

June 1, 2004

Mr. Richard A. Ratliff, PE, LMP, Chief
Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, TX 78756-3189

Dear Mr. Ratliff:

We have received your request for review of Texas's proposed changes to the Texas Regulations for Control of Radiation, 25 Texas Administrative Code, §289.202, "*Standards for Protection Against Radiation from Radioactive Materials*." We have separated your request into two separate reviews. The first, is the NRC review of the Texas equivalent rule to the Respiratory amendment, RATS ID # 1993-3. This review is presently with our office of General Council, you should expect a response shortly.

The second review of the proposed rule for clearance and disposal of low-level radioactive materials in hazardous waste facilities will require additional time because there are no Federal equivalent rules, thus additional time for review and internal coordination will be needed. We will respond as soon as possible but we were unable to meet the May 24, 2004 date requested in your letter. We would appreciate receiving, if you have completed your analysis, the technical evaluation of the values in the table in 25 TAC 289.202 (ggg)(6) of the proposed rule.

If you have any questions regarding our review, please contact me or John Zabko of my staff at 301-415-2308 or JGZ@NRC.GOV.

Sincerely,

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

Richard A. Ratliff

June 1, 2004

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Response to Incoming Document: ML041330243

DOCUMENT NAME: DOCUMENT NAME: C:\ORPCheckout\FileNET\ML041540023.wpd

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