and 39<br>65 FR 63750   | 01/08/2004                     | Final<br>ML093110052 | No Comments<br>01/21/2010<br>ML093520035 |  |
| 2001-1  | Requirements for Certain Generally Licensed<br>Industrial Devices Containing Byproduct Material<br>Parts 30, 31 and 32<br>65 FR 79162                        | 02/16/2004                     | Final<br>ML120650638 | No Comments<br>04/02/2012<br>ML120660270 | Note: See RATS ID 2012-1 for the changes of compatibility review.                      |

| RATS ID | NRC Chronology Identification   | Date Due for<br>State Adoption | Incoming<br>Letter            | Outgoing<br>Package                      | Notes |
|---------|---|--------------------------------|-------------------------------|--|-------|
| 2002-1  | Revision of the Skin Dose Limit<br>Part 20<br>67 FR 16298   | 04/05/2005                     | Final<br>ML102240370          | No Comments<br>11/19/2010<br>ML102740009 |       |
| 2002-2  | Medical Use of Byproduct Material<br>Parts 20, 32 and 35<br>67 FR 20249   | 10/24/2005                     | R <sup>1</sup><br>ML14258B117 | Comments<br>12/16/2014<br>ML14258A158    |       |
|         |   |                                | Final<br>ML15078A299          | No Comments<br>05/26/2015<br>ML15078A285 |       |
| 2003-1  | Financial Assurance for Materials Licensees<br>Parts 30, 40 and 70<br>68 FR 57327                                   | 12/03/2006                     | Final<br>ML112510357          | No Comments<br>11/22/2011<br>ML113000228 |       |
| 2004-1  | Compatibility With IAEA Transportation Safety<br>Standards and Other Transportation Safety<br>Amendments<br>Part 71 | 10/01/2007                     | R <sup>1</sup><br>ML14258B117 | No Comments<br>12/16/2014<br>ML14258A158 |       |
|         | 69 FR 3697  |                                | Final<br>ML15078A299          | No Comments<br>05/26/2015<br>ML15078A285 |       |
| 2005-1  | Security Requirements for Portable Gauges<br>Containing Byproduct Material<br>Part 30<br>70 FR 2001                 | 07/11/2008                     | Final<br>ML093110052          | No Comments<br>01/21/2010<br>ML093520035 |       |
| 2005-2  | Medical Use of Byproduct Material - Recognition of<br>Specialty Boards<br>Part 35<br>70 FR 16336; 71 FR 1926        | 04/29/2008                     | R <sup>1</sup><br>ML14258B117 | No Comments<br>12/16/2014<br>ML14258A158 |       |
|         |   |                                | Final<br>ML15078A299          | No Comments<br>05/26/2015<br>ML15078A285 |       |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter                                    | Outgoing<br>Package   | Notes |
|---------|--|--------------------------------|---|---|-------|
| 2005-3  | Increased Controls for Risk-Significant Radioactive<br>Sources (NRC Order EA-05-090)<br>70 FR 72128  | 12/01/2005                     | License<br>Condition<br>ML052240226                   | No Comments<br>12/12/2005<br>ML053420404  |       |
| 2006-1  | Minor Amendments<br>Parts 20, 30, 32, 35, 40 and 70<br>71 FR 15005   | 03/27/2009                     | R <sup>1</sup><br>ML14258B117<br>Final<br>ML15078A299 | Comments<br>12/16/2014<br>ML14258A158<br>No Comments<br>05/26/2015<br>ML15078A285 |       |
| 2006-2  | National Source Tracking System - Serialization<br>Requirements<br>Part 32 with reference to Part 20 Appendix E<br>71 FR 65685   | 02/06/2007                     | Final<br>ML093110052                                  | No Comments<br>01/21/2010<br>ML093520035  |       |
| 2006-3  | National Source Tracking System<br>Part 20<br>71 FR 65685, 72 FR 59162   | 01/31/2009                     | Final<br>ML093110052                                  | No Comments<br>01/21/2010<br>ML093520035  |       |
| 2007-1  | Medical Use of Byproduct Material - Minor<br>Corrections and Clarifications<br>Parts 32 and 35<br>72 FR 45147, 54207   | 10/29/2010                     | Final<br>ML102240370                                  | No Comments<br>11/19/2010<br>ML102740009  |       |
| *2007-2 | Exemptions From Licensing, General Licenses, and<br>Distribution of Byproduct Material: Licensing and<br>Reporting Requirements<br>Parts 30, 31, 32 and 150<br>72 FR 58473 | 12/17/2010                     | Final<br>ML15078A299<br>Revised Final<br>ML15300A187  | Comments<br>05/26/2015<br>ML15078A285<br>No Comments<br>02/08/2016<br>ML15300A167 |       |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter                  | Outgoing<br>Package                      | Notes |
|---------|--|--------------------------------|-------------------------------------|--|-------|
| *2007-3 | Requirements for Expanded Definition of Byproduct<br>Material<br>Parts 20, 30, 31, 32, 33, 35, 61 and 150<br>72 FR 55864   | 11/30/2010                     | Final<br>ML15078A299                | Comments<br>05/26/2015<br>ML15078A285    |       |
|         |  |                                | Revised Final<br>ML15300A187        | Comments<br>02/08/2016<br>ML15300A167    |       |
| 2007-4  | Order Imposing Fingerprinting Requirements and<br>Criminal History Records Check Requirements for<br>Unescorted Access to Certain Radioactive Material<br>NRC Order EA-07-305<br>72 FR 70901 | 06/05/2008                     | License<br>Condition<br>ML080350004 | No Comments<br>02/13/2008<br>ML080440203 |       |
| 2008-1  | Occupational Dose Records, Labeling Containers,<br>and Total Effective Dose Equivalent<br>Parts 19 and 20<br>72 FR 68043   | 02/15/2011                     | Final<br>ML112510357                | No Comments<br>11/22/2011<br>ML113000228 |       |
| 2009-1  | Medical Use of Byproduct Material – Authorized<br>User Clarification<br>Part 35<br>74 FR 33901   | 09/28/2012                     | Final<br>ML112510357                | No Comments<br>11/22/2011<br>ML113000228 |       |
| 2011-1  | Decommissioning Planning<br>Parts 20, 30, 40 and 70<br>76 FR 35512   | 12/17/2015                     | Proposed<br>ML14258B117             | No Comments<br>12/16/2014<br>ML14258A158 |       |
|         |  |                                | Final<br>ML15078A299                | No Comments<br>05/26/2015<br>ML15078A285 |       |

| RATS ID | NRC Chronology Identification   | Date Due for<br>State Adoption | Incoming<br>Letter           | Outgoing<br>Package                      | Notes |
|---------|---|--------------------------------|------------------------------|--|-------|
| *2011-2 | Licenses, Certifications, and Approvals for Materials<br>Licensees<br>Parts 30, 36, 39, 40, 70, and 150<br>76 FR 56951          | 11/14/2014                     | Proposed<br>ML 14258B117     | No Comments<br>12/16/2014<br>ML14258A158 |       |
|         |   |                                | Final<br>ML15078A299         | Comments<br>05/26/2015<br>ML15078A285    |       |
|         |   |                                | Revised Final<br>ML15300A187 | Comment<br>02/08/2016<br>ML15300A167     |       |
| 2012-1  | Change of Compatibility of 10 CFR 31.5 and 31.6<br>(See RATS ID: 2001-1 for Rule text)<br>77 FR 3640                            | 01/25/2015                     | Final<br>ML120650638         | No Comments<br>04/02/2012<br>ML12066270  |       |
| 2012-2  | Advance Notification to Native American Tribes of<br>Transportation of Certain Types of Nuclear Waste<br>Part 71<br>77 FR 34194 | 08/10/2015                     | Proposed<br>ML14258B117      | No Comments<br>12/16/2014<br>ML14258A158 |       |
|         |   |                                | Final<br>ML15078A299         | No Comments<br>05/26/2015<br>ML15078A285 |       |
| 2012-3  | Technical Corrections<br>Parts 30, 34, 40 and 71<br>77 FR 39899   | 08/06/2015                     | Proposed<br>ML14258B117      | No Comments<br>12/16/2014<br>ML14258A158 |       |
|         |   |                                | Final<br>ML15078A299         | No Comments<br>05/26/2015<br>ML15078A285 |       |

| RATS ID | NRC Chronology Identification  | Date Due for<br>State Adoption | Incoming<br>Letter           | Outgoing<br>Package                      | Notes |
|---------|--|--------------------------------|------------------------------|--|-------|
| *2012-4 | Requirements for Distribution of Byproduct Material<br>Parts 30, 31, 32, 40 and 70<br>77 FR 43666  | 10/23/2015                     | Proposed<br>ML14258B117      | Comments<br>12/16/2014<br>ML14258A158    |       |
|         |  |                                | Final<br>ML15078A299         | Comments<br>05/26/2015<br>ML15078A285    |       |
|         |  |                                | Revised Final<br>ML15300A187 | Comment<br>02/08/2016<br>ML15300A167     |       |
| 2013-1  | Physical Protection of Byproduct Materia<br>Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, and 71<br>78 FR 16922  | 03/19/2016                     | Proposed<br>ML15300A238      | Comments<br>12/01/2015<br>ML15300A222    |       |
| 2013-2  | Distribution of Source Material to Exempt Persons<br>and to General Licensees and Revision of General<br>License and Exemptions<br>Parts 30, 40, and 70<br>78 FR 32310 | 08/27/2016                     | Proposed<br>ML15300A238      | No Comments<br>12/01/2015<br>ML15300A222 |       |
| 2015-1  | Domestic Licensing of Special Nuclear Material –<br>Written Reports and Clarifying Amendments<br>Part 70<br>79 FR 57721, 80 FR 143                                     | 01/26/2018                     | Proposed<br>ML15300A238      | No Comments<br>12/01/2015<br>ML15300A222 |       |
| 2015-2  | Safeguards Information - Modified Handling<br>Categorization, Change for Materials Facilities<br>Parts 30, 37, 73, and 150<br>79 FR 58664, 80 FR 3865                  | 01/28/2018                     | Proposed<br>ML15300A238      | No Comments<br>12/01/2015<br>ML15300A222 |       |
| 2015-3  | Revisions to Transportation Safety Requirements<br>and Harmonization with International Atomic<br>Energy Agency Transportation Requirements<br>Part 71<br>80 FR 33987  | 07/13/2018                     |                              |  |       |

| RATS ID | NRC Chronology Identification   | Date Due for<br>State Adoption | Incoming<br>Letter      | Outgoing<br>Package                      | Notes   |
|---------|---|--------------------------------|-------------------------|--|---|
| 2015-4  | Miscellaneous Corrections<br>Parts 37 and 40<br>80 FR 45841             | 09/02/2018                     |                         |  |   |
| N/A     | Parts 35.11, 35.63, 35.92 and 35.204                                    | N/A                            | Final<br>ML112510357    | No Comments<br>11/22/2011<br>ML113000228 |   |
| N/A     | Parts 34 and 39 Not Associated with a Specific RATS                     | N/A                            | Final<br>ML113340070    | Comments<br>01/11/2012<br>ML113550343    |   |
| N/A     | Parts 20, 30, 31, 32, 35, 70 and 71 Not Associated with a Specific RATS | N/A                            | Proposed<br>ML14258B117 | Comments<br>12/16/2014<br>ML14258A158    |   |
|         |   |                                | Final<br>ML15078A299    | Comments<br>05/26/2015<br>ML15078A285    | Comments are regarding 10 CFR<br>Parts 20.1403, 20.1405 and<br>31.12(c)(4). |