

February 6, 2009

Aubrey V. Godwin, Director
Arizona Radiation Regulatory Agency
4814 South 40th Street
Phoenix, AZ 85040

Dear Mr. Godwin:

We have reviewed the Arizona license condition that was submitted to address the National Source Tracking System Part 20 received by our office on January 27, 2009. This license condition was reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) rules in 10 CFR Part 20 and the requirements of the one amendment identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the license conditions with you on February 6, 2009.

As a result of our review, we have no comments. We have determined that the Arizona license condition meets the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure [SA-200](#).

The SRS Data Sheet summarizes our knowledge of the status of other Arizona regulations and legally binding requirements, 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 FSME website: <http://nrc-stp.ornl.gov/rulemaking.htm>.

If you have any questions regarding the review results, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Kathleen Schneider, State Regulation Review Coordinator at (301) 415-2320 (kathleen.schneider@nrc.gov) or Karen Meyer at (301) 415-0113 (karen.meyer@nrc.gov).

Sincerely,

Terrence Reis, Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Enclosures:

As stated

Aubrey V. Godwin, Director
 Arizona Radiation Regulatory Agency
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 Phoenix, AZ 85040

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/RA/

Terrence Reis, Deputy Director
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| OFFICE | ASPB | | ASPB | | OGC | | ASPB:BC | | DMSSA:DD | |
| NAME | KMeyer | | KSchneider | | BJones | | Almboden | | TReis | |
| DATE | 01/ 29 /09 | | 01/ 30 /09 | | 02/ 05 /09 | | 02/ 06 /09 | | 02/ 06 /09 | |

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STATE REGULATION STATUS

State: Arizona

Tracking Ticket Number: 9-6

[1 amendment(s) reviewed is identified by a ★
at the beginning of the equivalent NRC requirement.]

Date: February 6, 2009

| RATS ID | NRC Chronology Identification | Date Due for State Adoption | Incoming Package | Outgoing Package | Notes |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------|------------------------------------------|----------------------------------------------------------------------------------------|
| 1991-1 | Safety Requirements for Radiographic Equipment Part 34 55 FR 843 (Superceded by 1997-5) | 01/10/1994 | Final ML042370896 | No Comments 11/10/2004 ML043200721 | Arizona has adopted final regulations equivalent to RATS ID 1997-5. |
| 1991-2 | ASNT Certification of Radiographers Part 34 56 FR 11504 (Superceded by 1997-5) | none | Final ML042370896 | No Comments 11/10/2004 ML043200721 | Arizona has adopted final regulations equivalent to RATS ID 1997-5. |
| 1991-3 | Standards for Protection Against Radiation Part 20 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183; | 01/01/1994 | Final | No Comments 09/22/1997 | |
| 1991-4 | Notification of Incidents Parts 20, 30, 31, 34, 39, 40, 70 56 FR 64980; | 10/15/1994 | Final ML042370896 | No Comments 11/10/2004 ML043200721 | |
| 1992-1 | Quality Management Program and Misadministrations Part 35 56 FR 34104 (Superceded by 2002-2) | 01/27/1995 | License Condition | No Comments 01/15/1999 | Arizona has not yet adopted equivalent regulations to RATS ID 2002-2. |
| 1992-2 | Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30, 35 57 FR 45566 | none | Not required | Not required | These regulation changes are not required to be adopted for purposes of Compatibility. |
| 1993-1 | Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30, 40 58 FR 39628 | 10/25/1996 | | | |
| 1993-2 | Licensing and Radiation Safety Requirements for Irradiators Part 36 | 07/01/1996 | Not Applicable ¹ | Not Applicable | Arizona does not have any licensees subject to these regulations (See SECY-95-112) |

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| | 58 FR 7715 | | | | |
| 1993-3 | Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886 | 07/22/1996 | Not Applicable ¹ | Not Applicable | Arizona does not have any licensees subject to these regulations (See SECY-95-112) |
| 1994-1 | Self-Guarantee as an Additional Financial Mechanism Parts 30, 40, 70 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 Part 40 59 FR 28220 | 07/01/1997 | Not Applicable | Not Applicable | Arizona does not have authority to regulate this material under its Agreement. |
| 1994-3 | Timeliness in Decommissioning Material Facilities Parts 30, 40, 70 59 FR 36026 | 08/15/1997 | Final ML032750051 | No Comments 11/20/2003 ML033240189 | |
| 1995-1 | Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32, 35 59 FR 61767; 59 FR 65243; 60 FR 322 | 01/01/1998 | Proposed | No Comments 01/15/1999 | |
| 1995-2 | Frequency of Medical Examinations for Use of Respiratory Protection Equipment | 03/13/1998 | | | |
| 1995-3 | Low-Level Waste Shipment Manifest Information and Reporting Parts 20, 61 60 FR 15649; 60 FR 25983 | 03/01/1998 | Proposed | Comments 10/5/2000 | |
| 1995-4 | Performance Requirements for Radiography Equipment Part 34 60 FR 28323 (Superceded by 1997-5) | 06/30/1998 | Final ML042370896 | No Comments 11/10/2004 ML043200721 | Arizona has adopted final regulations equivalent to RATS ID 1997-5. |
| 1995-5 | Radiation Protection Requirements: Amended Definitions and Criteria Parts 19, 20 60 FR 36038 | 08/14/1998 | Final ML032750051 | No Comments 11/20/2003 ML033240189 | |

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|---------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------------|------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 1995-6 | Clarification of Decommissioning Funding Requirements Parts 30, 40, 70 60 FR 38235 | 11/24/1998 | Final ML032750051 | No Comments 11/20/2003 ML033240189 | |
| 1995-7 | Medical Administration of Radiation and Radioactive Materials Parts 20, 35 60 FR 48623 (Superceded by 2002-2 and 2005-2) | 10/20/1998 | Proposed | No Comments 10/5/2000 | Arizona has not yet adopted equivalent regulations to RATS IDs 2002-2 and 2005-2. |
| 1996-1 | Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 (Superceded by 2004-1) | 04/01/1999 | Final ML042370896 | Comments 11/10/04 ML043200721 | Arizona has adopted final regulations equivalent to RATS ID 2004-1. |
| 1996-2 | One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40, 70 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 Parts 20, 30, 40, 61, 70 61 FR 24669 | 06/17/1999 | Final ML032750051 | No Comments 11/20/2003 ML033240189 | |
| 1997-1 | Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120 | 01/9/2000 | Final ML032750051 | No Comments 11/20/2003 ML033240189 | |
| 1997-2 | Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662 | 02/27/2000 | Final ML042370896 | No Comments 11/10/2004 ML043200721 | |
| 1997-3 | Criteria for the Release of Individuals Administered Radioactive Material Parts 20, 35 62 FR 4120 | 05/29/2000 | Proposed | No Comments 01/15/1999 | |
| 1997-4 | Fissile Material Shipments and Exemptions Part 71 62 FR 5907 (Superceded by 2004-1) | 02/10/2000 | Not required | Not required | These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-97-078) |

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| 1997-5 | Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71, 150 62 FR 28947 | 06/27/2000 | Final ML042180385 | No Comments 11/10/2004 ML043200721 | |
| 1997-6 | Radiological Criteria for License Termination Parts 20, 30, 40, 70 62 FR 39057 | 08/20/2000 | Final ML032930364 | No Comments 11/06/2003 ML033160544 | |
| 1997-7 | Exempt Distribution of a Radioactive Drug Containing One Micro curie of Carbon-14 Urea Part 30 62 FR 63634 | 01/02/2001 | Final ML032930364 | No Comments 11/06/2003 ML033160544 | |
| 1998-1 | Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71, | 02/12/2001 | Final ML042370896 | No Comments 11/10/2004 ML043200721 | |
| 1998-2 | Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40, 70 63 FR 29535 | 07/01/2001 | Not required | Not required | These regulations are not required to be adopted for purposes of Compatibility. |
| 1998-3 | License Term for Medical Use Licenses Part 35 63 FR 31604 (Superceded by 2002-2) | 07/10/2001 | Not required | Not required | These regulations 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 Part 34 63 FR 37059 | 07/09/2001 | Final ML042370896 | No Comments 11/10/2004 ML043200721 | |
| 1998-5 | Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 35, 36 63 FR 39477; 63 FR 45393 | 10/26/2001 | Final ML032750051 | No Comments 11/20/2003 ML033240189 | |
| 1998-6 | Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127 | 11/20/2001 | Final ML032750051 | No Comments 11/20/2003 ML033240189 | |

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| 1999-1 | Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506 | 06/11/2002 | Not Required | Not Required | These regulations are not required to be adopted for purposes of Compatibility. |
| 1999-2 | Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information Part 31 64 FR 42269 | 10/04/2002 | Not Required | Not Required | These regulations are not required to be adopted for purposes of Compatibility. |
| 1999-3 | Respiratory Protection and Controls to Restrict Internal Exposure Part 20 64 FR 54543; 64 FR 55524 | 02/02/2003 | Final ML032930364 | No Comments 11/06/2003 ML033160544 | |
| 2000-1 | Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337 | 05/17/2003 | Final ML032930364 | No Comments 11/06/2003 ML033160544 | |
| 2000-2 | New Dosimetry Technology Parts 34, 36, 39 65 FR 63750 | 01/08/2004 | Final ML042370896 | No Comments 11/1/2004 ML043200721 | |
| 2001-1 | Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct | 02/16/2004 | Proposed ML052940213 | Comments 11/15/2005 ML053190010 | |
| 2002-1 | Revision of the Skin Dose Limit Part 20 67 FR 16298 | 04/05/2005 | Proposed ML052940213 | No Comments 11/15/2005 ML053190010 | |
| 2002-2 | Medical Use of Byproduct Material Parts 20, 32, 35 67 FR 20249 | 10/24/2005 | Proposed ML061590060 | Comments 07/10/2006 ML061920012 | |
| 2003-1 | Financial Assurance for Materials Licensees Parts 30, 40, 70 68 FR 57327 | 12/03/2006 | Proposed ML082210401 | Comments 09/22/2008 ML082321166 | |
| 2004-1 | Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 | 10/01/2007 | Proposed ML082210401 | Comments 09/22/2008 ML082321166 | |

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| | 69 FR 3697 | | | | |
| 2005-1 | Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001 | 07/11/2008 | Proposed ML053050326 | No Comments 12/15/2005 ML053480043 | |
| 2005-2 | Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 | 04/29/2008 | | | |
| 2005-3 | Increased Controls for Risk-Significant Radioactive Sources | 12/01/2005 | License Condition ML052630048 | No Comments 09/21/2005 ML052640467 | |
| 2006-1 | Minor Amendments Parts 20, 30, 32, 35, 40 and 70 | 03/27/2009 | | | |
| 2006-2 | National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685 | 02/06/2007 | Proposed ML082210401 | Comments 09/22/2008 ML082321166 | Arizona responded on 02/16/2007 to FSME 06-110 stating that they currently had no licensees applicable to this rule ¹ . ML070460116 |
| ★2006-3 | National Source Tracking System Part 20 71 FR 65685, 72 FR 59162 | 01/31/2009 | Proposed ML082210401 License Condition ML090280174 | Comments 09/22/2008 ML082321166 No Comments 02/06/2009 ML090290338 | |
| 2007-1 | Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207 | 10/29/2010 | | | |
| 2007-2 | Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, 150 72 FR 58473 | 12/17/2010 | Proposed ML082210401 | Comments 09/22/2008 ML082321166 | |
| 2007-3 | Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61, 150 72 FR 55864 | 11/30/2010 | | | |

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| 2007-4 | Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901 | 06/05/2008 | License Condition ML081330218 | No Comments 05/28/2008 ML081490633 | |
| 2008-1 | Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19, 20 72 FR 68043 | 02/15/2011 | | | |

¹ IMPEP Team: verify that Arizona does not have any licensees subject to these regulations during each review.