

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Chapter I

RIN 3150-AH84

#### Expanded Definition of Byproduct Material; Notification of Waiver Termination

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of waiver termination.

**SUMMARY:** This document announces that on November 30, 2007, in accordance with Section 651(e) of the Energy Policy Act of 2005 and the provisions of the "Plan for the Transition of Regulatory Authority Resulting from the Expanded Definition of Byproduct Material" (transition plan) issued by the U.S. Nuclear Regulatory Commission (Commission or NRC) on October 19, 2007 (72 FR 59157), the Commission determined that the States listed below have a program to license byproduct material, as defined in Sections 11e.(3) and (4) of the Atomic Energy Act of 1954, as amended, that is adequate to protect the public health and safety. This determination is based on certifications provided to the Commission by Governors of these States.

Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Iowa, Illinois, Kansas, Kentucky, Louisiana, Massachusetts, Maine, Maryland, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Washington, and Wisconsin.

In accordance with Section 651(e)(4)(C)(iii) of the Energy Policy Act of 2005, the Agreements entered into between the Commission and each of these States under Section 274b. of the Atomic Energy Act of 1954, as amended, are considered to include byproduct

material as defined in Sections 11e.(3) and (4) as of October 19, 2007.

Accordingly, on November 30, 2007, the Commission terminated the time-limited waivers of the Energy Policy Act of 2005 requirements granted by the Commission (70 FR 51581; August 31, 2005) to the each of these States. Users of the newly added byproduct material currently licensed or registered by these States will continue to be subject to the State regulatory authority.

**FOR FURTHER INFORMATION CONTACT:** Kim K. Lukes, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6701 or e-mail [kxk2@nrc.gov](mailto:kxk2@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Copies of the Governors' certifications and the Commission's decision may be reviewed at the NRC Web site <http://www.nrc.gov>.

Dated at Rockville, Maryland, this 28th day of November 2007.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E7-23470 Filed 12-3-07; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 19, 20, and 50

RIN 3150-AH40

#### Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Nuclear Regulatory Commission (NRC or Commission) is amending its regulations related to the reporting of annual dose to workers, the definition of *Total Effective Dose Equivalent* (TEDE), the labeling of certain containers holding licensed material, and the determination of cumulative occupational radiation dose. This final rule limits the routine reporting of annual doses to those workers whose annual dose exceeds a specific dose threshold or who request a report. This final rule also modifies the labeling requirements for certain containers holding licensed material

within posted areas in nuclear power facilities. This final rule also amends the definition of TEDE to be consistent with current Commission policy. Finally, this rule removes the requirement that licensees attempt to obtain cumulative exposure records for workers unless these individuals are being authorized to receive a planned special exposure. These revisions reduce the administrative and information collection burdens on NRC and Agreement State licensees without affecting the level of protection for either the health and safety of workers and the public, or for the environment.

**DATES: Effective Date:** This final rule is effective on January 3, 2008.

**ADDRESSES:** Publicly available documents related to this rulemaking may be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), Room O1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The PDR reproduction contractor will copy documents for a fee.

Publicly available documents created or received at the NRC are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/NRC/reading-rm/adams.html>. From this site, the public can gain entry into the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR Reference staff at (800) 397-4209, (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Stewart Schneider, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-4123; e-mail [sxs4@nrc.gov](mailto:sxs4@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

- I. Background
- II. Discussion
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- IV. Section-by-Section Analysis of Final Revisions
- V. Agreement State Compatibility
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