



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

April 18, 2016

Mr. Augustinus Ong, Administrator  
Radiological Health Section  
Division of Public Health Services  
New Hampshire Department of Health  
and Human Services  
29 Hazen Drive  
Concord, NH 03301-6504

Dear Mr. Ong:

We have reviewed the final revisions to the New Hampshire Radiological Health Rules He-P 4003 Definitions, He-P 4020 Standards for Protection Against Radiation, He-P 4022 Surveys and Monitoring, He-P 4032 Specific Licenses, and He-P 4035 Use of Radionuclides in the Healing Arts, received by our office on February 2, 2016. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and the requirements of the two amendments identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on April 11, 2016.

As a result of our review, we have 13 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 New Hampshire, 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 New Hampshire 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>.

A. Ong

-2-

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Michelle Beardsley, State Regulation Review Coordinator, at (610) 337-6942 ([Michelle.Beardsley@nrc.gov](mailto:Michelle.Beardsley@nrc.gov)) or Donna Janda at (610) 337-5371 ([Donna.Janda@nrc.gov](mailto:Donna.Janda@nrc.gov)).

Sincerely,

**/RA/**

**PMichalak for PHenderson**

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

Enclosures:

1. Compatibility Comments
2. New Hampshire SRS Data Sheet

A. Ong

-2-

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 Michelee Beardsley, State Regulation Review Coordinator, at (610) 337-6942 ([Michelle.Beardsley@nrc.gov](mailto:Michelle.Beardsley@nrc.gov)) or Donna Janda at (610) 337-5371 ([Donna.Janda@nrc.gov](mailto:Donna.Janda@nrc.gov)).

Sincerely,

**/RA/**

**PMichalak for PHenderson**

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

Enclosures:

1. Compatibility Comments
2. New Hampshire SRS Data Sheet

DISTRIBUTION: SP 05  
DIR RF (16-41)  
Donna Janda, RSAO  
New Hampshire File

|        |         |            |                            |           |            |
|--------|---------|------------|----------------------------|-----------|------------|
| OFFICE | RI      | ASPB       | OGC                        | ASPB:BC   | MSTR:DD    |
| NAME   | DJanda  | MBeardsley | JOlmstead NLO<br>via email | PMichalak | PHenderson |
| DATE   | 3/15/16 | 3/16/16    | 4/11/16                    | 4/18/16   | 4/18/16    |

**ML16076A344**

**OFFICIAL RECORD COPY**

**Package ML16035A164**

## COMPATIBILITY COMMENTS ON NEW HAMPSHIRE FINAL REGULATIONS

| STATE SECTION |         | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS   |
|---------------|---------|-------------|---------|----------|--|
| 1             | 4035.70 | 35.51       | 2002-2  | B        | <p><b>Training for an authorized medical physicist</b></p> <p>NH regulations are not essentially identical to 35.51 as follows:</p> <ul style="list-style-type: none"> <li>a) NH needs to rewrite 4035.70(a) to read, "Is certified by a specialty board whose certification process has been recognized...and who meets the requirements in He-P 4035.70 (b)(5) and (b)(6)."</li> <li>b) NH needs to rewrite 4035.70(b)(5) to read "Has obtained written attestation that the individual has satisfactorily completed the requirements in 4035.70 (b)(1), (b)(2) and (b)(6), or 4035.70(b)(3), (b)(4) and (b)(6)..."</li> <li>c) NH needs to replace "In addition to the requirements of (b) above,..." with "In addition to the requirements of (b)(1) and (b)(2) above,..."</li> </ul> <p>NH needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.51.</p> |

| STATE SECTION |         | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|---------------|---------|-------------|---------|----------|---|
| 2             | 4035.74 | 35.55       | 2002-2  | B        | <p><b>Training for an authorized nuclear pharmacist</b></p> <p>NH regulations are not essentially identical to 35.55 as follows:</p> <ul style="list-style-type: none"> <li>a) NH needs to replace the word “didactic” with the words “classroom and laboratory” in front of the word “training” in 4035.74(c)(1)a.</li> <li>b) NH needs to add the word “practical” between “Supervised” and “experience” in 4035.74(c)(1)b.</li> </ul> <p>NH needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.55.</p>   |
| 3             | 4035.35 | 35.300      | 2002-2  | H&S      | <p><b>Use of unsealed byproduct material for which a written directive is required</b></p> <p>NH regulations do not contain the essential health and safety objectives of 35.300 as follows:</p> <ul style="list-style-type: none"> <li>a) NH needs to change the phrase “Prepared by, excluding (a) above...” to “Excluding production of PET radionuclides, prepared by...” in 4035.35(b).</li> <li>b) NH needs to change the phrase “Obtained from and prepared by DHHS/RHS...” to “Obtained from and prepared by a DHHS/RHS licensee...”</li> </ul> <p>NH needs to make the above changes to meet the Category H&amp;S designation assigned to 10 CFR 35.300.</p> |

| STATE SECTION |                    | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|---------------|--------------------|-------------|---------|----------|---|
| 4             | 4035.66<br>(a)-(c) | 35.392      | 2002-2  | B        | <p><b>Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 Gigabequerels (33 millicuries)</b></p> <p>NH regulations are not essentially identical to 35.392 as follows:</p> <ul style="list-style-type: none"> <li>a) NH needs to add the words “requiring a written directive” after the word “procedures” at the end of the sentence in 4035.66(b).</li> <li>b) NH needs to change the first sentence in 4035.66(b)(2) to read “Have work experience, under the supervision of an authorized user who meets the requirements in He-P 4035.65, He-P 4035.66(a) and (b), He-P 4035.66(d) and (e),...”</li> <li>c) NH needs to change the second sentence in 4035.66(b)(2) to read “A supervising authorized user who meets the requirements...as specified in He-P 4035.65(c)(2)b.1 or (c)(2)b.2.”</li> </ul> <p>NH needs to make the above changes to meet the compatibility Category B designation assigned to 10 CFR 35.394.</p> |

| STATE SECTION |                    | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|---------------|--------------------|-------------|---------|----------|---|
| 5             | 4035.66<br>(d)-(i) | 35.394      | 2002-2  | B        | <p><b>Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 Gigabequerels (33 millicuries)</b></p> <p>NH regulations are not essentially identical to 35.55 as follows:</p> <ul style="list-style-type: none"> <li>a) NH needs to change the word “user” to the word “under” between the words “authorized” and “He-P 4035.35” at the end of the sentence in 4035.66(g).</li> <li>b) In He-P 4035.66(i)(2), NH needs to change “He-P 4035.66(g)” to “He-P 4035.66(i)(4) – (i)(6) and (j)”.</li> <li>c) NH needs to change 4035.66(i)(4) to remove the words “An authorized user who does not meet the requirements of He-P 4035.65(c) above,”.</li> </ul> <p>NH needs to make the above changes to meet the Compatibility Category B designation assigned to 10 CFR 35.394.</p> |
| 6             | 4035.44(a)         | 35.406      | 2002-2  | H&S      | <p><b>Brachytherapy sources accountability</b></p> <p>NH regulations do not contain the essential health and safety objectives of 35.406 as follows:</p> <p>NH needs to add the word “research” between the words “human” and “subject” in 4035.44(a)(2).</p> <p>NH needs to make the above change to meet the Category H&amp;S designation assigned to 10 CFR 35.406.</p>  |

| STATE SECTION |                 | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|---------------|-----------------|-------------|---------|----------|---|
| 7             | 4035.42         | 35.410      | 2002-2  | H&S      | <p><b>Safety precautions</b></p> <p>NH regulations do not contain the essential health and safety objectives of 35.410 as follows:</p> <ul style="list-style-type: none"> <li>a) NH needs to add the words “radiation safety” between the words “provide” and “instruction” in 4035.42(a).</li> <li>b) NH needs to remove the words “in case of a dislodged source” at the end of 4035.42(c)(2).</li> </ul> <p>NH needs to make the above changes to meet the Category H&amp;S designation assigned to 10 CFR 35.410.</p> |
| 8             | 4035.68         | 35.590      | 2002-2  | B        | <p><b>Training for use of sealed sources for diagnosis</b></p> <p>NH regulations are not essentially identical to 35.540 as follows:</p> <p>NH needs to change the word “instruction” to the words “classroom and laboratory training” in 4035.68(b).</p> <p>NH needs to make the above change to meet the Compatibility Category B designation assigned to 10 CFR 35.590.</p>  |
| 9             | 4035.55 (a)-(e) | 35.642      | 2002-2  | H&S      | <p><b>Periodic spot-checks for teletherapy units</b></p> <p>NH regulations do not contain the essential health and safety objectives of 35.642 as follows:</p> <ul style="list-style-type: none"> <li>a) NH needs to add the word “written” between “...in accordance with” and “procedures</li> </ul>  |



| STATE SECTION |                    | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|---------------|--------------------|-------------|---------|----------|---|
|               |                    |             |         |          | <p>established by..." to 4035.55(b).</p> <p><b>The above comment stands from NRC letter dated March 28, 2013/ML13035A121.</b></p> <p>b) NH needs to add parentheses around the words "restriction of source housing angulation or elevation, carriage or stand travel and operation of the beam on-off mechanism" in 4035.55(d)(2),</p> <p>c) NH needs to replace the word "malfunctions" with "indicates the malfunction of any system" in 4035(e)</p> <p>NH needs to make the above changes to meet the Category H&amp;S designation assigned to 10 CFR 35.642.</p>                               |
| 10            | 4035.55<br>(p)-(u) | 35.645      | 2002-2  | H&S      | <p><b>Periodic spot-checks for gamma stereotactic radiosurgery units</b></p> <p>NH regulations do not contain the essential health and safety objectives of 35.645 as follows:</p> <p>a) In 4035.55(r), NH needs to replace "He-P 4035.55(o)(1)" with "He-P 4035.55(p)(1)."</p> <p>b) In 4035.55(s), NH needs to add the requirement for spot checks to ensure proper operation of radiation monitors used to indicate room exposures to the list of spot checks in this section.</p> <p>NH needs to make the above changes to meet the Category H&amp;S designation assigned to 10 CFR 35.645.</p> |

| STATE SECTION |                      | NRC SECTION | RATS ID | CATEGORY | SUBJECT and COMMENTS   |
|---------------|----------------------|-------------|---------|----------|--|
| 11            | 4035.56<br>(a) & (b) | 35.652      | 2002-2  | H&S      | <p><b>Radiation surveys</b></p> <p>NH regulations do not contain the essential health and safety objectives of 35.652 as follows:</p> <p>In 4035.56(b), NH needs to add the words “the unit or” between “...compromise the radiation safety of” and “the source(s).”</p> <p>NH needs to make the above change to meet the Category H&amp;S designation assigned to 10 CFR 35.652.</p>                              |
| 12            | 4035.14              | 35.3045     | 2002-2  | C        | <p><b>Report and notification of a medical event</b></p> <p>NH omits an equivalent regulation corresponding to 10 CFR 35.3045(g)(2).</p> <p>NH needs to add the above regulation in order to meet the Compatibility Category C designation assigned to 10 CFR 35.3045.</p>   |
| 13            | 4035.38              | 35.3047     | 2002-2  | C        | <p><b>Report and notification of a dose to an embryo/fetus or a nursing child</b></p> <p>In 4035.38(a), NH needs to include the words “or radiation from byproduct material” between “...a result of an administration of byproduct material” and “to a pregnant individual...”</p> <p>NH needs to make the above change in order to meet the Compatibility Category C designation assigned to 10 CFR 35.3047.</p> |

**STATE REGULATION STATUS**

State: New Hampshire

Tracking Ticket Number: 16-41

Date: 04/18/2016

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

| RATS ID | NRC Chronology Identification  | Date Due for State Adoption | Incoming Letter | Outgoing Package | Notes  |
|---------|--|-----------------------------|-----------------|------------------|--|
| 1991-1  | Safety Requirements for Radiographic Equipment<br>Part 34<br>55 FR 843<br>( <b>Superceded by 1997-5</b> )  | 01/10/1994                  | Final           | No Comments      | New Hampshire has adopted Final Regulations equivalent to RATS ID: 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     | New Hampshire has adopted Final Regulations equivalent to RATS ID: 1997-5.             |
| 1991-3  | Standards for Protection Against Radiation<br>Part 20<br>56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183 | 01/01/1994                  | Final           | No Comments      |  |
| 1991-4  | Notification of Incidents<br>Parts 20, 30, 31, 34, 39, 40 and 70<br>56 FR 64980;   | 10/15/1994                  | Final           | No Comments      |  |
| 1992-1  | Quality Management Program and Misadministrations<br>Part 35<br>56 FR 34104<br>( <b>Superceded by 2002-2</b> )                                     | 01/27/1995                  | Final           | No Comments      | New Hampshire has not yet adopted Final Regulations equivalent to RATS ID: 2002-2.     |
| 1992-2  | Eliminating the Recordkeeping Requirements 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. |

| <b>RATS ID</b> | <b>NRC Chronology Identification</b>   | <b>Date Due for State Adoption</b> | <b>Incoming Letter</b>      | <b>Outgoing Package</b>                  | <b>Notes</b>  |
|----------------|--|------------------------------------|-----------------------------|--|---|
| 1993-1         | Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]<br>Parts 30 and 40<br>58 FR 39628            | 10/25/1996                         | Final                       | No Comments                              |   |
| 1993-2         | Licensing and Radiation Safety Requirements for Irradiators<br>Part 36<br>58 FR 7715   | 07/01/1996                         | Final<br>ML092710010        | No Comments<br>10/23/2009<br>ML092800057 |   |
| 1993-3         | Definition of Land Disposal and Waste Site QA Program<br>Part 61<br>58 FR 33886  | 07/22/1996                         | Not Applicable <sup>i</sup> | Not Applicable                           | New Hampshire does not have any licensees subject to these regulations. (See SECY-95-112) |
| 1994-1         | Self-Guarantee as an Additional Financial Mechanism<br>Parts 30, 40 and 70<br>58 FR 68726; 59 FR 1618  | none                               | Not Required                | Not Required                             | These regulation changes are not required to be adopted for purposes of Compatibility.    |
| 1994-2         | Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards<br>Part 40<br>59 FR 28220  | 07/01/1997                         | Not Applicable              | Not Applicable                           | New Hampshire does not have the authority to regulate this material under its Agreement.  |
| 1994-3         | Timeliness in Decommissioning Material Facilities<br>Parts 30, 40 and 70<br>59 FR 36026  | 08/15/1997                         | Final<br>ML061990609        | No Comments<br>08/10/2006<br>ML062220004 |   |
| 1995-1         | Preparation, Transfer for Commercial Distribution, 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>02/1999                   |   |

| <b>RATS ID</b> | <b>NRC Chronology Identification</b>  | <b>Date Due for State Adoption</b> | <b>Incoming Letter</b> | <b>Outgoing Package</b> | <b>Notes</b>   |
|----------------|---|------------------------------------|------------------------|-------------------------|--|
| 1995-2         | Frequency of Medical Examinations for Use of Respiratory Protection Equipment<br>Part 20<br>60 FR 7900                                      | 03/13/1998                         | Final                  | No Comments<br>08/1998  |  |
| 1995-3         | Low-Level Waste Shipment Manifest Information and Reporting<br>Parts 20 and 61<br>60 FR 15649; 60 FR 25983                                  | 03/01/1998                         | Final                  | No Comments<br>08/1998  |  |
| 1995-4         | Performance Requirements for Radiography Equipment<br>Part 34<br>60 FR 28323<br><b>(Superceded by 1997-5)</b>                               | 06/30/1998                         | Final                  | No Comments             | New Hampshire has adopted Final Regulations equivalent to RATS ID: 1997-5.                     |
| 1995-5         | Radiation Protection Requirements: Amended Definitions and Criteria<br>Parts 19 and 20<br>60 FR 36038                                       | 08/14/1998                         | Final                  | No Comments             |  |
| 1995-6         | Clarification of Decommissioning Funding Requirements<br>Parts 30, 40 and 70<br>60 FR 38235   | 11/24/1998                         | Final                  | No Comments             |  |
| 1995-7         | Medical Administration of Radiation and Radioactive Materials<br>Parts 20 and 35<br>60 FR 48623<br><b>(Superceded by 2002-2 and 2005-2)</b> | 10/20/1998                         | Final                  | No Comments             | New Hampshire has not yet adopted Final Regulations equivalent to RATS IDs: 2002-2 and 2005-2. |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter      | Outgoing Package                         | Notes  |
|---------|---|-----------------------------|----------------------|--|--|
| 1996-1  | Compatibility with the International Atomic Energy Agency<br>Part 71<br>60 FR 50248; 61 FR 28724<br><b>(Superceded by 2004-1)</b>         | 04/01/1999                  | Final                | No Comments                              | New Hampshire has not yet adopted Final Regulations equivalent to RATS IDs: 2004-1.    |
| 1996-2  | One Time Extension of Certain Byproduct, Source 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: Record keeping Requirements<br>Parts 20, 30, 40, 61 and 70<br>61 FR 24669                 | 06/17/1999                  | Final<br>ML061990609 | No Comments<br>08/10/2006<br>ML062220004 |  |
| 1997-1  | Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act<br>Part 20<br>61 FR 65120                     | 01/9/2000                   | Final<br>ML061990609 | No Comments<br>08/10/2006<br>ML062220004 |  |
| 1997-2  | Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State<br>Part 150<br>62 FR 1662 | 02/27/2000                  | Final<br>ML061990609 | No Comments<br>08/10/2006<br>ML062220004 |  |

| RATS ID | NRC Chronology Identification  | Date Due for State Adoption | Incoming Letter  | Outgoing Package  | Notes   |
|---------|--|-----------------------------|--|---|---|
| *1997-3 | Criteria for the Release of Individuals Administered Radioactive Material<br>Parts 20 and 35<br>62 FR 4120   | 05/29/2000                  | R <sup>2</sup><br>ML12171A302<br><br>License Condition<br>ML12171A302<br><br>Proposed<br>ML12341A216<br><br>Final<br>ML16035A295 | No Comments<br>07/24/2012<br>ML12200A082<br><br>No Comments<br>07/24/2012<br>ML12200A082<br><br>Comments<br>03/28/2013<br>ML13035A121<br><br>No Comments<br>04/18/2016<br>ML16035A164 | Part 35 only  |
| 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 Safety Requirements for Industrial Radiography Operations<br>Parts 30, 34, 71 and 150<br>62 FR 28947 | 06/27/2000                  | Final  | No Comments   |   |
| 1997-6  | Radiological Criteria for License Termination<br>Parts 20, 30, 40 and 70<br>62 FR 39057  | 08/20/2000                  | Final<br>ML061990609   | No Comments<br>08/10/2006<br>ML062220004  |   |
| 1997-7  | Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea<br>Part 30<br>62 FR 63634                                       | 01/02/2001                  | Final  | No Comments   |   |

| RATS ID | NRC Chronology Identification  | Date Due for State Adoption | Incoming Letter  | Outgoing Package  | Notes   |
|---------|--|-----------------------------|--|---|---|
| 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>ML061990609   | No Comments<br>08/10/2006<br>ML062220004  |   |
| 1998-2  | Self-Guarantee of Decommissioning Funding by 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 required to be adopted for purposes of Compatibility. (See STP-98-074) |
| 1998-4  | Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations<br>Part 34<br>63 FR 37059 | 07/09/2001                  | Final<br>ML073040535<br><br>License Condition<br>ML082660012 | Comments<br>11/20/2007<br>ML073240267<br><br>No Comments<br>10/07/2008<br>ML082730093 |   |
| 1998-5  | Minor Corrections, Clarifying Changes, and a Minor Policy Change<br>Parts 20, 32, 35, 36 and 39<br>63 FR 39477; 63 FR 45393            | 10/26/2001                  | Final<br>ML061990609   | No Comments<br>08/10/2006<br>ML062220004  |   |
| 1998-6  | Transfer for Disposal and Manifests: Minor Technical Conforming Amendment<br>Part 20<br>63 FR 50127                                    | 11/20/2001                  | Final<br>ML061990609   | No Comments<br>08/10/2006<br>ML062220004  |   |



| <b>RATS ID</b> | <b>NRC Chronology Identification</b>   | <b>Date Due for State Adoption</b> | <b>Incoming Letter</b>                          | <b>Outgoing Package</b>                  | <b>Notes</b>   |
|----------------|--|------------------------------------|---|--|--|
| 1999-1         | Radiological Criteria for License Termination of Uranium Recovery Facilities<br>Part 40<br>64 FR 17506   | 06/11/2002                         | Not Applicable                                  | Not Applicable                           | New Hampshire does not have authority to regulate this material under its Agreement.   |
| 1999-2         | Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to 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 Internal Exposure<br>Part 20<br>64 FR 54543; 64 FR 55524   | 02/02/2003                         | Final<br>ML061990609                            | No Comments<br>08/10/2006<br>ML062220004 |  |
| 2000-1         | Energy Compensation Sources for Well Logging and Other Regulatory Clarifications<br>Part 39<br>65 FR 20337   | 05/17/2003                         | Final<br>ML042720491<br>ML042660535             | No Comments<br>10/25/2004<br>ML043010014 |  |
| 2000-2         | New Dosimetry Technology<br>Parts 34, 36 and 39<br>65 FR 63750   | 01/08/2004                         | License Condition<br>ML042720491<br>ML042660535 | No Comments<br>10/25/2004<br>ML043010014 |  |
| 2001-1         | Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material<br>Parts 30, 31 and 32<br>65 FR 79162                     | 02/16/2004                         | R <sup>2</sup><br>ML 14093A273                  | Comments<br>07/24/2014<br>ML14093A168    |  |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter  | Outgoing Package  | Notes                              |
|---------|---|-----------------------------|--|---|------------------------------------|
| 2002-1  | Revision of the Skin Dose Limit<br>Part 20<br>67 FR 16298   | 04/05/2005                  | Final<br>ML061990609   | No Comments<br>08/10/2006<br>ML062220004  |                                    |
| *2002-2 | Medical Use of Byproduct Material<br>Parts 20, 32 and 35<br>67 FR 20249   | 10/24/2005                  | Proposed<br>ML12341A216<br><br>Proposed<br>ML14093A273<br><br>Final<br>ML16035A295 | Comments<br>03/28/2013<br>ML13035A121<br><br>Comments<br>07/24/2014<br>ML14093A168<br><br>Comments<br>04/18/2016<br>ML16035A164 | Part 35 only<br><br>Part 20 and 32 |
| 2003-1  | Financial Assurance for Materials Licensees<br>Parts 30, 40 and 70<br>68 FR 57327   | 12/03/2006                  | License<br>Condition<br>ML083390515  | No Comments<br>12/19/2008<br>ML083460317  |                                    |
| 2004-1  | Compatibility With IAEA Transportation Safety<br>Standards and Other Transportation Safety<br>Amendments<br>Part 71<br>69 FR 3697 | 10/01/2007                  | License<br>Condition<br>ML083390515<br><br>Proposed<br>ML092600622                 | No Comments<br>12/19/2008<br>ML083460317<br><br>Comments<br>11/20/2009<br>ML092960157   |                                    |
| 2005-1  | Security Requirements for Portable Gauges<br>Containing Byproduct Material<br>Part 30<br>70 FR 2001                               | 07/11/2008                  | License<br>Condition<br>ML073040537  | No Comments<br>11/26/2007<br>ML073300061  |                                    |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter   | Outgoing Package  | Notes                      |
|---------|---|-----------------------------|---|---|----------------------------|
| 2005-2  | Medical Use of Byproduct Material - Recognition of Specialty Boards<br>Part 35<br>70 FR 16336; 71 FR 1926                   | 04/29/2008                  | Proposed<br>ML12341A216   | Comments<br>03/28/2013<br>ML13035A121   | Part 35 only               |
| 2005-3  | Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090)<br>70 FR 72128                            | 12/01/2005                  | License Condition<br>ML053190108                                | No Comments<br>11/17/2005<br>ML053220519  |                            |
| 2006-1  | Minor Amendments<br>Parts 20, 30, 32, 35, 40 and 70<br>71 FR 15005  | 03/27/2009                  | Proposed<br>ML12341A216   | Comments<br>03/28/2013<br>ML13035A121   | Part 35 only               |
|         |   |                             | Proposed<br>ML14093A273   | Comments<br>07/24/2014<br>ML14093A168   | Parts 20, 30, 32, 40, & 70 |
| 2006-2  | National Source Tracking System - Serialization Requirements<br>Part 32 with reference to Part 20 Appendix E<br>71 FR 65685 | 02/06/2007                  | License Condition<br>ML092860062                                | No Comments<br>11/03/2009<br>ML092870528  |                            |
|         |   |                             | Proposed<br>ML14093A273   | No Comments<br>07/24/2014<br>ML14093A168  |                            |
| 2006-3  | National Source Tracking System<br>Part 20<br>71 FR 65685, 72 FR 59162  | 01/31/2009                  | License Condition<br>ML083370040<br><br>Proposed<br>ML14093A273 | No Comments<br>12/17/2008<br>ML083390033<br><br>Comments<br>07/24/2014<br>ML14093A168 |                            |

| RATS ID | NRC Chronology Identification  | Date Due for State Adoption | Incoming Letter  | Outgoing Package   | Notes   |
|---------|--|-----------------------------|--|--|---|
| 2007-1  | Medical Use of Byproduct Material - Minor Corrections and Clarifications<br>Parts 32 and 35<br>72 FR 45147, 54207  | 10/29/2010                  | Proposed<br>ML12341A216<br><br>Proposed<br>ML14093A273 | Comments<br>03/28/2013<br>ML13035A121<br><br>Comments<br>07/24/2014<br>ML14093A168 | Part 35<br><br>Part 32                                  |
| 2007-2  | Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements<br>Parts 30, 31, 32 and 150<br>72 FR 58473                   | 12/17/2010                  | Proposed<br>ML14093A273                                | Comments<br>07/24/2014<br>ML14093A168  |   |
| 2007-3  | Requirements for Expanded Definition of Byproduct Material<br>Parts 20, 30, 31, 32, 33, 35, 61 and 150<br>72 FR 55864  | 11/30/2010                  | Proposed<br>ML12341A216<br><br>Proposed<br>ML14093A273 | Comments<br>03/28/2013<br>ML13035A121<br><br>Comments<br>07/24/2014<br>ML14093A168 | Part 35 only<br><br>Parts 20, 30, 31, 32, 33, 61, & 150 |
| 2007-4  | Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material<br>NRC Order EA-07-305<br>72 FR 70901 | 06/05/2008                  | License Condition<br>ML081270603<br>ML081350723        | No Comments<br>05/14/2008<br>ML081350459   |   |
| 2008-1  | Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent<br>Parts 19 and 20<br>72 FR 68043  | 02/15/2011                  | Proposed<br>ML14093A273                                | No Comments<br>07/24/2014<br>ML14093A168   |   |

| <b>RATS ID</b> | <b>NRC Chronology Identification</b>   | <b>Date Due for State Adoption</b> | <b>Incoming Letter</b>  | <b>Outgoing Package</b>                  | <b>Notes</b>  |
|----------------|--|------------------------------------|-------------------------|--|---|
| 2009-1         | Medical Use of Byproduct Material – Authorized User Clarification<br>Part 35<br>74 FR 33901                                  | 09/28/2012                         | Proposed<br>ML12341A216 | Comments<br>03/28/2013<br>ML13035A121    | Part 35 only  |
| 2011-1         | Decommissioning Planning<br>Parts 20, 30, 40 and 70<br>76 FR 35512   | 12/17/2015                         | Proposed<br>ML14093A273 | No Comments<br>07/24/2014<br>ML14093A168 | Parts 20, 30, 40, 70  |
| 2011-2         | Licenses, Certifications, and Approvals for Materials Licensees<br>Parts 30, 36, 39, 40, 70 and 150<br>76 FR 56951           | 11/14/2014                         | Proposed<br>ML14325A633 | Comments<br>12/31/2014<br>ML14342A832    |   |
| 2012-1         | Change of Compatibility of<br>10 CFR 31.5 and 31.6<br>(See RATS ID: 2001-1 for Rule text)<br>77 FR 3640                      | 01/25/2015                         | Proposed<br>ML14093A273 | Comments<br>07/24/2014<br>ML14093A168    |   |
| 2012-2         | Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste<br>Part 71<br>77 FR 34194 | 08/10/2015                         | Proposed<br>ML15042A534 | Comments<br>03/10/2015<br>ML15042A264    | Note: NH incorporated Part 71 by reference. Comments were related to provisions that were not part of the RATS ID |
| 2012-3         | Technical Corrections<br>Parts 30, 34, 40 and 71<br>77 FR 39899  | 08/06/2015                         | Proposed<br>ML15099A764 | No Comments<br>05/13/2015<br>ML15099A761 |   |
| 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>ML15133A476 | Comments<br>06/04/15<br>ML15159A989      |   |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter  | Outgoing Package  | Notes        |
|---------|---|-----------------------------|--|---|--------------|
| 2013-1  | Physical Protection of Byproduct Material, Parts 20, 30, 32, 33, 34, 35, 36, 37, 39 and 71<br>78 FR 16922   | 03/19/2016                  | Proposed<br>ML15303A132<br><br>License<br>Condition<br>ML16057A038 | Comments<br>11/30/2015<br>ML15303A124<br><br>No Comments<br>03/01/16<br>ML16057A035 | Part 37 only |
| 2013-2  | Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions<br>Parts 30, 40 and 70<br>78 FR 32310 | 08/27/2016                  |  |   |              |
| 2015-1  | Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments<br>Part 70<br>79 FR 57721, 80 FR 143                                 | 01/26/2018                  |  |   |              |
| 2015-2  | Safeguards Information - Modified Handling Categorization, Change for Materials Facilities<br>Parts 30, 37, 73 and 150<br>79 FR 58664, 80 FR 3865               | 01/28/2018                  |  |   |              |
| 2015-3  | Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements<br>Part 71<br>80 FR 33987 | 07/13/2018                  |  |   |              |
| 2015-4  | Miscellaneous Corrections,<br>Parts 37 and 40<br>80 FR 45841  | 09/02/2018                  |  |   |              |

| <b>RATS ID</b> | <b>NRC Chronology Identification</b>  | <b>Date Due for State Adoption</b> | <b>Incoming Letter</b> | <b>Outgoing Package</b> | <b>Notes</b> |
|----------------|---|------------------------------------|------------------------|-------------------------|--------------|
| 2015-5         | Miscellaneous Corrections,<br>Parts 19, 20, 30, 32, 37, 40, 61, 70, 71 and 150<br>80 FR 74974 | 12/31/2018                         |                        |                         |              |

---

<sup>i</sup> IMPEP Team: verify that New Hampshire does not have any licensees subject to these regulations during each review.

<sup>2</sup> R means proposed revision to a final rule