



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
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September 25, 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 regulations.

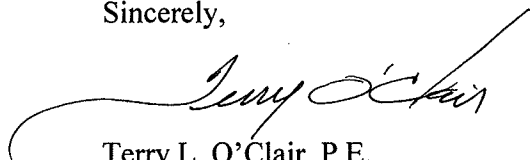
<u>RATS ID</u>		<u>Title</u>	<u>State Section</u>
2012-4	§ 30.15(a)(2)	Certain items containing byproduct Material	33-10-03.1
	§ 30.19(b)	Self-luminous products containing tritium, krypton-85, or promethium-147	33-10-03.1
	§ 30.20	Gas and aerosol detectors containing byproduct material	33-10-03.1
	§ 30.22	Certain industrial devices	33-10-03.1
	§ 30.32(g)	Application for specific licenses	33-10-03.1
	§ 31.3	Certain devices and equipment	33-10-18
	§ 32.51(a)(6)	Byproduct material contained in devices for use under § 31.5; requirements for license to manufacture, or initially transfer	33-10-20

<u>RATS ID</u>	<u>Title</u>	<u>State Section</u>
§ 32.53(b)(5), (d)(4) (e) & (f)	Luminous safety devices for use in Aircraft: Requirements for license to manufacture, assemble, repair or initially transfer	33-10-20
§ 32.55	Same: Quality assurance, prohibition of transfer	33-10-20
§ 32.56	Same: Material transfer reports	33-10-20
§ 32.57(d)(2), &(e)	Calibration or reference sources containing americium-241 or radium-226: Requirements for license to manufacture or initially transfer	33-10-20
§ 32.59	Same: Leak testing of each source	33-10-20
§ 32.61(e)(4), (f),	Ice detection devices containing strontium-90; requirements for license to manufacture or initially transfer	33-10-20
§ 32.62(c), (d), & (e)	Same: Quality assurance; prohibition of transfer	33-10-20
§ 32.74(a)(4)	Manufacture and distribution of sources or devices containing byproduct material for medical use	33-10-20
§ 32.101, 32.102, 32.103, & 32.110	These sections have been removed	33-10-20

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 dpatrick@nd.gov.

Sincerely,



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

TLO/DP:csc