



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
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September 24, 2015

Michelle R. Beardsley, Health Physicist
State Regulation Review Coordinator
U.S. Nuclear Regulatory Commission
ASPB/MSTR/NMSS
Washington, DC 20555-001

Dear Ms. Beardsley:

Attached is a copy of the proposed revisions to the North Dakota Radiological Health Rules as identified below. Because North Dakota adopts the NRC rules by reference, the attachments reflect the changes being made to those sections of the rules that have been previously adopted. The changes as tracked in the attachments correspond to the following NRC's regulations.

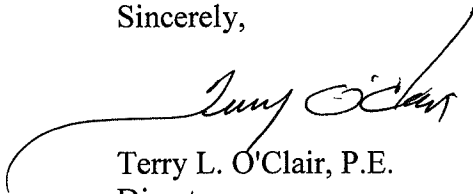
RATS ID	<u>Title</u>	<u>State Section</u>
2011-1 §20.1403	Criteria for License termination Under restricted conditions	33-10-04.2
§ 20.1404(a)	Alternate criteria for license termination	33-10-04.2
§ 20.1406(c)	Minimization of contamination	33-10-04.2
§ 20.1501(a) & (b)	General	33-10-04.2
§ 30.34(b)	Terms and conditions of licenses	33-10-03.1
§ 30.35(e)	Financial assurance and Recordkeeping for decommissioning	33-10-03.1
§ 40.36(d)	Financial assurance and Recordkeeping for decommissioning	33-10-16
§ 40.46	Inalienability of licenses	33-10-16

RATS ID	<u>Title</u>	<u>State Section</u>
Appendix A to Part 40 Criterion 9	Criteria relating to the operation of Uranium Mills.....	33-10-16
§ 70.25(e)	Financial assurance and Recordkeeping for decommissioning	33-10-17
§ 70.36	Inalienability of licenses	33-10-17

We believe adoption of these sections will satisfy the compatibility and health and safety categories established in the office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

If you have any questions, please feel free to contact me at 701-328-5188 or Dale Patrick of my staff at 701-328-5199 or dpatrik@nd.gov.

Sincerely,



Terry L. O'Clair, P.E.
Director
Division of Air Quality

TLO/DPP:saj