



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

February 8, 2018

Terry L. O'Clair, Director  
North Dakota Department of Health  
Division of Air Quality, 2nd Floor  
918 East Divide Ave.  
Bismarck, ND 58501-1947

Dear Mr. O'Clair:

We have reviewed the final revisions to the North Dakota Radiological Health Rules in Article 33-10, received by our office on January 2, 2018. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and Regulation Amendment Tracking System Identification Numbers (RATS IDs) 2015-1, 2015-3, and 2015-5 as identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with Dale Patrick on February 6, 2018.

As a result of our review, we have four comments that have been identified in the enclosure. Please note that we have limited our review to regulations required for compatibility and/or health and safety. We have determined that if these regulations are revised, incorporating our comments and without other significant change, they would meet the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements."

We request that when you revise your regulations to address our comments, a copy of the "as published" regulations be provided to us for review. As requested in NMSS Procedure SA-201, "Review of State Regulatory Requirements," please highlight the location of any changes made by North Dakota, in response to our comments, and provide a copy to Division of Materials Safety, Security, State, and Tribal Programs, NMSS. The SRS Data Sheet summarizes our knowledge of the status of other North Dakota regulations, as indicated. Please let us know if you note any inaccuracies, or have any comments on the information contained in the SRS Data Sheet. This letter, including the SRS Data Sheet, is posted on the NMSS State Communication Portal: <https://scp.nrc.gov/rulemaking.html>.

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Michelle Beardsley, State Regulation Review Coordinator, at (267) 884-2305, ([Michelle.Beardsley@nrc.gov](mailto:Michelle.Beardsley@nrc.gov)) or Joe O'Hara at (301) 415-6854, ([Joe.OHara@nrc.gov](mailto:Joe.OHara@nrc.gov)).

Sincerely,

***/RA Paul Michalak for/***

Linda Howell, Acting Deputy Director  
Division of Materials Safety, Security, State  
and Tribal Programs  
Office of Nuclear Material Safety  
and Safeguards

Enclosures:

1. Compatibility Comments
2. North Dakota SRS Data Sheet

SUBJECT: NORTH DAKOTA FINAL REGULATIONS TO RATS IDS 2015-1, 2015-3,  
AND 2015-5

DISTRIBUTION: SP 08

DIR RF 18-15

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North Dakota File

|        |         |            |          |           |                          |
|--------|---------|------------|----------|-----------|--------------------------|
| OFFICE | ASPB    | ASPB       | OGC      | ASPB:BC   | MSTR:DD                  |
| NAME   | JOHara  | MBeardsley | JOmstead | PMichalak | PMichalak for<br>LHowell |
| DATE   | 1/24/18 | 1/24/18    | 2/5/18   | 2/8/18    | 2/8/18                   |

**ML18024B516**

**OFFICIAL RECORD COPY**

**Package ML18003B232**

## COMPATIBILITY COMMENTS ON NORTH DAKOTA FINAL REGULATIONS

| STATE SECTION |                 | NRC SECTION   | RATS ID | CATEGORY | SUBJECT and COMMENTS   |
|---------------|-----------------|---------------|---------|----------|--|
| 1             | 33-10-13.1-01   | §71.20        | N/A     | N/A      | <p><b>[Removed]</b></p> <p>North Dakota includes 10 CFR 71.20 in the list of regulations adopted by reference. This regulation has been removed.</p> <p>North Dakota needs to remove 10 CFR 71.20 from the list of regulations that are adopted by reference.</p>  |
| 2             | 33-10-13.1-01.3 | §71.101(c)(1) | 2015-3  | C        | <p><b>Quality assurance requirements</b></p> <p>Subsequent to the review of North Dakota's proposed regulations, it was discovered that the general licensee's quality assurance program (QAP) needs to be sent to North Dakota for review and approval. Therefore, North Dakota needs to delete 71.101(c)(1) from 33-10-13.1-01 paragraph 3 to designate that the QAP should go to North Dakota. Additionally, North Dakota needs to supply their contact information.</p> <p>North Dakota needs to make the changes indicated above in order to meet the Compatibility Category C designation assigned to 10 CFR 71.101(c)(1).</p> |
| 3             | 33-10-13.1-01.1 | §71.91(b)     | 2015-3  | NRC      | <p><b>Records</b></p> <p>In 33-10-13.1-01.1, North Dakota adopts 10 CFR 71.91 by reference in its entirety. However, § 71.91(b) has a Compatibility Category NRC designation and should not be adopted by reference.</p> <p>North Dakota needs to make the change indicated above in order to meet the Compatibility Category NRC designation assigned to 10 CFR 71.91(b).</p>   |
|               |                 |               |         |          |  |

| STATE SECTION |               | NRC SECTION   | RATS ID | CATEGORY | SUBJECT and COMMENTS  |
|---------------|---------------|---|---------|----------|---|
| 4             | 33-10-13.1-01 | § 71.91(c)&(d)<br>§ 71.101(a)<br>§ 71.101(b)&(c)<br>§ 71.103(a)<br>§ 71.135 | 2015-3  | C        | <p><b>Quality assurance requirements</b></p> <p><b>Quality assurance organization</b></p> <p>North Dakota needs to add a paragraph in 33.10-13.1-01 to indicate that the terms “certificate of compliance, compliance holder or applicant” apply to the NRC because the NRC is the sole authority for issuing a package’s Certificate of Compliance.</p> <p>North Dakota needs to make the change indicated above in order to meet the Compatibility Category C designation assigned to 10 CFR 71.91(c)&amp;(d), 71.101(a), 71.101(b)&amp;(c), 71.103(a), and 71.135.</p> |

**STATE REGULATION STATUS**

State: North Dakota

Tracking Ticket Number: 18-15

Date: February 8, 2018

[ # 3 amendment(s) reviewed identified by a \*at the beginning of the equivalent NRC requirement.]

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter      | Outgoing Package                         | Notes  |
|---------|---|-----------------------------|----------------------|--|--|
| 1991-1  | Safety Requirements for Radiographic Equipment<br>Part 34<br>55 FR 843<br>(Superceded by 1997-5)  | 01/10/1994                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | North Dakota adopted Final Regulations equivalent to RATS ID: 1997-5.                  |
| 1991-2  | ASNT Certification of Radiographers<br>Part 34<br>56 FR 11504<br>(Superceded by 1997-5)   | none                        | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | North Dakota adopted Final Regulations equivalent to RATS ID: 1997-5.                  |
| 1991-3  | Standards for Protection Against Radiation<br>Part 20<br>56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183; | 01/01/1994                  | Final                | No Comments<br>10/17/97                  |  |
| 1991-4  | Notification of Incidents<br>Parts 20, 30, 31, 34, 39, 40, and 70<br>56 FR 64980;   | 10/15/1994                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |  |
| 1992-1  | Quality Management Program and Misadministrations<br>Part 35<br>56 FR 34104<br>(Superceded by 2002-2)   | 01/27/1995                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | North Dakota adopted Final Regulations equivalent to RATS ID: 2002-2.                  |
| 1992-2  | Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions<br>Parts 30 and 35<br>57 FR 45566                        | none                        | Not Required         | Not Required                             | These regulation changes are not required to be adopted for purposes of Compatibility. |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter             | Outgoing Package                         | Notes  |
|---------|---|-----------------------------|-----------------------------|--|--|
| 1993-1  | Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]<br>Parts 30 and 40<br>58 FR 39628             | 10/25/1996                  | Final<br>ML031010635        | No Comments<br>04/28/2003<br>ML031220151 |  |
| 1993-2  | Licensing and Radiation Safety Requirements for Irradiators<br>Part 36<br>58 FR 7715  | 07/01/1996                  | Not Applicable <sup>i</sup> | Not Applicable                           | North Dakota does not have any licensees subject to these regulations. (See SECY-95-112) |
| 1993-3  | Definition of Land Disposal and Waste Site QA Program<br>Part 61<br>58 FR 33886   | 07/22/1996                  | Not Applicable <sup>1</sup> | Not Applicable                           | North Dakota does not have any licensees subject to these regulations. (See SECY-95-112) |
| 1994-1  | Self-Guarantee as an Additional Financial Mechanism<br>Parts 30, 40, and 70<br>58 FR 68726; 59 FR 1618  | none                        | Not Required                | Not Required                             | These regulation changes are not required to be adopted for purposes of Compatibility.   |
| 1994-2  | Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards<br>Part 40<br>59 FR 28220   | 07/01/1997                  | Not Applicable              | Not Applicable                           | North Dakota does not have authority to regulate this material under its Agreement.      |
| 1994-3  | Timeliness in Decommissioning Material Facilities<br>Parts 30, 40, and 70<br>59 FR 36026  | 08/15/1997                  | Final<br>ML031010635        | No Comments<br>04/28/2003<br>ML031220151 |  |
| 1995-1  | Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use<br>Parts 30, 32, and 35<br>59 FR 61767; 59 FR 65243; 60 FR 322 | 01/01/1998                  | Final<br>ML031010635        | No Comments<br>04/28/2003<br>ML031220151 |  |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter      | Outgoing Package                         | Notes   |
|---------|---|-----------------------------|----------------------|--|---|
| 1995-2  | Frequency of Medical Examinations for Use of Respiratory Protection Equipment<br>Part 20<br>60 FR 7900                                      | 03/13/1998                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1995-3  | Low-Level Waste Shipment Manifest Information and Reporting<br>Parts 20 and 61<br>60 FR 15649; 60 FR 25983                                  | 03/01/1998                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1995-4  | Performance Requirements for Radiography Equipment<br>Part 34<br>60 FR 28323<br><b>(Superceded by 1997-5)</b>                               | 06/30/1998                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | North Dakota has adopted Final Regulations equivalent to RATS ID: 1997-5.         |
| 1995-5  | Radiation Protection Requirements: Amended Definitions and Criteria<br>Parts 19 and 20<br>60 FR 36038                                       | 08/14/1998                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1995-6  | Clarification of Decommissioning Funding Requirements<br>Parts 30, 40, and 70<br>60 FR 38235  | 11/24/1998                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1995-7  | Medical Administration of Radiation and Radioactive Materials<br>Parts 20 and 35<br>60 FR 48623<br><b>(Superceded by 2002-2 and 2005-2)</b> | 10/20/1998                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | North Dakota has not yet adopted Final Regulations equivalent to RATS ID: 2005-2. |



| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter      | Outgoing Package                         | Notes  |
|---------|---|-----------------------------|----------------------|--|--|
| 1996-1  | Compatibility with the International Atomic Energy Agency<br>Part 71<br>60 FR 50248; 61 FR 28724<br><b>(Superceded by 2004-1)</b>         | 04/01/1999                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | North Dakota has not yet adopted Final Regulations equivalent to RATS ID: 2004-1.      |
| 1996-2  | One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses<br>Parts 30, 40, and 70<br>61 FR 1109              | 02/15/1999                  | Not Required         | Not Required                             | These regulation changes are not required to be adopted for purposes of Compatibility. |
| 1996-3  | Termination or Transfer of Licensed Activities: Recordkeeping Requirements<br>Parts 20, 30, 40, 61, and 70<br>61 FR 24669                 | 06/17/1999                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |  |
| 1997-1  | Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act<br>Part 20<br>61 FR 65120                     | 01/9/2000                   | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |  |
| 1997-2  | Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State<br>Part 150<br>62 FR 1662 | 02/27/2000                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |  |
| 1997-3  | Criteria for the Release of Individuals Administered Radioactive Material<br>Parts 20 and 35<br>62 FR 4120                                | 05/29/2000                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |  |

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|---------|---|-----------------------------|----------------------|--|---|
| 1997-4  | Fissile Material Shipments and Exemptions<br>Part 71<br>62 FR 5907<br><b>(Superceded by 2004-1)</b>   | 02/10/2000                  | Not Required         | Not Required                             | These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-97-078) |
| 1997-5  | Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations<br>Parts 30, 34, 71, and 150<br>62 FR 28947 | 06/27/2000                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1997-6  | Radiological Criteria for License Termination<br>Parts 20, 30, 40, and 70<br>62 FR 39057  | 08/20/2000                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1997-7  | Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea<br>Part 30<br>62 FR 63634   | 01/02/2001                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1998-1  | Deliberate Misconduct by Unlicensed Persons<br>Parts 30, 40, 61, 70, 71, and 150<br>63 FR 1890; 63 FR 13773   | 02/12/2001                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1998-2  | Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees<br>Parts 30, 40, and 70<br>63 FR 29535                            | 07/01/2001                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | These regulation changes are not required to be adopted for purposes of Compatibility.                  |

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|---------|--|-----------------------------|----------------------|--|---|
| 1998-3  | License Term for Medical Use Licenses<br>Part 35<br>63 FR 31604<br><b>(Superceded by 2002-2)</b>   | 07/10/2001                  | Not Required         | Not Required                             | These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-98-074) North Dakota has adopted Final Regulations equivalent to RATS ID: 2002-2. |
| 1998-4  | Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations<br>Part 34<br>63 FR 37059                 | 07/09/2001                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1998-5  | Minor Corrections, Clarifying Changes, and a Minor Policy Change<br>Parts 20, 32, 35, 36, and 39<br>63 FR 39477; 63 FR 45393                           | 10/26/2001                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1998-6  | Transfer for Disposal and Manifests: Minor Technical Conforming Amendment<br>Part 20<br>63 FR 50127  | 11/20/2001                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |   |
| 1999-1  | Radiological Criteria for License Termination of Uranium Recovery Facilities<br>Part 40<br>64 FR 17506   | 06/11/2002                  | Not Applicable       | Not Applicable                           | North Dakota does not have authority to regulate this material under its Agreement.   |
| 1999-2  | Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information<br>Part 31<br>64 FR 42269 | 10/04/2002                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 | These regulation changes are not required to be adopted for purposes of Compatibility.  |

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|---------|---|-----------------------------|----------------------|--|-------|
| 1999-3  | Respiratory Protection and Controls to Restrict Internal Exposure<br>Part 20<br>64 FR 54543; 64 FR 55524                            | 02/02/2003                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |       |
| 2000-1  | Energy Compensation Sources for Well Logging and Other Regulatory Clarifications<br>Part 39<br>65 FR 20337                          | 05/17/2003                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |       |
| 2000-2  | New Dosimetry Technology<br>Parts 34, 36, and 39<br>65 FR 63750   | 01/08/2004                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |       |
| 2001-1  | Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material<br>Parts 30, 31, and 32<br>65 FR 79162 | 02/16/2004                  | Final<br>ML031010635 | No Comments<br>08/31/2006<br>ML062410064 |       |
| 2002-1  | Revision of the Skin Dose Limit<br>Part 20<br>67 FR 16298   | 04/05/2005                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |       |
| 2002-2  | Medical Use of Byproduct Material<br>Parts 20, 32, and 35<br>67 FR 20249  | 10/24/2005                  | Final<br>ML031010635 | No Comments<br>04/28/2003<br>ML031220151 |       |
| 2003-1  | Financial Assurance for Materials Licensees<br>Parts 30, 40, and 70<br>68 FR 57327  | 12/03/2006                  | Final<br>ML110420074 | No Comments<br>03/15/2011<br>ML110590610 |       |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter  | Outgoing Package  | Notes |
|---------|---|-----------------------------|--|---|-------|
| 2004-1  | Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments<br>Part 71<br>69 FR 3697 | 10/01/2007                  | Final<br>ML110420074                                     | No Comments<br>03/15/2011<br>ML110590610  |       |
| 2005-1  | Security Requirements for Portable Gauges Containing Byproduct Material<br>Part 30<br>70 FR 2001                            | 07/11/2008                  | Final<br>ML110420074                                     | No Comments<br>03/15/2011<br>ML110590610  |       |
| 2005-2  | Medical Use of Byproduct Material - Recognition of Specialty Boards<br>Part 35<br>70 FR 16336; 71 FR 1926                   | 04/29/2008                  | Final<br>ML110420074                                     | No Comments<br>03/15/2011<br>ML110590610  |       |
| 2005-3  | Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090)<br>70 FR 72128                            | 12/01/2005                  | License Condition<br>ML052620195                         | No Comments<br>09/26/2005<br>ML052690322  |       |
| 2006-1  | Minor Amendments<br>Parts 20, 30, 32, 35, 40, and 70<br>71 FR 15005   | 03/27/2009                  | Final<br>ML110420074                                     | No Comments<br>03/15/2011<br>ML110590610  |       |
| 2006-2  | National Source Tracking System - Serialization Requirements<br>Part 32 with reference to Part 20 Appendix E<br>71 FR 65685 | 02/06/2007                  | Final<br>ML110420074<br><br>Revised Final<br>ML15237A398 | Comments<br>03/15/2011<br>ML110590610<br><br>No Comments<br>10/08/2015<br>ML15237A396 |       |

| RATS ID | NRC Chronology Identification  | Date Due for State Adoption | Incoming Letter   | Outgoing Package   | Notes |
|---------|--|-----------------------------|---|--|-------|
| 2006-3  | National Source Tracking System<br>Part 20<br>71 FR 65685, 72 FR 59162   | 01/31/2009                  | Final<br>ML110420074<br><br>License<br>Condition<br>ML083430028 | No Comments<br>03/15/2011<br>ML110590610<br><br>No Comments<br>12/18/2008<br>ML083440096 |       |
| 2007-1  | Medical Use of Byproduct Material - Minor<br>Corrections and Clarifications<br>Parts 32 and 35<br>72 FR 45147, 54207   | 10/29/2010                  | Final<br>ML110420074  | No Comments<br>03/15/2011<br>ML110590610   |       |
| 2007-2  | Exemptions From Licensing, General Licenses, and<br>Distribution of Byproduct Material: Licensing and<br>Reporting Requirements<br>Parts 30, 31, 32, and 150<br>72 FR 58473                  | 12/17/2010                  | Final<br>ML110420074  | No Comments<br>03/15/2011<br>ML110590610   |       |
| 2007-3  | Requirements for Expanded Definition of Byproduct<br>Material<br>Parts 20, 30, 31, 32, 33, 35, 61, and 150<br>72 FR 55864  | 11/30/2010                  | Final<br>ML15314A101<br><br>Final<br>ML15314A101                | Comments<br>03/15/2011<br>ML110590610<br><br>No Comments<br>12/10/2015<br>ML15313A416    |       |
| 2007-4  | Order Imposing Fingerprinting Requirements and<br>Criminal History Records Check Requirements for<br>Unescorted Access to Certain Radioactive Material<br>NRC Order EA-07-305<br>72 FR 70901 | 06/05/2008                  | License<br>Condition<br>ML081130312                             | No Comments<br>05/02/2008<br>ML081230204   |       |

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|---------|---|-----------------------------|---|--|-------|
| 2008-1  | Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19 and 20<br>72 FR 68043  | 02/15/2011                  | Final<br>ML110420074                                | No Comments<br>03/15/2011<br>ML110590610   |       |
| 2009-1  | Medical Use of Byproduct Material – Authorized User Clarification<br>Part 35<br>74 FR 33901                         | 09/28/2012                  | Final<br>ML110420074                                | No Comments<br>03/15/2011<br>ML110590610   |       |
| 2011-1  | Decommissioning Planning<br>Parts 20, 30, 40, and 70<br>76 FR 35512   | 12/17/2015                  | Proposed<br>ML15314A104<br><br>Final<br>ML17209A376 | No Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>08/11/2017<br>ML17209A375 |       |
| 2011-2  | Licenses, Certifications, and Approvals for Materials Licensees<br>Parts 30, 36, 39, 40, 70, and 150<br>76 FR 56951 | 11/14/2014                  | Proposed<br>ML15314A107<br><br>Final<br>ML16280A186 | Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>10/25/2016<br>ML16280A170    |       |
| 2012-1  | Change of Compatibility<br>Parts 31.5 and 31.6<br>(See RATS ID: 2001-1 for Rule text)<br>77 FR 3640                 | 01/25/2015                  | Proposed<br>ML15314A110<br><br>Final<br>ML16280A186 | Comment<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>10/25/2016<br>ML16280A170     |       |

| RATS ID | NRC Chronology Identification   | Date Due for State Adoption | Incoming Letter                                     | Outgoing Package   | Notes |
|---------|---|-----------------------------|---|--|-------|
| 2012-2  | Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71<br>77 FR 34194 | 08/10/2015                  | Proposed<br>ML15314112<br><br>Final<br>ML17209A376  | No Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>08/11/2017<br>ML17209A375 |       |
| 2012-3  | Technical Corrections<br>Parts 30, 34, 40, and 71<br>77 FR 39899  | 08/06/2015                  | Proposed<br>ML15314A113<br><br>Final<br>ML17209A376 | No Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>08/11/2017<br>ML17209A375 |       |
| 2012-4  | Requirements for Distribution of Byproduct Material<br>Parts 30, 31, 32, 40, and 70<br>77 FR 43666                        | 10/23/2015                  | Proposed<br>ML15314A114<br><br>Final<br>ML16280A186 | Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>10/25/2016<br>ML16280A170    |       |



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|---------|--|-----------------------------|---|---|--------------|
| 2013-1  | Physical Protection of Byproduct Material, Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, and 71<br>78 FR 16922   | 03/19/2016                  | Proposed<br>ML15314A116<br><br>License Condition<br>ML16060A156<br><br>Final<br>ML16280A186 | No Comments<br>12/10/2015<br>ML15313A416<br><br>Comments<br>03/01/2016<br>ML16060A064<br><br>No Comments<br>10/25/2016<br>ML16280A170 | Part 37 only |
| 2013-2  | Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions, Parts 30, 40, and 70<br>78 FR 32310 | 08/27/2016                  | Proposed<br>ML15314A117<br><br>Final<br>ML16280A186   | Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>10/25/2016<br>ML16280A170   |              |
| *2015-1 | Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments Part 70<br>79 FR 57721, 80 FR 143                                   | 01/26/2018                  | Proposed<br>ML17227A178<br><br>Final<br>ML18003B246   | No Comments<br>09/18/2017<br>ML17227A193<br><br>No Comments<br>02/08/2018<br>ML18003B232  |              |

| RATS ID | NRC Chronology Identification  | Date Due for State Adoption                                | Incoming Letter                                     | Outgoing Package   | Notes |
|---------|--|--|---|--|-------|
| 2015-2  | Safeguards Information - Modified Handling Categorization, Change for Materials Facilities Parts 30, 37, 73, and 150<br>79 FR 58664, 80 FR 3865              | 01/28/2018   | Proposed<br>ML15314A119<br><br>Final<br>ML17209A376 | No Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>08/11/2017<br>ML17209A375 |       |
| *2015-3 | Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71<br>80 FR 33987 | 07/13/2018<br>*extended to<br>08/15/2020<br>See STC 17-060 | Proposed<br>ML17227A178<br><br>Final<br>ML18003B246 | Comments<br>09/18/2017<br>ML17227A193<br><br>Comments<br>02/08/2018<br>ML18003B232       |       |
| 2015-4  | Miscellaneous Corrections, Parts 37 and 40<br>80 FR 45841  | 09/02/2018   | Proposed<br>ML15314A121<br><br>Final<br>ML17209A376 | No Comments<br>12/10/2015<br>ML15313A416<br><br>No Comments<br>08/11/2017<br>ML17209A375 |       |
| *2015-5 | Miscellaneous Corrections, Parts 19, 20, 30, 32, 37, 40, 61, 70, 71, and 150<br>80 FR 74974  | 12/31/2018   | Proposed<br>ML17227A178<br><br>Final<br>ML18003B246 | Comments<br>09/18/2017<br>ML17227A193<br><br>No Comments<br>02/08/2018<br>ML18003B232    |       |

| RATS ID | NRC Chronology Identification               | Date Due for State Adoption | Incoming Letter      | Outgoing Package                         | Notes |
|---------|---|-----------------------------|----------------------|--|-------|
| N/A     | Part 20, Requirements for Vacating Premises | N/A                         | Final<br>ML14150A078 | No Comments<br>07/15/2014<br>ML14149A400 |       |

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<sup>i</sup> IMPEP Team: verify that North Dakota does not have any licensees subject to these regulations during each review.