



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH SERVICES

14

John A. Stephen
Commissioner

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Mary Ann Cooney
Director

DOCKETED
USNRC

September 11, 2006 (2:54pm)

September 8, 2006

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

PR 20,30,31,32,33,35,50,61,62,72,110,150,170, and 171
(71FR42952)

Secretary
US Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemaking and Adjudications Staff

SUBJECT: RIN 3150-AH84 Proposed Rule: 10 CFR Parts 20, 30, 31, 32, 33, 35, 50, 61, 62, 72, 110, 150, 170, and 171 "Requirements for Expanded Definition of Byproduct Material"

Dear Madam Secretary:

New Hampshire is in support of the Organization of Agreement States (OAS) position and comments as communicated to you in letter dated August 23, 2006, signed by Barbara L. Hamrick, Chair, OAS. We are particularly interested in using our existing definitions and language derived from *Suggested State Regulations for the Control of Radiation* (SSRs). We have been successfully regulating the material now captured under the expanded definition of byproduct material as "radioactive material" since at least 1966. Any mandated changes to these definitions would require statutory and regulatory changes having a significant impact upon our program.

Thank you in advance for your consideration.

Sincerely,

Dennis P. O'Dowd, Administrator
Radiological Health Section

Template = SECY-067

SECY-02

From: <DO'Dowd@dhhs.state.nh.us>
To: <SECY@nrc.gov>
Date: Mon, Sep 11, 2006 12:38 PM
Subject: RIN 3150-AH84 Proposed Rule: "Requirements for Expanded Definition of Byproduct Material"

Attached for your consideration is a letter dated September 8, 2006, from the state of New Hampshire, submitted in support of Organization of Agreement State letter dated August 23, 2006, relative to RIN 3150-AH84 Proposed Rule: "Requirements for Expanded Definition of Byproduct Material."

Thank you.

Dennis P. O'Dowd, Administrator
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(See attached file: Letter Supporting OAS NARM Position 20060908.doc)

CC: <jrs1@nrc.gov>, <dkr@nrc.gov>, <BHamrick@dhs.ca.gov>, <TKenna@dhhs.state.nh.us>

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Subject: RIN 3150-AH84 Proposed Rule: "Requirements for Expanded Definition of Byproduct Material"

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