

## **Appendix D: Summary of the Comments Obtained on Transboundary Impacts**

This section presents a summary of the public comments received on the transboundary impacts from the change in compatibility for 10 CFR 31.5 and 31.6. These comments were obtained through discussions at the public meetings and through questions provided to the public through the issuance of a *Federal Register* notice (76 FR 56124; September 12, 2011).

The general feedback obtained from the public meetings and the *Federal Register* notice indicates that the manufacturers and distributors of generally licensed devices (GLDs) did not support the Commission's decision to change the compatibility categories and that the regulators in the Agreement States did support the change.

The NRC received two comment letters on the transboundary impacts in response to the *Federal Register* notice. These comments came from Honeywell International and the Association of Device Distributors and Manufacturers. Representatives from both of these organizations participated in the public meetings.

During the meetings and through comments submissions received by mail, the NRC staff collected responses to the questions provided in the *Federal Register* notice. The meeting summaries (ML11287A079 and ML11287A080), transcripts for both public meetings (ML11287A067 and ML11287A066), and the mail-in comments (ML11306A045 and ML11306A108) can be found in ADAMS. A comment summary document was prepared using the information provided by the stakeholders during the two public meetings (ML121090148). Representatives of manufacturers and distributors were in attendance at both public meetings. Seven people attended the public meeting in Lisle, Illinois, on September 20, 2011, and 14 people attended the public meeting in Mansfield, Massachusetts, on September 22, 2011. There was one attendee at the Lisle, Illinois, meeting and one attendee at the Mansfield, Massachusetts, meeting that represented end-users of GLDs. Both individuals provided information and insight on the end-user perspective.

The comments received during the public meetings and in response to the *Federal Register* notice were organized into the following categories:

1. Economic impacts;
2. Burdensome process;
3. General comments on the Commission's decision and the general licensing regulations;
4. Health and safety concerns;
5. Requests for rulemaking; and
6. Agreement State needs for flexibility.

The stakeholder licensees (manufacturers and distributors and end-users of GLDs) claimed that there were impacts to them with respect to the change in compatibility. They claim in their comments that the impacts could be categorized as either economic or relating to health and safety. With respect to their business, they contend that they have had to devote significant resources to tracking the constant evolution of different sets of State regulations. This has led to confusion amongst licensees requiring them to be in continued communication with the Agreement States in order to have a clear understanding of the regulations. Their comments also indicate that working in the varying regulatory environments is burdensome and has created impediments to their business. They have stated that it is burdensome to spend

significant amounts of time and effort in order to clarify regulations with the Agreement State that at different times may be interpreted differently by different regulators within the same State. Also they expressed concerns over having to follow the varying fee structures in the different jurisdictions.

With respect to health and safety, the stakeholder licensees claim, based on anecdotal evidence, that the varying regulatory environments have created confusion amongst those regulated. This confusion has led to mistakes and violations. They also claim that there are health and safety issues because of varying reciprocity regulations. They have stated that there have been occasions when outside State licensees were not granted the permission to enter an Agreement State to provide maintenance in emergency situations.

The staff reviewed the comments provided in the public meetings and the responses to the *Federal Register* notice. Seven of the commenters provided concerns with regard to the decision by the Commission relating to the economic impacts to their business. Four commenters provided concerns describing the burdensome process created by the varying regulations in the Agreement States.

Three commenters claimed that there were impacts related to health and safety. It appears that the information provided was also based on anecdotal evidence. The information provided did not point to any systemic problems that were related to prohibitive practices or conflicts and gaps between NRC and Agreement State regulations.

Five commenters suggested a new rulemaking as a solution to their concerns. These comments for the most part suggested national consistency among the various general license regulations. These comments were determined to be outside of the scope of this effort.

Representatives from certain Agreement States attended both public meetings and reiterated concerns which predicated the change in the compatibility category by the Commission. A representative from the Agreement States was in attendance at each of the public meetings. They presented the view that the Agreement States needed the flexibility in their regulations to capture the individual needs of each State in order to register and account for all of the GLDs in their jurisdictions in an effort to provide adequate security and health and safety. In order to respond to the potential health and safety concerns to the public, which can vary from State to State, the Agreement States needed to have the flexibility to adopt regulations and requirements according to the needs of each individual Agreement State. Three Agreement State regulators provided comments on the flexibility allowed to the Agreement States by the change in the compatibility categories.

In the continued discussions on Agreement States' need for flexibility, the stakeholder licensees commented that they would not mind working with the most restrictive set of general licensing regulations in the Agreement States as long as all of the Agreement States had the same set of regulations. They voiced a desire for national consistency.

The regulated community's continued interest in the compatibility issue is demonstrated by the Petition for Rulemaking submitted May 7, 2012, on behalf of the Association of Device Distributors and Manufacturers to "Reinstate the Compatibility of 10 CFR 31.6, General License to install devices generally licensed in 31.5, from "C" to "B" and to create a new, similar regulation for exempt devices" (ML12146A083). All of the concerns that are contained within the petition were communicated and documented during the public meetings. The petition

includes suggested language for a new regulation regarding the servicing of exempt devices. This petition was docketed by the NRC May 24, 2012, as PRM-32-7 (ML12151A105).

Copies of the public comments are available for review in the NRC Public Document Room, 11555 Rockville Pike, Rockville, Maryland 20852-2738. Representative examples of the comments follow:

## What are the impacts of changing the compatibility categories of 10 CFR 31.5 and 31.6 from B to C?

### *Economic Impact*

#### Comment 1:

Commenter stated the following:

“The current economy is having a severe impact on a lot of the general licensees. They may have some general licenses that are no longer useful and can’t afford to get rid of them. Bankruptcies are also an issue. Licensees are going out of business – they are faced with the problem where they have to eliminate and return or dispose of generally licensed gauges. It can be very expensive to resolve these problems for the general licensees.”

#### Comment 2:

Commenter stated the following:

“With regard to the issue that service providers working in-state have economic advantages, I can understand the perspective from a provider coming in from a different state into the service state. But there is another perspective that isn’t considered. In-state general licensees often pay state fees that are passed onto the end-users within the state. Out-of-state general licensees and service providers are not charged these fees.”

#### Comment 3:

Commenter submitted the following in writing:

“There are significant transboundary implications involved in changing the compatibility level from B to C. Impacts include the following:

1. Increased fees will be passed on the end-users of generally licensed devices in some states, which in turn get passed on to end-users of products produced using generally licensed devices.
2. Confusion with varying regulations can and will lead to violation of regulations.
3. Increased negative economic impact on end-users of generally licensed devices in some states due to delays in granting of Reciprocal Recognition.
4. Increase pressure for U.S. based manufacturing to relocate outside of United States to minimize costs.”

### *Request for Rulemaking*

#### Comment 4:

Commenter stated the following:

“For general license regulations, we would like to see a compatibility level B. We agree that some of the Agreement States have developed and adopted good regulations that reflect the State’s concerns related to the State’s general licensing environment. We think the regulations are

adequate with respect to maintaining public health and safety for their state. We think that every Agreement State has adequate regulations that maintain public health and safety.

We would like it if an effort was initiated to identify all the issues that the Agreement States have regarding 10 CFR 31.5 and 31.6. Further, with all of the issues identified we would like it if 10 CFR 31.5 and 31.6 was amended incorporating all of these issues.

If there's an issue in Florida or New York or wherever, why would it not be reasonable for the same issue be addressed across all of the Agreement States? It is understood that some Agreement States have unique concerns – some Agreement States have almost no industry – very few generally licensed devices other than exit signs. And, there are some Agreement States, like New Jersey, that have plenty of generally licensed devices. They have different concerns, but if it is reasonable to have a regulation that addresses a concern in New Jersey, why is it not reasonable that the regulation address the same concern in another or all of the other Agreement States?

I would recommend a survey be done to see if this could be done in the Agreement States.”

Comment 5:

Commenter stated the following:

“I agree. Inspections compel the general licensee to keep an account of the devices that they are responsible for. Inspections also allow oversight by the regulatory agencies. Florida, as far as I know, is one of the only Agreement States that performs inspections of generally licensed devices every year. I think it's good. I think everybody should do that.”

#### *Health and Safety Concern*

Comment 6:

Commenter stated the following:

“I deal with general licensed devices that are lost or misplaced in the Agreement States. The cooperation that I've gotten from the Agreement States has been outstanding.

They've been very helpful in finding and locating and tracking down these missing generally licensed devices. Before the idea of registration came about, nobody ever paid any attention to missing generally licensed devices. Their assistance and cooperation with NRC has been outstanding.

In the past, a lot of the problems had come from the lack of registration requirements, and devices were forgotten. It was not uncommon for equipment to be re-sold to third parties with the generally licensed devices attached. These devices were eventually designated as being lost. “

#### *Agreement State Impact*

Comment 7:

Commenter stated the following:

“I have information that shows that the vast majority of the incidents that were reported appear to be generally licensed devices found in scrap facilities.

I do want to make mention of one thing that had been mentioned earlier about individual state differences. Referring to the difference in the State of Florida with additional registration, correct me if I'm wrong, but I believe it's the compatibility category C that allows the state to be more restrictive and different than the NRC and that allows that type of additional registration in the

current environment. I suspect that there are some reasons why Florida has adopted regulations that are more restrictive - that there were some reasons why they felt it was necessary. I think it's important to make that distinction about what the compatibility category C allows an Agreement State to do. In this case, it allowed Florida to be more restrictive than the NRC to address a state-specific issue or issues."

Comment 8:

Commenter stated the following:

"The compatibility category C does allow the State of Florida to be more restrictive and different than the NRC with regard to general license regulations. We lack flexibility in order to make it easier for the State to keep track of all of the generally licensed devices in the state. The fees in Florida for generally licensed devices are a per device fee - it's not a flat fee. This fee structure helps to offset the cost to the end-user.

The issue of compatibility categories is complex. The State of Florida used to have an annual fee for reciprocity, and the State of Florida adopted a 180-day requirement for notification. The reason these changes were adopted was a change in compatibility to a compatibility B category for another rule. Whenever changes are made, there are changes that are made across different regulations."

Comment 9:

Commenter stated the following:

"During inspections in Florida we always make it a point to use the opportunity to reiterate the responsibilities of the licensees with regard to their devices. We make sure that there is someone in the company that is knowledgeable as to requirements and as to who to contact in the state if problems should arise. There are differences between each Agreement State with respect to how developed industry is in a state. The more industry in a State, the more generally licensed devices will be in use by licensees in the State. Each State will have unique needs. This is where the Agreement States require flexibility to adopt regulations according to their needs."

Comment 10:

Commenter stated the following:

"Florida inspects 10 percent of our general licensees every year. Due to personnel changes which are dependent on economic issues in the industry, we find that situations exist where people are not aware of the requirements. Sometimes they're not aware of where their devices are or what they even look like.

This doesn't happen often, but it happens often enough that it raises some red flags. It is a good practice to get out there as much as we can to keep them informed. The registration program has always been good - even before the NRC started registering their devices, Florida general licensees would get a bill from the State each year based upon the number of devices that they had. The idea is they would maintain an accurate inventory - if they got rid of the ones they didn't need or didn't want, then they didn't have to pay us as much.

Outreach definitely is needed – it contributes to more accountability and a licensee base that is more knowledgeable of the requirements."

Comment 11:

Commenter stated the following:

"From our perspective, this compatibility change is not going to change anything that we currently have. We're not planning on making any changes. When Wisconsin became an Agreement State,

the compatibility category of the regulations was B. We adopted regulations similar to the NRC with one addition - we have a registration program. However, our fee structure is different in that we charge a fee per device rather than a flat fee.

Recognizing that fees can be paid by an accounting group, not by a responsible individual, included with our annual fees is a one-page form/inventory to the responsible individual. It requires licensees to check their inventory, and hopefully this improves accountability. It reminds them of Wisconsin's requirements. There are certain things that need to be in place.

If this survey is not returned, it is a possible indication that a licensee needs to be examined which could include a site inspection.

Wisconsin's program is similar to NRC's. Our fee structure is different, and there are some requirements that we implement in order to ensure accountability. From the standpoint of what we're planning on doing as a result of this compatibility change, barring some change that we can't foresee, we're not planning on making any change to our program at this point."

### *Burdensome Process*

Comment 12:

Commenter stated the following:

"There is no consistency in general license regulations from one Agreement State to another – we don't know what the regulations are.

We can find the regulations online or obtain hard copies. But a problem is the interpretation of the regulations. Differing interpretations of the same regulations has lead to significant problems.

For example, the definition of a generally licensed device – in the State of Louisiana a device can be classified as generally licensed (G).

For service providers, it is unclear in the regulations what services require reciprocity and what services do not. There are significant variations in this area that are the result of varying interpretations in the regulations from different Agreement States.

It is very cumbersome for manufacturers, distributors, and service providers to stay on top of all of the varying regulations and interpretations from Agreement State to Agreement State.

I think a well written general license rule would eliminate the possibility of varying interpretations of general license regulations."

Comment 13:

Commenter stated the following:

"Speaking on behalf of end-users, the discontinuity of the regulations and the implementation of those regulations make it nearly impossible for companies to remain in compliance. We cannot implement a single program that will ensure compliance with the regulations.

We can implement a program that will have a high level of confidence that will provide the necessary safety and security – but this program is not consistent with compliance. The impact of this is increased costs with oversight at the individual sights.

The reality is that there is a decrease in compliance because of the lack of clear understanding of the requirements – this is the case for individual sites that may not have the technical skills or the administrative time to achieve compliance.”

Comment 14:

Commenter stated the following:

“I understand that the Agreement States have the authority to make whatever changes to their regulations with respect to radioactive material in their jurisdiction, however, being a licensee in the State of Ohio, I can keep up with the regulations of Ohio. It is nearly impossible for me to stay on top of changes in the other Agreement States.

It is my experience that it is challenging to maintain a position to be on top and up-to-date with Ohio's radioactive material regulations. I have heard many stories about people in Ohio who find out that they are not in compliance after a rulemaking change through a notice of violation. We feel that this is not the correct way of regulating in an Agreement State. We have heard this as a practice from end-users as well as manufacturers and distributors and service providers.

We believe that there is poor communication between the regulators and the regulated in the Agreement States. We think that when the Agreement States are granted more authority to make more changes, this will lead to more difficulties for the regulated to stay on top of Agreement State regulations.”

What are the current practices used by companies to address multiple jurisdictions and the registration requirements of generally licensed devices in 10 CFR 31.5 and 10 CFR 31.6 or the state equivalent?

#### *Burdensome Process*

Comment 15:

Commenter stated the following:

“We used to have hard copies of all the state regulations, and, we would have to pay for the regulations year after year. We do not keep copies of the state regulations on file because they quickly are out of date. Every Agreement State now has some version of them posted online. There is no need to maintain current hard copies of the regulations, but they are not always easy to find. Usually, you can find current Agreement State regulations, however, it may take an effort to find them since often Agreement State regulations are not centrally located – they might be distributed across the Agreement State web site.

If we distribute many devices into a new jurisdiction, it then results in more time devoted to looking for and into a new set of regulations.

Another issue we have is in the varying policy interpretations that the states implement. The Agreement States tend to inform us in one of two ways – a phone call informing us of an improper practice or a notice of violation.

It's hard to estimate. For every distribution, it takes 30 minutes to an hour for an employee to review regulations and verify the use of proper forms. We verify because it falls on us with regard to health and safety that end-users are also maintaining compliance with regulations. We verify that we have the current forms, the current notices to employees, the correct emergency contact information within the states, and the current copies of the regulations. It is also understood that

some of this information, according to state regulations, is required to be provided to the state or to the end-users.”

Comment 16:

Commenter submitted the following in writing:

“Up until now, the compatibility level for 10 CFR 31.5 and 10 CFR 31.6 had been B. Several states have ignored this compatibility level and have had much more restrictive regulations than the NRC. This has resulted in the necessity for manufacturers and distributors and to apply for and receive specific licenses to distribute, install, and service generally licensed devices in those states, significantly increasing costs and regulatory confusion. In some states, it is necessary to apply for reciprocal recognition of licenses from other states.”

What are the costs incurred by companies doing business in multiple jurisdictions with regard to the registration requirements of generally licensed devices in 10 CFR 31.5 and 10 CFR 31.6 or the state equivalent?

#### *Economic Impact*

Comment 17:

Commenter stated the following:

“There are direct costs and indirect costs. Direct costs are mostly associated with licensing and registration fees. These can vary. There are some states under 10 CFR 31.6, or the state equivalent, where there are no fees and no notification requirements.

There are states that do not have an equivalent of 10 CFR 31.6. This requires specific (license) reciprocity, with fees up to \$3,000 or \$3,500 per year -- as in Texas or Illinois.

We do very limited work in both of those states. That's too expensive. The Agreement States, with regards to registration, there is always a fee associated with it ranging from, a couple hundred dollars up to that \$3,500.

For indirect costs, which are administrative costs associated to oversight and maintaining information, maintaining the links to the websites, downloading current copies of forms for customers, or reviewing the regulations. This is updated at least annually or per distribution. Depending on the Agreement State and how readily available the information is -- whether we have to contact the state directly or if we can find all of the information online -- this can vary from a half an hour to a full day on an annual basis, plus what we do for each individual distribution.”

What are the costs to health and safety in doing business in multiple jurisdictions with regard to the registration requirements of generally licensed devices in 10 CFR 31.5 and 31.6 or the state equivalent?

#### *Health and Safety Concern*

Comment 18:

Commenter stated the following:

“One of our products is hand-held X-ray fluorescence analyzers. Side by side one would not be able to distinguish the difference between one with a radioactive sealed source inside and one with an X-ray tube.



For an X-ray tube device, the in-beam dose rates can be hundreds of thousands of rem per hour up near the exit window of the device, whereas the highest we see is about one rem per hour from one of our radioisotope-based analyzers.

With respect to these devices, variations in general licensing across the Agreement States encourages users to purchase models with the X-ray tubes.

One can draw the conclusion that allowing the Agreement States the freedom to adopt their own regulations, benefits of security have been attained (concerns of security are less with X-ray tubes and fewer long-term tracking concerns), but there are higher potential hazards to the device operator with respect to the higher doses associated with X-ray tubes.”

### *Economic Impact*

Comment 19:

Commenter stated the following:

“One issue we discuss with our clients is that 10 CFR 31.6 only allows servicing on generally licensed devices, and we would like to see that broadened to include exempt devices. The interpretation from the NRC when we asked them was that it definitely did not include exempt devices, but we don't see any reason why that couldn't be broadened.”

Comment 20:

Commenter stated the following:

“It is much cheaper to have a general license for a device as opposed to a specific license for those who want to use their device in multiple states.

Some users are required to obtain specific licenses even though the requirements of their Agreement State regulations allow for a general license for their device. However, if they want to use their device in a state where general licensing is not allowed, their general license doesn't help them. If all of the Agreement States would allow general licensing, end-users could obtain reciprocity for the other states. This could amount to as much as \$60,000 a year for a user. Even for four or five states, specific licensing can get expensive for a company.

Regarding the licensing of devices, we advocate general licensing.”

### *General Comment*

Comment 21:

Commenter stated the following:

“In our case, the vast majority of everything we sell can be sold either way. The cost is identical. Since it's the same product, it's identical. So the end-user is paying exactly the same fee. The difference is for specifically licensed devices, the end-user is required to have a radiological safety program. With a radiation safety officer, there's more training costs associated with it. Gauging devices may require the installation of light barriers in or other safeguards to keep personnel away which adds to cost. These costs, however, are all required.”

What regulatory costs influence the end-users' decisions in the generally licensed devices that are purchased?

*Economic Impact*

Comment 22:

Commenter stated the following:

“Specific licenses are typically more expensive because there are issues relating to the maintenance of the licenses and relating to the processing of the applications (Agreement States or NRC). The initial processing of an application for a specific license can be time consuming for the governing regulatory authority. Also, there are costs in the amendment of a specific license when a source is added or removed or changed, when there are authorized user changes, or when there is a change in radiation safety officer. All jurisdictions have individual costs for these modifications to a license.

There are specific license fees, and there are costs associated with maintaining accurate documentation, updating training programs, and updating the lists of those authorized to use the device.

There is an administrative burden that is disproportionately larger for specific licenses. It is difficult to determine the impact to health and safety.”

*General Comment*

Comment 23:

Commenter submitted the following in writing:

“The only regulatory costs that influence the decision involve whether to purchase a specifically licensed device or a generally licensed equivalent device, if available. If a specifically licensed device is purchased, or an Agreement State mandates that a certain device categorized as generally licensed under NRC regulations is classified as specifically licensed device under the Agreement State regulations, license fees increase, sometimes significantly. In addition, radiation safety program costs increase significantly.”

What choices are made by end-users regarding health and safety and security with regard to which generally licensed devices are purchased by end-users?

*Economic Impact*

Comment 24:

Commenter stated the following:

“Typically, general and specific licensees don't provide maintenance on their own devices. They don't have the technical expertise or motivation to get involved with the maintenance of their own devices.

Service providers and the manufacturers/distributors provide maintenance for these devices. This can be performed in the form of either routine six-month source inspections or major service repairs.

The costs that are incurred as a result of this maintenance are transferred to the end-users. Service providers cannot absorb these costs. Service providers are business people, and margins of profit are small. Thus, these costs have to be passed on to the end-users.

The administrative burden, the additional time, the additional costs that are incurred by the service providers are passed on to the end-users in the form of higher prices on products and services. It can be difficult to accurately determine how much these can vary across so many different jurisdictions.”

Comment 25:

Commenter stated the following:

“Regarding the impacts to the compatibility change, as a result of the change I feel pressure to pursue distributing my devices as exempt from licensing. The change in compatibility makes it more difficult for us to stay in business.

I don’t foresee being able to reconcile the added costs associated with the change in compatibility and the ability to market our products. The company management will probably stop licensing all generally licensed products and only go forward with selling products that are of exempt licensing. In the end I believe this will hurt the Agreement States, since I believe other manufacturers and distributors will draw the same conclusion and act similarly. Ultimately, I believe the States will lose money since manufacturers and distributors will all withdraw from the general licensing of devices.”

#### *Request for Rulemaking*

Comment 26:

Commenter stated the following:

“Currently, general license rules are not adequate. The issues regarding compatibility of general license regulations don’t need to be addressed until those relating to adequacy in the regulations can be resolved. I think the Commission should reevaluate the purpose of the general license rule, and how it is being applied currently in the regulation space. There are issues related to increased security that need to be taken into consideration with respect to the devices that are being regulated, which are not the same devices in existence when the current regulations were promulgated 60 years ago.

The idea that the Agreement States requested the change in compatibility and require flexibility to enact regulations unique to the needs of each individual Agreement State is an indication that rule is inadequate. I think it is important that all of the stakeholders come together, reevaluate the regulations, and identify what is adequate.

I believe that resolving the adequacy issues will also resolve the compatibility issues. I believe that regulations can be drafted to meet end-users’ requirements and manufacturer’s/distributors’ requirements and regulatory bodies’ requirements. If this could be attained, then compatibility could automatically be a result.”

Do you have any comments on the regulation of generally licensed devices associated to 10 CFR 31.5 and 10 CFR 31.6 (or the State equivalent) that affect you with regard to where your company is located or where your customers are located?

#### *Economic Impact*

Comment 27:

Commenter stated the following:

“On the regulation of generally licensed devices that affect you with regard to where your company is located. This may have a significant impact. For instance, if you have to pay reciprocity fees in many different Agreement States, and this used to be more important than now, if you were located in an NRC state, you didn't have to pay reciprocity fees in any other NRC state.

But if you are from an Agreement State, reciprocity fees are required every time you go to an NRC state or another Agreement State, for specifically licensed devices. Some states have been requiring us to pay reciprocity fees for generally licensed devices. Wherever you're based can have a big impact with respect to fees.”

Comment 28:

Commenter submitted the following in writing:

“The location of where company facilities are located is directly and significantly impacted by where end-users/customers are located. In some states it is very difficult to distribute and install certain generally licensed devices, and especially difficult to service them unless our company has a facility and license in that state. The result is that Honeywell must maintain facilities and specific licenses in multiple states due to either the Agreement State refusing to recognize the out of state license or the assessment of high fees.

Many end-users have plants in multiple states and multiple regulatory jurisdictions. This is one area where there are significant transboundary implications. One state will permit the use of a certain generally licensed device, whereas another state will refuse to permit the same generally licensed device to be used in that state. This defeats the intent behind the original general licensed regulations. The sealed source device registrations were intended to permit the sale, distribution, and use of generally licensed devices in all states, regardless of which state the manufacturer and/or distributor is located.”

What would be the distribution impediments?

#### *Burdensome Process*

Comment 29:

Commenter submitted the following in writing:

“The distribution impediments are further complexity in trying to determine regulatory compliance on an on-going basis.”

If there are any other impacts brought about by changes in the State regulations, please explain.

*Economic Impact*

Comment 30:

Commenter submitted the following in writing:

“There is a possibility that service work on generally licensed devices will be illegally performed to circumvent restrictive regulations in some states with requirements that greatly exceed NRC regulations. Some states require reciprocal recognition of Agreement State regulations to perform work on generally licensed devices in their state. This requires a three business day notice before reciprocity is granted, sometimes resulting in five or more days before service can be provided which can result in significant negative impacts on production if a production line has to be shutdown, or product quality.”