



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

John A. Stephen
Commissioner

**29 HAZEN DRIVE, CONCORD, NH 03301-6504
603-271-4501 1-800-852-3345 Ext. 4501
Fax: 603-271-4827 TDD Access: 1-800-735-2964**

Mary Ann Cooney
Director

January 5, 2005

Mr. Paul H. Lohaus, Director
Office of State and Tribal Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Lohaus:

In response to NRC letter dated December 9, 2004, we are enclosing a schedule of completion dates for each step of the rulemaking process for those New Hampshire rules required for NRC compatibility.

As is evident from the schedule, once the proposed rule or rule change is drafted and entered into the system for adoption, the process specifies deadlines for each step. We are committed to dedicating sufficient time and resources to ensure submission of these proposed regulations to our department's administrative rules unit so that the proposed deadlines can be met.

Note that it is our intention that the compatibility requirement for certain rules will be met using the mechanism of legally binding license conditions. This has already been approved for the "New Dosimetry Technology" regulation (ref. NRC letters dated September 16, 2004 and October 5, 2004). Such approval is being sought for the amendment, "Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act", and we will soon be seeking a similar approval for the amendment, "Criteria for the Release of Individuals Administered Radioactive Material," relative to those portions applicable to the changes in Part 35.75.

We look forward to discussing these milestones further at our next bi-monthly conference call, currently scheduled to take place on January 25, 2005 at 1:30 p.m. However in the interim, if there are any questions or concerns, please feel free to call me at 603-271-4524 or via e-mail at abruning@dhhs.state.nh.us.

Sincerely,

Alice Bruning, Chief
Bureau of Prevention Services