

STATE SECTION	NRC SECTION	RATS ID	CATEGORY	SUBJECT and COMMENTS	TX RESPONSE
Throughout all eight sections		N/A		Texas makes minor changes which update and/or correct: rule citation references; terminology; form names; and minor grammatical, typographical, formatting, language consistency, and unit of measure errors throughout these rules that are not related to NRC compatibility.	N/A
§289.201(b)(21)	20.1003	N/A	A	<b>Definitions: Committed effective dose equivalent</b> Texas corrects the formula ( $H_{E,50} = \sum W_T H_{T,50}$ ) to meet the Compatibility Category A designation assigned to 10 CFR 20.1003 - Definitions: Committed effective dose equivalent.	Meets compatibility.
§289.201(b)(93)	20.1003	N/A	A	<b>Definitions: Residual radioactivity</b> Texas corrects a rule citation reference to meet the Compatibility Category A designation assigned to 10 CFR 20.1003 - Definitions: Residual radioactivity.	Meets compatibility.
§289.201(b)(115)	71.4	N/A	B	<b>Definitions: Type A quantity</b> Texas corrects a rule cross reference to the packaging and transportation rule to meet the Compatibility Category B designation assigned to 10 CFR 71.4 - Type A quantity.	Meets compatibility.

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§289.202(ee)(1) and (2)(B)	20.1906(a) and (b)	N/A	H&S	<b>Procedures for receiving and opening packages</b> Texas corrects a rule cross reference to the packaging and transportation rule to meet the Compatibility Category H&S designation assigned to 10 CFR 20.1906.	Meets compatibility.
§289.202(jj)(1) and (2)	20.2006(a) and (d)	N/A	B	<b>Transfer for disposal and manifests</b> Texas corrects a rule cross reference to the packaging and transportation rule to meet the Compatibility Category B designation assigned to 10 CFR 20.2006.	Meets compatibility.
§289.202(fff)(4)	20.2008	N/A	B	<b>Disposal of certain byproduct material</b> Texas corrects a rule citation reference to meet the Compatibility Category B designation assigned to 10 CFR 20.2008 - Disposal of certain byproduct material.	Meets compatibility.
§289.251(e)(3)(A)(i)(VI) - (VII)	30.15(a)(3) and (5)	N/A	B	<b>Certain items containing byproduct material</b> Texas adds the words "manufactured before December 17, 2007" to meet the Compatibility Category B designation assigned to 10 CFR 30.15.	Meets compatibility.

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§289.251(e)(3)(A)(i) current (IV), (VI) and (IX)	30.15(a)	N/A	B	<b>Certain items containing byproduct material</b> Texas deletes exemptions for certain items containing radioactive material, specifically, automobile shift quadrants, thermostat dials and pointers, and spark gap irradiators. Texas makes the changes to meet the Compatibility Category B designation assigned to 10 CFR 30.15.	Meets compatibility.
§289.251(e)(3)(A)(i)(IX) (-b-)	30.15(a)(9)(ii)	N/A	B	<b>Certain items containing byproduct material</b> Texas adds language to clarify the requirements for ionizing radiation measuring instruments containing a source of radioactive material used for internal calibration or standardization. Texas makes the change to meet the Compatibility Category B designation assigned to 10 CFR 30.15.	Meets compatibility.
§289.251(e)(3)(A)(iii)	30.15(b)	N/A	B	<b>Certain items containing byproduct material</b> Texas adds language to specify that a person shall apply for a specific license in accordance with Title 10, CFR, §32.14. Texas makes the change to meet the Compatibility Category B designation assigned to 10 CFR 30.15.	Meets compatibility.

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§289.251(e)(3)(B)(i)	30.19(a)	N/A	B	<b>Self-luminous products containing tritium, krypton-85, or promethium-147</b> Texas revises language regarding exceptions to exemptions relating to the distribution of self-luminous products containing tritium, krypton-85, or promethium-147 including "initial" transfer language. Texas makes the changes to meet the Compatibility Category B designation assigned to 10 CFR 30.19.	Meets compatibility.
§289.251(e)(3)(B) current (ii)	30.19	N/A	B	<b>Self-luminous products containing tritium, krypton-85, or promethium-147</b> Texas deletes an exemption for articles acquired prior to January 1, 1986, containing less than 0.1 microcurie of radium-226 to meet the Compatibility Category B designation assigned to 10 CFR 30.19.	Meets compatibility.
§289.251(e)(3)(B)(iii)	30.19(c)	N/A	B	<b>Self-luminous products containing tritium, krypton-85, or promethium-147</b> Texas moves the existing exemption for these items used in products for frivolous purposes or in toys or adornments to meet the Compatibility Category B designation assigned to 10 CFR 30.19.	Meets compatibility.

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§289.251(f)(4)(K)(ii)(V) and (VI)	31.12(c)(4) and (5)	N/A	C	<b>General license for certain items and self-luminous products containing radium-226</b> Texas adds equivalent requirements to 10 CFR 31.12(c)(4) and (5) for disposing of certain items and self-luminous products containing radium-226 and requiring a general licensee to respond to written requests from the department. Texas makes the changes to meet the Compatibility Category C designation assigned to 10 CFR 31.12.	Meets compatibility.
§289.252(j)	32.18	N/A	NRC	<b>Manufacture, distribution and transfer of exempt quantities of byproduct material: Requirements for license</b> Texas adds, deletes, and revises language for requirements for specific licenses for commercial distribution of radioactive materials in exempt quantities to clarify that the NRC has sole jurisdiction. Texas makes the changes to meet the Compatibility Category NRC designation assigned to 10 CFR 32.18.	Meets compatibility.
§289.252(k)	32.11	N/A	NRC	<b>Introduction of byproduct material in exempt concentrations into products or materials, and transfer of ownership or possession: Requirements for license</b>	Meets compatibility.

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				Texas revises language for requirements for specific licenses for incorporation of byproduct material or NARM into gas and aerosol detectors to clarify that the NRC has sole jurisdiction. Texas makes the changes to meet the Compatibility Category NRC designation assigned to 10 CFR 32.11.	
§289.256(l)(1)	35.57(a)(1)	N/A	B	<b>Training for experienced RSO, teletherapy or medical physicist, authorized medical physicist,...</b> Texas replaces the words "the effective date of this rule" with the words "October 24, 2002" to accurately reflect the beginning date for the training requirement exemption. Texas makes the changes to meet the Compatibility Category B designation assigned to 10 CFR 35.57(a)(1).	Meets compatibility.
§289.256(l)(2)	35.57(a)(2)	N/A	B	<b>Training for experienced RSO, teletherapy or medical physicist, authorized medical physicist,...</b> Texas includes a training exemption for those who hold a specific license or permit obtained between October 24, 2002, and April 29, 2005. Texas makes the change to meet the Compatibility Category B designation assigned to 10 CFR 35.57(a)(2).	Meets compatibility.

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§289.256(jj)(3)(A)(v)	35.290(c)(1)(i)(E)	N/A	B	<b>Medical use of byproduct material: Training...</b> Texas includes the word "and" between subparagraphs to incorporate and modify classroom and laboratory training requirements. Texas makes the changes to meet the Compatibility Category B designation assigned to 10 CFR 35.290, 35.390, 35.392, 35.394, 35.396, 35.490 and 35.491. Texas makes the change to meet Compatibility Category C designation assigned to 10 CFR 35.600 and to be consistent with the other subsections.	Meets compatibility.
§289.256(nn)(2)(A)(v)	35.390(b)(1)(i)(E)		B		
§289.256(oo)(3)(A)(v)	35.392(c)(1)(v)		B		
§289.256(pp)(3)(A)(iv) and (v)	35.394(c)(1)(v)		B		
§289.256(qq)(4)(A)(v)	35.396(d)(1)(v)		B		
§289.256(zz)(2)(A)(iv)	35.490(b)(1)(i)(D)		B		
§289.256(aaa)(2)(A)(iv)	35.491(b)(1)(iv)		B		
§289.256(ttt)(2)(A)(iv)	35.600		C		
§289.256(pp)(1)	35.394(a)	N/A	B	<b>Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 GBq (33 mCi)</b> Texas adds the word "or" to clarify the requirements for doses in quantities greater than 33 millicuries requiring a written directive to meet the Compatibility Category B designation assigned to 10 CFR 35.394.	Meets compatibility.
§289.256(jjj)(1)(A)	35.632(a)(1)	N/A	H&S	<b>Full calibration measurements on teletherapy units</b> Texas adds the word "and" to clarify the requirements for full calibration measurements on teletherapy units for medical use. Texas makes the	Meets compatibility.

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				change to meet the Compatibility Category H&S designation assigned to 10 CFR 35.632(a).	
§289.256(kkk)(1)(B)(ii)	35.633(a)(2)(i)	N/A	H&S	<b>Full calibration measurements on remote afterloader units</b> Texas includes the word "and" between clauses (ii) and (ii) to meet the Compatibility Category H&S designation assigned to 10 CFR 35.633(a).	Meets compatibility.
§289.257(q)(3)	71.97(b)	N/A	B	<b>Advance notification of shipment of irradiated reactor fuel and nuclear waste</b> Texas deletes the words "Advance notification is required in accordance with this section for shipment of irradiated reactor fuel in quantities less than that subject to advance notification requirements of Title 10, CFR, §73.37." Texas makes this change to meet the Compatibility Category B designation assigned to 10 CFR 71.97.	Meets compatibility.