

August 21, 2000

Mr. Thomas W. Ortciger, Director
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704

Dear Mr. Ortciger:

We have reviewed the final regulations in 32 Ill. Adm. Code 330, "Licensing of Radioactive Material" and 32 Ill. Adm. Code 326, "Financial Assurance Requirements," which became effective on June 1, 2000. The regulations were sent July 11, 2000. The final regulations are in response to the six amendments identified in the enclosed Regulation Assessment Tracking System (RATS) Data Sheet. The regulations were reviewed by comparison to the equivalent Nuclear Regulatory Commission (NRC) regulations in 10 CFR Parts 20, 30, 40, 61, 70 and 150. In addition, we reviewed our May 26, 2000 letter to you that addressed the proposed regulations. We also discussed our review of the regulations with Kathy Allen on August 4, 2000.

As a result of our review, we have determined that the Illinois regulations, as adopted, meet the compatibility and health and safety categories established in STP Procedure SA-200.

We have also summarized on the RATS Data Sheet our knowledge of the status of other Illinois regulations. Please let us know if you note any inaccuracies or have any comments on the information contained in the RATS Data Sheet.

If you have any questions regarding the comments, the compatibility and health categories, or any of the NRC regulations used in the review, please contact me or Jim Lynch at (630) 829-9661 or JLL2@NRC.GOV.

Sincerely,

/RA/

Frederick C. Combs, Deputy Director
Office of State and Tribal Programs

Enclosure:
As stated

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|--------|-----------|-----------|---------|---------|--|
| OFFICE | RSOA:RIII | STP | OGC | STP:DD | |
| NAME | JLynch | SNSalomon | STreby | FCombs | |
| DATE | 8/4/00 | 8/14/00 | 8/17/00 | 8/15/00 | |

STP-AG-8

REGULATION ASSESSMENT TRACKING SYSTEM
RATS DATA SHEET

State: Illinois

Tracking Ticket Number: 0-171

Date: August 21, 2000

[6 final amendments (6/1/00) identified by a ★
at the beginning of each equivalent NRC regulation.]

| NRC Chronology Identification | FR Notice (State Due Date) | RATS ID | Proposed/ Final-Comment (Y/N) ¹ | NRC Review Date | Final State Regulation ² (Effective Date) |
|---|--|---------|--|-----------------|--|
| Standards for Protection Against Radiation-Part 20 | 56 FR 23360 plus others (1/1/94) | 1991-3 | F-Y | 7/23/97 | 1/1/94 |
| Safety Requirements for Radiographic Equipment-Part 34 | 55 FR 843 (1/10/94) | 1991-1 | | | |
| ASNT Certification of Radiographers-Part 34 | 56 FR 11504 (none) | 1991-2 | | | Not required ³ |
| Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70 | 56 FR 64980 (10/15/94) | 1991-4 | | | |
| Quality Management Program and Misadministrations-Part 35 | 56 FR 34104 (1/27/95) | 1992-1 | | | |
| Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions-Parts 30,35 | 57 FR 45566 (none) | 1992-2 | | | Not required ³ |
| Licensing and Radiation Safety Requirements for Irradiators-Part 36 | 58 FR 7715 (7/1/96) | 1993-2 | | | Not applicable SECY-95-112 ⁴ |
| Definition of Land Disposal and Waste Site QA Program-Part 61 | 58 FR 33886 (7/22/96) | 1993-3 | | | Not applicable SECY-95-112 ⁴ |
| *Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40 | 58 FR 39628 (10/25/96) | 1993-1 | F-N | 8/21/00 | 6/1/00 |
| *Self-Guarantee as an Additional Financial Mechanism- Parts 30, 40, 70 | 58 FR 68726 59 FR 1618 (none) | 1994-1 | F-N | 8/21/00 | 6/1/00 Not required ³ |
| Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards-Part 40 | 59 FR 28220 (7/1/97) | 1994-2 | | | |
| *Timeliness in Decommissioning Material Facilities-Parts 30, 40, 70 | 59 FR 36026 (8/15/97) | 1994-3 | F-N | 8/21/00 | 6/1/00 |
| 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 (1/1/98) | 1995-1 | | | |
| Frequency of Medical Examinations for Use of Respiratory Protection Equipment-Part 20 | 60 FR 7900 (3/13/98) | 1995-2 | | | |

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|---|--|------------|--|-----------------------|---|
| Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61 | 60 FR 15649 60 FR 25983 (3/1/98) | 1995-3 | | | |
| Performance Requirements for Radiography Equipment- Part 34 | 60 FR 28323 (6/30/98) | 1995-4 | | | |
| Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20 | 60 FR 36038 (8/14/98) | 1995-5 | P-Y | 11/24/99 | |
| Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70 | 60 FR 38235 (11/24/98) | 1995-6 | | | |
| Medical Administration of Radiation and Radioactive Materials-Parts 20, 35 | 60 FR 48623 (10/20/98) | 1995-7 | | | |
| 10 CFR Part 71: Compatibility with the International Atomic Energy Agency-Part 71 | 60 FR 50248 61 FR 28723 (4/1/99) | 1996-1 | | | |
| One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses-Parts 30, 40, 70 | 61 FR 1109 (none) | 1996-2 | | | Not required ³ |
| *Termination or Transfer of Licensed Activities: Recordkeeping Requirements-Parts 20, 30, 40, 61, 70 | 61 FR 24669 (6/17/99) | 1996-3 | F-N | 8/21/00 | 6/1/00 |
| Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act-Part 20 | 61 FR 65120 (1/9/00) | 1997-1 | | | |
| Fissile Material Shipments and Exemptions-Part 71 | 62 FR 5907 (none) | 1997-4 | | | Not required ³ |
| *Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State-Part 150 | 62 FR 1662 (2/27/00) | 1997-2 | F-N | 8/21/00 | 6/1/00 |
| Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35 | 62 FR 4120 (5/29/00) | 1997-3 | | | |
| Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations-Parts 30, 34, 71, 150 | 62 FR 28948 (6/27/00) | 1997-5 | | | |
| Radiological Criteria for License Termination-Parts 20, 30, 40, 70 | 62 FR 39058 (8/20/00) | 1997-6 | | | |
| Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea-Part 30 | 62 FR 63634 (1/02/01) | 1997-7 | F-N | 5/26/00 | 7/27/98 |
| Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 150 | 63 FR 1890 63 FR 13773 (2/12/01) | 1998-1 | | | |

| NRC Chronology Identification | FR Notice (State Due Date) | RATS ID | Proposed/ Final-Comment (Y/N)¹ | NRC Review Date | Final State Regulation² (Effective Date) |
|---|---------------------------------------|----------------|--|------------------------|--|
| *Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees- Parts 30, 40, 70 | 63 FR 29535 (none) | 1998-2 | F-N | 8/21/00 | 6/1/00 Not required ³ |
| License Term for Medical Use Licenses- Part 35 | 63 FR 31604 (none) | 1998-3 | | | Not required ³ |
| Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations-Part 34 | 63 FR 37059 (7/9/01) | 1998-4 | | | |
| Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20, 35, 36 | 63 FR 39477 63 FR 45393 (10/26/01) | 1998-5 | | | |
| Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20 | 63 FR 50127 (11/20/01) | 1998-6 | | | |
| Radiological Criteria for License Termination of Uranium Recovery Facilities-Part 40 | 64 FR 17506 (6/11/02) | 1999-1 | | | |
| Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information- Part 31 | 64 FR 42269 (none) | 1999-2 | | | Not required ³ |
| Respiratory Protection and Controls to Restrict Internal Exposure - Part 20 | 64 FR 54543 64 FR 55525 (2/2/03) | 1999-3 | | | |
| Energy Compensation Sources for Well Logging and Other Regulatory Clarifications - Part 39 | 65 FR20337 (5/17/03) | 2000-1 | | | |

1. (Y/N) Y means "Yes," there are comments in the review letter that the State needs to address. N means "No," there are no comments in the review letter.
2. Or other generic Legally Binding Requirement.
3. Not required means these regulations are not required for purposes of compatibility.
4. A State need not adopt a specific regulation if the State has no licensees that would be subject to that regulation. See: "Final Policy Statement on Adequacy and Compatibility of Agreement State Programs," III.1. Time Frame for Adoption of Compatible State Regulations, p. 6, SECY-95-112, May 3, 1995.