

November 21, 2003

George F. Johns, Jr, Manager  
Environmental Health Supervisor  
Minnesota Department of Health  
Snelling Office Park, 1645 Energy Park Drive, Suite 300  
St. Paul MN 55108-2970

Dear Mr. Johns:

As requested, we have reviewed the proposed changes to Chapter 4731 of the Minnesota Regulations, received by this office, via disc, on September 2, 2003. Each regulatory change was reviewed against the equivalent NRC regulations in 10 CFR Parts 19, 20, 30, 31, 32, 34, 35, 36, 39, 40, 61, 70, 71 and 150. We discussed our review of the regulations with you on November 20, 2003.

As a result of our review, we have 29 comments and 52 editorial suggestions that have been identified in the enclosures. Please note that due to the large quantity of editorial errors, we stopped listing them in the enclosure at 52, and continued to identify them in ink in the actual document with flags. We are including the paper copy of your rules with these editorial markups for your review. Due to the large number of editorial errors and compatibility comments, we strongly advise that your regulations undergo a thorough technical review before resubmitting your final rules for review by the NRC, as part of your Agreement State package. In addition, we have two comments that are not listed in the enclosure due to their complexity and will be discussed here:

- 1) The State has adopted equivalent regulations to 10 CFR 61, but has included the statement "Disposal of radioactive material by burial is prohibited in Minnesota" in this section. Minnesota is not requesting the waste authority covered by part 61 in their Agreement. These two items are in conflict with the adoption of Part 61. It is recommended that if the State does not wish to pursue waste authority, that the part 61 equivalent Minnesota rules be removed. In addition, if the State chooses this option, the State's equivalent to Part 20 must be carefully edited to remove the references to waste and the Part 61 equivalent rules.
- 2) The State has used the terms "radioactive material", "source material" and "byproduct material", interchangeably, throughout parts of the regulations. In some cases the substitution is appropriate but in others it leads to confusion and is noted in some of the comments enclosed in this letter (see comment 12) . It is suggested that the State thoroughly review the use of these words throughout the entire regulation to ensure that the terms are being used appropriately.

Under our current procedure, a finding that a State regulation meets the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final State regulation. Please provide a final, amended version of your rules, showing the location of any changes made in response to our comments. If there are any comments which the State believes are in error, the State should identify the section of their regulations that meet the designated compatibility category. Please note that we have limited

our review to regulations required for compatibility and/or health and safety, but have determined that if these regulations are adopted, incorporating our comments and without significant change, they would meet the compatibility and health and safety categories established in the Office of State and Tribal Programs (STP) Procedure SA-200.

The SRS Data Sheet attached summarizes our knowledge of the status of the required amendments to the Minnesota regulations. With this regulation submission, you have submitted proposed regulations for all required amendments up to, and including RATS ID# 2002-2. When your Agreement becomes final with the NRC, please be aware that you will be required to adopt, and submit for review, rules covering any new amendments to the Code of Federal Regulations (CFR) Chapter 10 that are a matter of compatibility, from this date forward. 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 STP Web Site: <http://www.hsr.doe.gov/nrc/rulemaking.htm>.

If you have any questions regarding the comments, the compatibility and health categories, or any of the NRC regulations used in the review, please contact me or John Zabko at (301) 415-2308 or JGZ@NRC.GOV.

Sincerely,

***RA By J.M. Piccone***

Josephine M. Piccone, Deputy Director  
Office of State and Tribal Programs

Enclosures:  
As stated

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Sincerely,

***IRA By J.M. Piccone\***

Josephine M. Piccone, Deputy Director  
Office of State and Tribal Programs

Enclosures:  
As stated

Distribution:

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OFFICE	STP		OGC		STP	
NAME	JZabko		STreby		JPiccone	
DATE	10/22/03*		11/14/03*		11/21/03*	

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**COMPATIBILITY COMMENTS ON MINNESOTA  
EQUIVALENT FINAL REGULATIONS**

STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
1	4731.2301, Subp. 6	20.1902	A	<p><b>Posting Requirements</b></p> <p>Subpart 6. “Deceptive posting and labeling” This section is not included in 20.1901.</p> <p>Subpart 6. Should be deleted to meet the compatibility category. The State may not add any requirements to a Compatibility Category A item.</p>
2	4731.0100 Subp. 34	20.1003		<p><b>Definitions: Class</b></p> <p>The parenthetical expression is missing: (or lung class or inhalation class)</p> <p>This expression needs to be inserted to meet the compatibility category</p>
3	4731.0100 Subp.225	20.1003	A	<p><b>Definitions: Sievert</b></p> <p>The table for the quality factors is incorrectly referenced.</p> <p>The correct reference is 4731.001, Subp. 187</p>
4	4731.2070	20.1208	A	<p><b>Dose Equivalent to an embryo/Fetus</b></p> <p>The word, “EQUIVALENT” is omitted which may lead to confusion.</p> <p>The title should read DOSE EQUIVALENT to be consistent with the wording in Subpart 1 to eliminate confusion and be consistent with NRC wording.</p>

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STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
5	4731.2090, Subpart 1.A.	20.1301(a)(1)	A	<p><b>Dose Limits for Individual Members of the Public</b></p> <p>The word, “medical” is omitted before “administration.” The absence of this word may cause confusion with non-medical administrations.</p> <p>The word, “medical” should be inserted and the correct reference should be used to meet the compatibility category.</p>
6	4731.2700	Part 20 Appendix A	B	<p><b>Appendix A</b></p> <p>The title omitted the word, “Assigned”</p> <p>The State needs to add the word, “Assigned,” to meet the compatibility category.</p>
7	4731.2750	Part 20 Appendix B	A	<p><b>Appendix B</b></p> <p>The List of Elements and Tables 1, 2 and 3 are omitted.</p> <p>The List of Elements and Tables 1, 2 and 3 are required to meet the compatibility category.</p>
8	4731.2900	Appendix F (No Longer in Part 20)		<p><b>Appendix G</b></p> <p>Appendix F should be deleted because it is replaced by Appendix G.</p> <p>The State should remove any reference to Appendix F to Part 20 and replace them with references to Appendix G to meet compatibility.</p>
9	4731.0100 Subp. 105	20.1003	C	<p><b>Definitions: Individual monitoring devices</b></p> <p>A sentence is added that appears to be redundant with the regulation.</p> <p>The additional sentence should be considered for deletion to be consistent with the NRC definition.</p>

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STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
10	4731.3105	§30.41	C	<p><b>Transfer of Byproduct Material</b></p> <p>In (B)(2), The State has authorized the transfer of radioactive materials to NRC. NRC regulations do not authorize radioactive material transfers in this manner. In (B)(1), the State does not authorize transfers to the Department of Energy, but does allow transfers to its commissioner. NRC regulations authorize transfer to DOE.</p> <p>The State needs to modify this section to remove transfers to the NRC and specifically include transfers to the DOE.</p>
11	4731.3125	§30.55	RESERVED FOR NRC	<p><b>Tritium Reports</b></p> <p>This area is retained by NRC and covered under §150.19. If the State incorporates this section, a duplication in regulation would be created.</p> <p>The State needs to delete this section.</p>
12	4731.0700-0840	Part 40	General comment affecting sections with B & C compatibility categories	<p><b>Domestic Licensing of Source Material</b></p> <p>There is confusion with the use of the term “radioactive material” and source material throughout this Part. Since it appears that the State substituted “radioactive material” for “byproduct material” globally, but is not assuming authority for 11e.2 byproduct material, this Part should be reviewed carefully to remove the confusion as to the applicability of the requirements. Recommend deleting those sections pertaining to 11e2 and using the term source material throughout. Specific examples will be given below, but NRC staff recommends that the State review and remove those areas of confusion and duplication as noted.</p>

**COMPATIBILITY COMMENTS ON MINNESOTA  
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STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
13	4731.0710	§40.3	C	<p><b>License Requirements</b></p> <p>The phrase “radioactive material or residual radioactive material as defined in this part or” should be deleted since MN is not assuming 11e2 authority and has not defined residual radioactive material as defined in Part 40 with reference to Title 1 sites. Creates duplication.</p>
14	4731.0725	§40.13	B	<p><b>Unimportant Quantities of Source Material</b></p> <p>In Subp. 1, the use of the term “radioactive material” is confusing. NRC regulations use the 11e2 definition in the comparable sentence. Since MN is not assuming 11e2 authority, this sentence should be eliminated.</p> <p>In Subp. 3, (E)(3), the corresponding footnote 2 to §40.13(c)(5)iii is missing.</p>
15	4731.0725	§40.13	B	<p><b>Unimportant Quantities of Source Material</b></p> <p>In Subp. 3, (E)(3), the corresponding footnote 2 to §40.13(c)(5)iii is missing.</p> <p>The State needs to include this footnote</p>
16	4731.0735	§40.20	D, except paragraph (a) is a C.	<p><b>Types of Licenses</b></p> <p>The phrase “and radioactive material” is confusing when used here, since 4731.0300's covers Part 30 regulations.</p> <p>Since State is not assuming 11e2 authority, this phrase should be eliminated.</p>

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STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
17	4731.0740	§40.21	C	<p><b>General License to Receive Title to Source or Byproduct Material</b></p> <p>In the title of the section and text of the paragraph eliminate “or radioactive material as defined in this part.” Since the State is not assuming 11e2 byproduct material authority the State’s rule should be limited to a general license to receive source materials.</p> <p>The State should eliminate this phrase.</p>
18	4731.0755	§40.26	C- States with authority to regulate uranium mill activities (11e.(2) byproduct material) D- States without authority	<p><b>General License for Possession and Storage of Byproduct Material as Defined in this Part</b></p> <p>Although this section is considered D for those States without 11e2 authority, the State has included it and it is confusing with the use of the term “radioactive material” and in conflict with the corresponding Part 30 section of the State regulations.</p> <p>The State should remove this section for clarity.</p>
19	4731.0815	§40.51	C- paragraphs (a),(b)(1) through (b)(5), (b)(7),(c), (d)	<p><b>Transfer of Source or Byproduct Material</b></p> <p>The use of the term “radioactive material” in addition to the term “source material” creates duplication with 4731.3105 which also addresses transfer of “radioactive material”.</p> <p>The State Should make this part of the regulations more specific to source material only.</p>



**COMPATIBILITY COMMENTS ON MINNESOTA  
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STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
20	4731.0825	§40.61	C - paragraphs (a)&(b) D - paragraphs (c)&(f) H&S - paragraphs (d)&(e)	<p><b>Records</b></p> <p>The use of the term “or radioactive” in addition to the term “source” creates duplication with 4731.3115 which also addresses records of “radioactive material.”</p> <p>The State Should make this part of the regulations more specific to source material only.</p>
21	4731.0100	§70.4	A	<p><b>Definitions</b></p> <p>The definition of “acute” is missing from the definition part and this part.</p> <p>The State needs to add this definition to the rules.</p>
22	4731.0555	§70.19	C	<p><b>General License for Calibration or Reference Sources</b></p> <p>The inclusion of radium-226 and americium-241 should be deleted from this section since they are not special nuclear material and should be covered under the sections of the States regulations addressing radioactive materials.</p> <p>The State needs to remove reference to these isotopes.</p>
23	4731.3340	32.52	B	<p><b>Same: Material transfer reports and records</b></p> <p>State requires records to be held for four years. Federal regulations require the records only be held for three years. The State’s rules can not be more restrictive for this compatibility category.</p> <p>The State needs to change its record retention requirements to three years.</p>

**COMPATIBILITY COMMENTS ON MINNESOTA  
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STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
24	4731.3395	32.72	B	<p><b>Manufacture, preparation or transfer for commercial distribution of radioactive drugs containing byproduct material for medical use under Part 35</b></p> <p>The State has omitted the latter part of 32.72(a)(4)(i) regarding information on the labels for radioactive drugs and the time exception for drugs with half-lives greater than 100 days.</p> <p>The State needs to incorporate the labeling requirements of the latter part of 10 CFR 32.72(a)(4)(i) to meet compatibility.</p>
25	4731.4060, Subp. 2.B.	34.25	C	<p><b>Radiation Survey Instruments</b></p> <p>In the last line, sievert was used instead of millisievert.</p> <p>Millisievert should be used to correctly correspond to 2 and 1000 millirems respectively to meet the compatibility category.</p>
26	4731.4140, Subp. 3.A.	34.43(c)(1)	B	<p>The same error as above is repeated.</p> <p>This provision is required to be included to meet the compatibility category.</p>
27	4731.4140 Subp. 3.C.	34.43(c)(3)	B	<p><b>Training</b></p> <p>The section labeled Subpart 2 should be labeled Subpart 3.</p> <p>The State needs to correct the labeling of this section.</p>

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STATE SECTION		NRC SECTION	CATEGORY	SUBJECT and COMMENTS
28	4731.4260, Subp. 2	34.71(b)	B	<p><b>Utilization Logs</b></p> <p>This provision requires that the licensee retain logs for four years whereas the NRC regulation requires only 3 years. The State's rules can not be more restrictive for this compatibility category.</p> <p>The State needs to change its record retention requirements to three years.</p>
29	None	34.87 Forms of records	C	<p><b>Forms of records</b></p> <p>This provision is omitted.</p> <p>This section is required to meet the compatibility category.</p>

## **Editorials Suggestions**

1. Page 1, 4731.4000. Reference is made to 10 CFR 21, 170 and 171. These do not seem to be needed
2. Page 13, 4731.4150 Subp. 2. The last citation should be 4731.4330 instead of 4731.4340.
3. In 4731.0100 Subp. 249. Temporary job site. The word “a” should come after “means” to read: “means a location...” Also, or at the end of the sentence should be deleted and the semicolon replaced with a period.
4. Page 7, 4731.2020, Subp. 2. The last citation should read: 4731.2060, Subp. 5, item B.
5. Page 10, 4731.2060, Subp. 2. The comma should come after licensee to read: “The licensee, and employer if the employer is not the licensee, specifically...”
6. Page 13, 4731.2100, A. We understand that 4731.0500 that refers to Licensing Requirements for Land Disposal of Radioactive Waste, is going to be modified or deleted. See cover letter.
7. Page 15, 4731.2120, Subp. 4. It is not clear if Citation 4731.0600, subpart 2 corresponds to §70.38(d). This could be a typo or an error.
8. Page 16, 4731.2120, Subp. 6.C. Subpart 5 should be Subpart 6.
9. Page 16, 4731.2130, Subpart 1.A. 4731.2018 should be 4731.2090 and 4731.2019 should be 4731.2095.
10. Page 21, 4731.2260, Subp. 3.F. In lines 1 and 2, the fit factor is written as a parenthesis (“) instead of the sign “greater than or equal to” or  $\geq$ .
11. Page 27, 4731.2350, Subp. 2.A. The last citation should read 4731.0100, subpart 234. This is Special form radioactive material.
12. Page 28, 4731.2400 Supart 1.A. 4731.0500 may need modification. See item 6. The same is true with Subp. 2.D.
13. Page 31 4731.2500.B The State makes reference to records retention for 4 years, this may be a typo or an oversight. The federal requirement is 3 years and the State may not be more restrictive in this case. There are numerous occurrences of this throughout the regulation. This is mentioned in the comment section of this document as well.
14. Page 31, 4731.2510, Subpart 1. Same as item 13.
15. Page 33, 4731.2520, Subp. 6. Same as item 13.
16. Page 33, 4731.2540, Subpart 1. The reference in the second line should be 4731.2210 instead of 4731.2540.

17. Page 34, 4731.2560 A. Citation 4731.0500 may require changing. See item 3.
18. Page 35, 4731.2600 Subp.1.A. In the second line, change 4731.2850 to 4731.2800 which corresponds to Appendix C, Part 20.
19. Page 38, 4731.2650 B. The citation 4731.0500 may require changing. See item 6.
20. Page 40, 4731.2700 Subpart 1.C. Change 4731.2850 to 4731.2750.
21. Page 42, 4731.2750 Subp. 3.G. The parenthesis should be the summation sign:  $\Sigma$ . Also, the square should be:  $\mu$ . Also, in paragraphs I and J, the symbol for micro,  $\mu$ , should be used where a square appears.
22. Page 44, 4731.2800. A square appears in the table before Ci instead of  $\mu$ .
23. Page 59, 4731.2800 Subpart 1. In three places a square appears before Ci instead of  $\mu$ .
24. Page 63, 4731.2950 Subpart H. The Letter "I" should be deleted. The letters for the provisions J through Y will have to be relabeled as I through X.
25. Page 66, 4731.2950 Subp. 6.A.(3). 61.55 and 61.56 of this chapter needs to be reformulated in view of item 6 above with regard to low-level radioactive waste and 10 CFR Part 61 requirements.
26. Chapter 4731 is not defined which may lead to confusion. Definition of Chapter 4731 will eliminate confusion.
27. 4731.2090, Subpart 1.A. The end, the reference to 4731.2410 should read 4731.2420, to be consistent with the correct citation, 10 CFR 35.75.
28. 4731.2520, Subp. 3.B. The word NRC is omitted before form 4 and may lead to confusion. The NRC should be inserted before form 4 to be consistent with NRC wording.
29. 4731.2540, Subp.4. The use of the phrase " Privacy Act of 1974, Public Law 93-579, 5 U.S.C. 552.a" may not be applicable in Minnesota State licensee. The State should evaluate the use of this phrase in this section.
30. 4731.0100, Subp. 283 In definitions: Year, The second sentence is incorrect because it reads: "For the licensee, they may change..." The correct sentence should read as: "The licensee may change..."
31. 4731.3140, Schedule A, exempt concentrations table, the value in the table for strontium 85 should be  $1 \times 10^{-3}$ , and not  $1 \times 10^{-4}$
32. 4731.3150, schedule C- quantities of radioactive materials requiring consideration of the need for an emergency plan for responding to a release. The value in the table for californium-252 should be "9 (20 mg)" and not "g (20mg)".
33. 4731.3160, quantities of licensed material requiring labeling. The value in the table for strontium 90 should be "0.1" and not "0.12".

34. 4731.0700-0840, Definitions, residual radioactive material, This definition is not included in the definition section but term is used in 4731.0710. Although the State is not required to have this definition, the State has chosen to use it and therefor should include the definition.
35. 4731.3320 (C)(2) should read  $1.40 \times 10^{-3}$  or 1.40E-3 microcurie per milliliter.
36. In 4731.3330 (C)(3) the statement regarding omission of information from label in parentheses should be placed after "Caution-Radioactive Material" for clarity.
37. In 4731.3350, change "...it may waive..." in Subpart 2 to "...he or she may waive..."
38. 4731.3380 In change Subpart D.(1) to Subpart E for clarity.
39. 4731.0100, Definitions: Temporary jobsite - replace "radiographic operations" with "licensed operations". This would cover both radiography and mobile medical activities.
40. 4731.0100, Definitions: Therapeutic dose - replace "byproduct" with "radioactive". This would be consistent with covering AEA and NARM\NORM.
41. 4731.4409 Procedures For Administrations Requiring A Written Directive, Item B.(4) change "correct" to "correctly".
42. 4731.0400Packaging and Transportation of Radioactive Material, Subpart 1 - change "requirement" to "requirements".
43. 4731.0400 Transportation of Radioactive Material, Subpart 1.A.(3) - change "172.400" to "172.500".
44. 4731.0409 General License: Use of Foreign Approved Package, Subpart 4.A. - change ..... "and other documents" to ..... "and other documents".
45. 4731.0410 General License : Fissile Material, Limited Quantity Per Package, Subpart 4.B. - change "10 g uranium-233," to "18 g uranium-233,"
46. 4731.0416 Air Transportation of Plutonium, Subpart 1.B. - change "0.002 mCi/g" to "0.002 uCi/g".
47. 4731.0419 Advance Notification of Shipment of Irradiated Reactor Fuel and Nuclear Waste, Subpart 3.C.2. - change "Office of State Programs" to "Office of State and Tribal Programs".
48. 4731.0422 Appendix A, Table A-1--A1 and A2 Values for Radionuclides  
  
Pu-238 - change "189" to "54.1".  
Pu-239 - change "541" to "54.1".  
Pu-241 - change "54.1" to "1080".  
Pu-244 - change "1080" to "8.11".  
Ra-223 - change "54.1" to "16.2".

49. In 4731.0100 Definitions: Temporary jobsite, change “radiographic operations” to “licenced operations”.
50. In 4731.0100 Definitions: Therapeutic Dose, change “byproduct” to “radioactive”.
51. The numeral “1” was used in place of the degree sign “°” 4731.6050 E. (1)
52. 4731.6040 The State omitted §36.17(a) “The Commission may, upon application of any interested person or upon its own initiative, grant any exemptions from the requirements in this part... “ Although category “D” is not required for compatibility, if adopted, the language must be compatible. The State must adopt §36.17(a).

# STATE REGULATION STATUS

State: Minnesota  
All amendments reviewed

Tracking Ticket Number:3-207  
Date: November 20, 2003

NRC Chronology Identification	FR Notice (State Due Date)	RATS ID	Proposed (P) / Final (F) <sup>1</sup> Rule / ML # <sup>5</sup>	NRC Review / Y, N <sup>2</sup> / Date / ML # <sup>5</sup>	Final State Regulation <sup>1</sup> (Effective Date)
Safety Requirements for Radiographic Equipment-Part 34	55 FR 843; (1/10/94)	1991-1	P ML030300196	11/21/03 <sup>6</sup> ML033280512	
ASNT Certification of Radiographers-Part 34	56 FR 11504; (none)	1991-2			Not required <sup>3</sup>
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; (1/1/94)	1991-3	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70	56 FR 64980; (10/15/94)	1991-4	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Quality Management Program and Misadministrations-Part 35	56 FR 34104; (1/27/95)	1992-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions- Parts 30,35	57 FR 45566; (none)	1992-2			Not required <sup>3</sup>
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628; (10/25/96)	1993-1	P ML032461519	11/21/ 03 <sup>6</sup> ML033280512	
Licensing and Radiation Safety Requirements for Irradiators-Part 36	58 FR 7715; (7/1/96)	1993-2	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Definition of Land Disposal and Waste Site QA Program-Part 61	58 FR 33886; (7/22/96)	1993-3			Not applicable SECY-95-112 <sup>4</sup>
Self-Guarantee as an Additional Financial Mechanism-Parts 30, 40, 70	58 FR 68726; 59 FR 1618; (none)	1994-1			Not required <sup>3</sup>
Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards-Part 40	59 FR 28220; (7/1/97)	1994-2			Not applicable SECY-95-112 <sup>4</sup>
Timeliness in Decommissioning Material Facilities-Parts 30, 40, 70	59 FR 36026; (8/15/97)	1994-3	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
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; (1/1/98)	1995-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20	60 FR 7900; (3/13/98)	1995-2	P ML032461519	11/21 /03 <sup>6</sup> ML033280512	
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649; 60 FR 25983; (3/1/98)	1995-3	P ML032461519	11/21/03 <sup>6</sup> ML033280512	



<b>NRC Chronology Identification</b>	<b>FR Notice (State Due Date)</b>	<b>RATS ID</b>	<b>Proposed (P) / Final (F)<sup>1</sup> Rule / ML #<sup>5</sup></b>	<b>NRC Review / Y, N<sup>2</sup> / Date / ML #<sup>5</sup></b>	<b>Final State Regulation<sup>1</sup> (Effective Date)</b>
Performance Requirements for Radiography Equipment-Part 34	60 FR 28323; (6/30/98)	1995-4	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038; (8/14/98)	1995-5	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235; (11/24/98)	1995-6	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Medical Administration of Radiation and Radioactive Materials-Parts 20, 35	60 FR 48623; (10/20/98)	1995-7	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
10 CFR Part 71: Compatibility with the International Atomic Energy Agency-Part 71	60 FR 50248; 61 FR 28724; (4/1/99)	1996-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses- Parts 30, 40, 70	61 FR 1109; (none)	1996-2			Not required <sup>3</sup>
Termination or Transfer of Licensed Activities: Recordkeeping Requirements-Parts 20, 30, 40, 61, 70	61 FR 24669; (6/17/99)	1996-3	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act- Part 20	61 FR 65120; (1/9/00)	1997-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State-Part 150	62 FR 1662; (2/27/00)	1997-2	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120; (5/29/00)	1997-3	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907; (none)	1997-4			Not required <sup>3</sup>
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations-Parts 30, 34, 71, 150	62 FR 28947; (6/27/00)	1997-5	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39057; (8/20/00)	1997-6	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea- Part 30	62 FR 63634; (1/02/01)	1997-7	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 71, 150	63 FR 1890; 63 FR 13773; (2/12/01)	1998-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees- Parts 30, 40, 70	63 FR 29535; (none)	1998-2			Not required <sup>3</sup>
License Term for Medical Use Licenses-Part 35	63 FR 31604; (none)	1998-3			Not required <sup>3</sup>

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Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations-Part 34	63 FR 37059; (7/9/01)	1998-4	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20	63 FR 39477; 63 FR 45393; (10/26/01)	1998-5	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20	63 FR 50127; (11/20/01)	1998-6	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Radiological Criteria for License Termination of Uranium Recovery Facilities-Part 40	64 FR 17506; (6/11/02)	1999-1			Not applicable SECY-95-112 <sup>4</sup>
Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information-Part 31	64 FR 42269; (none)	1999-2			Not required <sup>3</sup>
Respiratory Protection and Controls to Restrict Internal Exposure-Part 20	64 FR 54543; 64 FR 55524; (2/2/03)	1999-3	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Energy Compensation Sources for Well Logging and Other Regulatory Clarifications-Part 39	65 FR 20337; (5/17/03)	2000-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
New Dosimetry Technology-Parts 34, 36, 39	65 FR 63750; (1/8/04)	2000-2	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material - Parts 30, 31, 32	65 FR 79162; (2/16/04)	2001-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
Revision of the Skin Dose Limit-Part 20	67 FR 16298 (4/5/05)	2002-1	P ML032461519	11/21/03 <sup>6</sup> ML033280512	
★Medical Use of Byproduct Material-Parts 20, 32, and 35	67 FR 20249 (10/24/05)	2002-2	P ML032461519	11/21/03 <sup>6</sup> ML033280512	

1. Or other generic Legally Binding Requirements.
2. (Y/N) Y means "Yes," there are comments in the review letter that the State needs to address.  
N means "No," there are no comments in the review letter.
3. Not required means these regulations are not required for purposes of compatibility.
4. A State need not adopt a specific regulation if the State has no licensees that would be subject to that regulation. See: "Final Policy Statement on Adequacy and Compatibility of Agreement State Programs," III.1. Time Frame for Adoption of Compatible State Regulations, p. 6, SECY-95-112, May 3, 1995.
5. ADAMS ML Number
6. The Minnesota proposed final regulations were submitted and reviewed on this date as part of their Agreement State application package.

