

U.S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

TN: DT-98-08

To: NRC Management Directives Custodians

Subject: Transmittal of Directive 5.9, "Adequacy and Compatibility of Agreement State Programs"

Purpose: Directive and Handbook 5.9 are being issued to establish the process NRC staff will follow to determine when a proposed or final program element is required for compatibility or health and safety, and to identify Commission program elements needed for compatibility or health and safety.

Office of Origin: Office of State Programs

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Date Approved: February 27, 1998

Volume: 5 Governmental Relations and Public Affairs

Directive: 5.9 Adequacy and Compatibility of Agreement State Programs

Availability: U.S. Government Printing Office, (202) 512-2409 or e-mail internet:amcbride@gpo.gov

Adequacy and Compatibility of Agreement State Programs

Directive 5.9

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U. S. Nuclear Regulatory Commission

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Adequacy and Compatibility of Agreement State Programs Directive 5.9

Policy (5.9-01)

It is the policy of the U.S. Nuclear Regulatory Commission to evaluate Agreement State programs established pursuant to Section 274 of the Atomic Energy Act of 1954, as amended, to ensure they are adequate to protect public health and safety and compatible with NRC's regulatory program.

Objectives (5.9-02)

- To establish the process NRC staff will follow to determine when a proposed or final Commission regulation or program element should be adopted as a legally binding requirement by an Agreement State and whether adoption is required for the purpose of compatibility or health and safety as set out in the Commission's Policy Statement on Adequacy and Compatibility of Agreement State Programs. (021)
- To identify Commission regulations and program elements that must be implemented as legally binding requirements by an Agreement State to maintain a program that is adequate to protect public health and safety and compatible with NRC's regulatory program. (022)
- To describe how NRC staff should apply provisions of the policy statement to current and future Agreement State regulations and program elements. (023)

Organizational Responsibilities and Delegations of Authority

(5.9-03)

Deputy Executive Director for Regulatory Programs (DEDR)

(031)

As delegated by the Executive Director for Operations, oversees the program to evaluate adequacy and compatibility of Agreement State programs.

Director, Office of State Programs (OSP)

(032)

- Reviews the adequacy and compatibility of Agreement State programs through the Integrated Materials Performance Evaluation Program (Management Directive 5.6, "Integrated Materials Performance Evaluation Program [IMPEP]). (a)
- Reviews, evaluates, and determines, in coordination with other NRC offices, those NRC program elements that an Agreement State should adopt for compatibility or adequacy. (b)
- Assists in the review, evaluation, and determination of those NRC regulations that an Agreement State should adopt as legally binding requirements for the purpose of compatibility or health and safety. (c)
- Coordinates the review of Agreement State regulations and program elements with other NRC offices. (d)

Office of the General Counsel (OGC)

(033)

- Assists in the review, evaluation, and determination of those NRC program elements and regulations that an Agreement State should adopt for the purpose of compatibility or health and safety. (a)
- Advises staff on findings regarding the adequacy and compatibility of Agreement State regulations and program elements. (b)

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Director, Office of Nuclear Material Safety and Safeguards (NMSS)
(034)

- Reviews, evaluates, and determines, in coordination with other NRC offices, those NRC regulations that an Agreement State should adopt as legally binding requirements for the purpose of compatibility or health and safety. (a)
- Assists in the review, evaluation, and determination of those NRC program elements that an Agreement State should adopt for the purpose of compatibility or health and safety. (b)

Director, Office for Analysis and Evaluation of Operational Data (AEOD)
(035)

Assists in the review, evaluation, and determination of those NRC program elements and regulations that an Agreement State should adopt for the purpose of compatibility or health and safety.

Regional Administrators
(036)

Assist in the review, evaluation, and determination of those NRC program elements and regulations that an Agreement State should adopt for the purpose of compatibility or health and safety.

Applicability
(5.9-04)

The policy and guidance in this directive and handbook apply to all NRC employees who are responsible for and participate in the review and evaluation of Agreement State regulatory programs or who are involved in development and promulgation of NRC regulations or program elements for byproduct, source, and special nuclear materials.

Handbook
(5.9-05)

Handbook 5.9 describes the criteria and the process that will be used to determine the compatibility and health and safety components of NRC regulations and program elements that an Agreement State should adopt for an adequate and compatible program.

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References

(5.9-06)

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Code of Federal Regulations, Title 10.

Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)."

—6.3, "The Rulemaking Process," and its handbook, NUREG/BR-0053, "NRC Regulations Handbook."

NRC "Statement of Principle and Policy for the Agreement State Program; Policy Statement on Adequacy and Compatibility of Agreement State Programs," 62 FR 46517, September 3, 1997.

Adequacy and Compatibility of Agreement State Programs

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Handbook 5.9

STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS - DIVISION OF INDUSTRIAL ACCIDENT PREVENTION AND INVESTIGATION - 1001

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Part I

Introduction

Overview (A)

The Commission's Policy Statement on Adequacy and Compatibility of Agreement State Programs sets forth the approach that the Commission will use to determine those program elements that should be adopted by an Agreement State to maintain an adequate and compatible program. This handbook describes the specific criteria and process that will be used to identify the compatibility categories of those NRC program elements that should be adopted by an Agreement State for purposes of compatibility, as well as for identifying those program elements that have a particular health and safety significance. It further describes how NRC staff is to apply the provisions of the policy statement to current and future Agreement State program elements for purposes of compatibility. However, the overall determination of adequacy and compatibility for an Agreement State is made pursuant to Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)."

Policy Statement on Adequacy and Compatibility of Agreement State Programs (B)

An Agreement State radiation control program is compatible with the Commission's regulatory program when the State program does not create conflicts, duplications, gaps, or other conditions that jeopardize an orderly pattern in the regulation of agreement material (source, byproduct, and small quantities of special nuclear material as identified by Section 274b. of the Atomic Energy Act, as amended) on a nationwide basis. Compatibility focuses primarily on the potential effects of State action or inaction either on the regulation of agreement material on a nationwide basis or on other jurisdictions. The concept of compatibility does not directly address matters of health and safety within a particular Agreement State; such matters are addressed directly under adequacy. However, many program elements for compatibility may affect public health and safety; therefore, they also

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**Policy Statement on Adequacy and Compatibility of
Agreement State Programs (B) (continued)**

may be considered program elements for adequacy. Further, basic radiation protection standards and program elements with transboundary implications, although important for health and safety within the State, should be uniform nationwide for compatibility purposes. (1)

An Agreement State radiation control program is adequate to protect public health and safety if administration of the program provides reasonable assurance of protection of public health and safety in regulating the use of agreement material. The level of protection afforded by the program elements of NRC's materials regulatory program is presumed to be that which is adequate to provide a reasonable assurance of protection of public health and safety. A subset of one of the five elements identified to help provide such reasonable assurance is legally binding requirements addressing protection of public health and safety within the State. (2)

On the basis of the policy statement, NRC program elements (including regulations) can be placed into four compatibility categories. In addition, NRC program elements also can be identified as having particular health and safety significance or as being reserved solely to the NRC. These are summarized below. (3)

Compatibility Category A (a)

NRC program elements in Category A are those that are basic radiation protection standards and scientific terms and definitions that are necessary to understand radiation protection concepts. The program elements adopted by an Agreement State should be essentially identical to those of NRC to provide uniformity in the regulation of agreement material on a nationwide basis.

Compatibility Category B (b)

NRC program elements in Category B are those that apply to activities that have direct and significant transboundary implications. An Agreement State should adopt program elements essentially identical to those of NRC.

**Policy Statement on Adequacy and Compatibility of
Agreement State Programs (B) (continued)**

Compatibility Category C (c)

NRC program elements in Category C are those that do not meet the criteria of Category A or B, but the essential objectives of which an Agreement State should adopt to avoid conflict, duplication, gaps, or other conditions that would jeopardize an orderly pattern in the regulation of agreement material on a nationwide basis. An Agreement State should adopt the essential objectives of the NRC program elements.

Compatibility Category D (d)

NRC program elements in Category D are those that do not meet any of the criteria of Category A, B, or C, above, and, thus, do not need to be adopted by Agreement States for purposes of compatibility.

Health and Safety (e)

These are NRC program elements that are not required for compatibility (i.e., Category D), but that have been identified as having a particular health and safety role (i.e., adequacy) in the regulation of agreement material within the State. Although not required for compatibility, the State should adopt program elements in this category, based on those of NRC, that embody the essential objectives of the NRC program elements because of particular health and safety considerations.

Areas of Exclusive NRC Regulatory Authority (f)

These are NRC program elements that address areas of regulation that cannot be relinquished to Agreement States pursuant to the AEA or provisions of Title 10 of the *Code of Federal Regulations*. These program elements are designated "NRC" and should not be adopted by Agreement States.

Part II

Categorization Criteria

Compatibility Category A* (A)

To be included in Category A, an NRC program element is to be generally applicable and is to be a dose limit or a related concentration or release limit or a scientific term, definition, sign, or label that is necessary to understand basic radiation protection principles (basic radiation protection standard). Basic radiation protection standards do not include constraints or other limits below the level associated with "adequate protection" that take into account permissible balancing considerations, such as economic cost, and other factors. (1)

Examples include, but are not necessarily limited to: (2)

- Public dose limits (e.g., 10 CFR 20.1301) plus any regulation that relates directly to these dose limits (a)
- Concentration and release limits (b)
- Occupational dose limits (e.g., 10 CFR 20.1201) plus any regulation that directly relates to these dose limits (c)
- Dose limits in 10 CFR 61.41 (d)
- Radiation symbol (e)
- Caution signs and labels (f)
- Scientific terms (e.g., conventional and Systeme Internationale units, definitions of types of radioactive material) (g)
- Definitions needed for common understanding (e.g., restricted area, year, stochastic) (h)

* Many program elements for compatibility may affect public health and safety; therefore, they also may be considered program elements for adequacy.

Compatibility Category B* (B)

To be included in Category B, an NRC program element is to be one that applies to activities that have direct and significant effects in multiple jurisdictions. (1)

Examples include, but are not necessarily limited to: (2)

- Transportation requirements (e.g., low level radioactive waste manifests, packaging requirements) (a)
- Requirements for approval of products that are distributed nationwide (e.g., sealed sources and devices) (b)
- Definitions of products (e.g., sources and devices) that licensees routinely transport in multiple jurisdictions (c)
- Content and format of sealed source and device registration certificates. (d)

Compatibility Category C* (C)

To be included in Category C, an NRC program element is to be one, the essential objective(s) of which an Agreement State should adopt to avoid conflicts, duplications, or gaps in the regulation of agreement material on a nationwide basis and that, if not adopted, would result in an undesirable consequence. Definitions of "conflict," "duplication," and "gap" are included in the Glossary of this handbook. (1)

Examples of undesirable consequences include, but are not necessarily limited to: (2)

- Exposure to an individual in a different jurisdiction in excess of the basic radiation protection standards established for compatibility in Category A (a)
- Undue burden on interstate commerce (e.g., additional record-keeping or training requirements) (b)
- Preclusion of an effective review or evaluation by the Commission and Agreement State programs for agreement material with respect to protection of public health and safety (c)
- Preclusion of a practice in the national interest (d)

* Many program elements for compatibility may affect public health and safety; therefore, they also may be considered program elements for adequacy.

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Compatibility Category C* (C) (continued)

- Absence or impairment of effective communication (e)
- Lack of minimum level of safety for agreement material—containing products distributed nationwide (f)
- Disruption of the regulation of agreement material on a nationwide basis (g)

Examples of program elements in this category include, but are not necessarily limited to: (3)

- Reports of lost or stolen agreement material or mis-administrations (a)
- Radiation surveys for industrial radiographers and well loggers (b)
- Documents and records required at temporary job sites (c)

Compatibility Category D (D)

NRC program elements that do not meet any of the criteria of Category A, B, or C, above, are Category D and are not required for compatibility purposes.

Health and Safety (E)

An NRC program element that is not required for compatibility and could result directly (i.e., two or fewer failures**) in an exposure to an individual in excess of the basic radiation protection standards in Category A if its essential objectives were not adopted by an Agreement State is identified as having particular health and safety significance. (1)

Examples of such program elements include, but are not necessarily limited to: (2)

- Requirement for irradiator interlocks (a)
- Safety checks for medical teletherapy facilities (b)

* Many program elements for compatibility may affect public health and safety; therefore, they also may be considered program elements for adequacy.

** The concept embodied by "two or fewer failures" is that if the essential objectives of the program element were not adopted and implemented, then an event could occur that would not have taken place were the essential objectives adopted. This alone, or in conjunction with, at most, one other event, could result in exposure of an individual in excess of limits set by basic radiation protection standards.

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Health and Safety (E) (continued)

- Package opening procedures. (c)

**Exclusive NRC Regulatory
Authority (F)**

The NRC program elements in this category are those that relate directly to areas of regulation reserved to the NRC by the AEA or the provisions of Title 10 of the *Code of Federal Regulations*. (1)

Examples include, but are not necessarily limited to: (2)

- Issuance of licenses for production and utilization facilities (a)
- Regulation of activities in federal offshore waters (b)
- Issuance of licenses for distribution to exempt persons (c)

Although an Agreement State may not adopt program elements reserved to NRC, it may wish to inform its licensees of certain requirements via a mechanism that is consistent with the particular State's administrative procedure laws, but does not confer regulatory authority on the State. (3)

Examples include, but are not necessarily limited to: (4)

- Agreement State licensee submission to the Commission of nuclear material transfer reports pursuant to 10 CFR 150.16 (a)
- Agreement State licensee compliance with safeguards agreement between the United States and the International Atomic Energy Agency pursuant to 10 CFR 150.17a and 10 CFR Part 75 (b)
- Agreement State licensee submission to the Commission of tritium reports pursuant to 10 CFR 150.19 (c)

Part III

Categorization Process for NRC Program Elements

The protocol to be used to assign a compatibility category to NRC program elements or to identify a program element as having particular health and safety significance is diagrammed in the flow chart in the exhibit of this handbook. The basis of the flow chart is a series of questions that are listed below. Each program element is tested by asking the series of questions below in the order given. The answers to these questions determine the compatibility category for each NRC program element or identify it as having particular health and safety significance.

Question (1)—Do the essential objectives of the program element address a regulatory area reserved solely to the authority of the NRC? If the response to the question is “yes”, the compatibility category is “NRC.” If the response to the question is “no,” then proceed to Question (2). (A)

Question (2)—Do the essential objectives of the program element address or define a basic radiation protection standard as defined by the Policy Statement or is it a definition, term, sign, or symbol needed for a common understanding of radiation protection principles? If the response to this question is “yes”, the compatibility category is “A.” If the response to the question is “no”, then proceed to Question (3). (B)

Question (3)—Do the essential objectives of the program element address or define an issue that has a significant, direct transboundary implication? If the response to this question is “yes”, the compatibility category is “B.” If the response to the question is “no”, then proceed to Question (4). (C)

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Question (4)—Would the absence of the essential objectives of the program element from an Agreement State program create a conflict or gap? If the response to this question is “yes”, the compatibility category is “C”. If the response to the question is “no”, then the compatibility category is “D” and proceed to Question (5) to determine whether the program element should be identified as having particular health and safety significance. (D)

Question (5)—Would the absence of the essential objectives of the program element from an agreement state program create a situation that could directly result in exposure to an individual in excess of the basic radiation protection standards found in compatibility category A? If the response to this question is “yes”, the program element is not required for purposes of compatibility, but is identified as having particular health and safety significance. (E)

Part IV

Applicability to NRC Program Elements

Current NRC Program Elements (A)

The compatibility category and identification of particular health and safety significance for current Commission program elements that are applicable to the regulation of agreement materials are found in the Office of State Programs (OSP) Internal Procedure B.7 (Revision 1), "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements." This procedure will be updated periodically as final rules are published.

Future NRC Regulations and Other Program Elements (B)

The compatibility category or identification of particular health and safety significance of a proposed rule is to be suggested at the time the rulemaking plan is formulated and is to be coordinated with the Agreement States according to Management Directive 6.3, "The Rulemaking Process." Staff are to use this handbook to determine the compatibility category or to identify particular health and safety significance for each draft rulemaking plan. OSP Internal Procedure B.7 will be revised to incorporate the results of these determinations after the final rule or program element is adopted.

Part V

Applicability to Agreement State Program Elements

Current Agreement State Program Elements (A)

Regulations (1)

NRC regulations that had not been required for compatibility according to the Office of State Programs (OSP) Internal Procedure B.7, "Criteria for Compatibility Determinations," but, pursuant to the Policy Statement on Adequacy and Compatibility of Agreement State Programs, are included in compatibility Categories A, B, or C or are identified as having health and safety significance should be adopted by the States with an effective date within 3 years of the effective date of the policy statement and implementing procedures. (a)

NRC regulations that had been required for compatibility according to OSP Internal Procedure B.7, but will not be required under the policy statement do not require any action by the States. (b)

In addition to the foregoing, if an Agreement State's regulations had been evaluated using OSP Internal Procedure B.7 and NRC's program review procedures before the effective date of the policy statement and found: (c)

- To be compatible, then no further action is required by the State except in the special circumstance where the compatibility category now requires the State to be essentially identical (e.g., a change from Division 2 to Category B) and the State regulation is not so deemed, then the State should conform the regulation as expeditiously as possible, but not later than 3 years after the policy's effective date (i)

Current Agreement State Program Elements (A) (continued)

Regulations (1) (continued)

- To be not compatible, then the regulation deemed not compatible should be changed to conform to the policy as expeditiously as possible, but not later than 3 years after the policy's effective date (ii)
- Not to have adopted a regulation previously required for compatibility and still required by compatibility Category A, B, or C or identified as having health and safety significance, then the regulation should be adopted as expeditiously as possible, but not later than 3 years after the policy's effective date or other date set by the Commission (iii)

Program Elements (2)

Program elements other than regulations had not been identified previously for purposes of compatibility or for having health and safety significance. Such program elements now identified under the policy statement should be adopted and implemented by the States within 6 months of the effective date of the policy statement and implementing procedures. If, due to other factors, an Agreement State cannot adopt and implement such a program element within the 6-month timeframe, then the State and the Commission will agree upon a mutually acceptable timetable for adoption and implementation.

**Future Agreement State Program
Elements (B)**

General (1)

Any changes to Agreement State program elements after the effective date of the policy statement should conform to the policy and implementing procedures set out in this handbook.

Future Regulations (2)

Proposed and final Agreement State regulations for agreement materials that will be submitted to the NRC will be reviewed in accordance with guidance provided in OSP Internal Procedures, D.7, "Reviewing State Regulations," and B.7 (Revision 1), "Compatibility

**Future Agreement State Program
Elements (B) (continued)**

Future Regulations (2) (continued)

Categories and Health and Safety Identification for NRC Regulations and Other Program Elements.” Results of the evaluation will be transmitted to the State in accordance with OSP internal procedures. Note: The overall determination of the adequacy and compatibility of individual Agreement State programs will be made in accordance with Management Directive (MD) 5.6, “Integrated Materials Performance Evaluation Program (IMPEP).”

Future New or Changed Program Elements (3)

NRC staff will review the adoption and implementation of any new or revised (non-regulation) program element by an Agreement State in accordance with the review procedures set out in MD 5.6 at the time of the next regularly scheduled review.

**Evaluation of Applications for Agreement
State Status (C)**

NRC staff will apply the compatibility and health and safety categorization criteria and process in this handbook when reviewing the regulations and program elements contained in applications for Agreement State status submitted after the September 3, 1997, effective date of the policy statement.

Part VI

Additional Implementing Issues

Use of Management Directive 5.9 (A)

The overall determination of adequacy and compatibility of individual Agreement State programs will be made in accordance with Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)." However, for IMPEP reviews, the review teams will use this handbook to assess the status of the State's program elements with regard to those that should be adopted for compatibility or for health and safety reasons. Specific Agreement State regulations will be assessed as they are submitted by the State and a summary report will be provided to the IMPEP review team at the time of the State's next program review.

Essential Objectives (B)

The essential objective of each NRC program element in compatibility Category C or identified as having particular health and safety significance should be adopted by the Agreement State. The term "essential objective" is defined in the Glossary to this handbook. (1)

For those NRC program elements in compatibility Category C, adoption of the essential objective(s) by an Agreement State means that the State is compatible with regard to that program element. (2)

For those NRC program elements identified as having particular health and safety significance, adoption of the essential objective(s) by an Agreement State means that the State is providing a level of protection equivalent to NRC with respect to that program element. A State has the latitude to adopt essential objectives that are more stringent. (3)

Essentially Identical (C)

Program elements in compatibility Categories A and B adopted by Agreement States should be essentially identical. The term "essentially identical" is defined in the Glossary to this handbook. If a requirement adopted by an Agreement State differs in any significant respect from that of the NRC, the State should explain how the requirements are essentially identical. An example of a substitution that would not be considered significant would be use of the term "deterministic" in place of the term "nonstochastic." In this case, the former term is one commonly accepted in the international radiation protection community. Similarly, the use of Systeme Internationale (SI) units rather than conventional units would be deemed essentially identical. Further, the adoption by States of more recent technical information (e.g., with regard to reference man) would be viewed as being essentially identical. Finally, changes to reflect increased scope of State authority (e.g., use of the term "radioactive material" in place of the term "byproduct material") or wording needed to conform to State administrative procedures (e.g., use of State agency name in place of "Commission") would not be considered significantly different.

Legally Binding Requirements (D)

Where appropriate, Agreement States should adopt program elements in compatibility Categories A, B, and C or those identified as having particular health and safety significance and applicable to all licensees in the form of a rule or other generic legally binding requirement in a manner consistent with the State's administrative laws. The use of generic requirements will help to avoid inconsistency and confusion that may result from the imposition of individual requirements on a case-by-case basis. (1)

Further, requirements applicable to more than a few licensees also should be adopted in the form of a generic requirement. However, since the appropriate approach to such issues will depend on the types and numbers of licensees involved, the State's approach will be reviewed on a case-by-case basis. (2)

The mechanism used by the State should be legally binding on the licensee(s) and enforceable as law. Examples of such legally binding requirements may include license conditions (including licensee commitments referenced in "tie-down" conditions), orders or other mechanisms determined by the State to be legally binding and enforceable. The State has the responsibility of demonstrating that requirements adopted other than by regulation are legally binding. (3)

Timeframes for Adoption (E)

Commission regulations that should be adopted by an Agreement State for purposes of compatibility or health and safety should be adopted in a timeframe such that the effective date of the State requirement is not later than 3 years after the effective date of NRC's final rule (September 3, 1997). Certain circumstances (e.g., adoption of a basic radiation protection standard or other rule that will have significant impact on the regulation of agreement material on a nationwide basis, such as the low-level radioactive waste manifest) may warrant that the effective dates for both NRC licensees and Agreement State licensees be the same. In some cases, and with sufficient justification, health and safety considerations may warrant adoption by the States in less than the recommended 3-year (or 6-month) timeframe. (1)

Program elements, other than regulations or equivalent legally binding requirements, that have been designated as necessary for maintenance of an adequate and compatible program should be adopted and implemented by the Agreement States within 6 months of such designation by NRC. If, due to other factors, an Agreement State cannot adopt and implement such a program element within the 6-month timeframe, then the State and the Commission will agree upon a mutually acceptable timetable for adoption and implementation. (2)

Glossary

Conflict. The essential objectives of regulations or program elements are different and an undesirable consequence is likely to result in another jurisdiction or in the regulation of agreement material on a nationwide basis.

Duplication. Identical regulations or program elements apply to the same material at the same time. Note: this definition applies primarily to review of Agreement State regulations.

Essential objective (of a regulation or program element). The action that is to be achieved, modified, or prevented by implementing and following the regulation or program element. In some instances, the essential objective may be a numerical value (e.g., restriction of exposures to a maximum value) or it may be a more general goal (e.g., access control to a restricted area).

Essentially identical. The interpretation of the text must be the same regardless of the version (NRC or Agreement State) that is read.

Gap. The essential objectives of NRC regulations or program elements are absent from the Agreement State program and an undesirable consequence is likely to result in another jurisdiction or in the regulation of agreement materials on a nationwide basis.

Practice. A use, procedure, or activity associated with the application, possession, use, storage, or disposal of agreement material. The term "practice" is used in a broad and encompassing manner in the Policy Statement on Adequacy and Compatibility of Agreement State Programs. The term encompasses both general activities involving use of radioactive materials such as industrial and medical uses and specific activities within a practice such as industrial radiography and brachytherapy.

Glossary (continued)

Program element. Any component or function of a radiation control regulatory program, including regulations and/or other legally binding requirements imposed on regulated persons, that contributes to implementation of that program.

Transboundary. Across jurisdictional boundaries within the United States. It does not mean between the United States and other nations.

Exhibit Flow Chart

