

April 24, 2008

Ms. Cindy Cardwell, Chair
Organization of Agreement States, Inc.
Bureau of Radiation Control
Department of State Health Services
Division of Regulatory Services
1100 West 49th Street, MC 2828
Austin, TX 78756-3189

Dear Ms. Cardwell:

I am responding to a petition for rulemaking (PRM) submitted by the Organization of Agreement States, Inc. (OAS), dated November 3, 2005. The petition requested that the U.S. Nuclear Regulatory Commission (NRC) revise 10 CFR 34.41, 34.43, and 34.51, and revise the guidance document NUREG-1556, Volume 2. The petition was assigned Docket No. PRM-34-06.

The notice of receipt of petition was published in the *Federal Register* on December 28, 2005 (70 FR 76724). The notice of receipt invited members of the public to submit comments by March 16, 2006. Two comment letters were received; one from the Conference of Radiation Control Program Directors, Inc., and one from the Texas Department of State Health Services. These organizations support the petition for rulemaking. On August 15, 2007, we held an open meeting via a teleconference with you and members of the public. The purpose of the meeting was to ensure full understanding of two specific issues, training and economic impact, which we identified during the evaluation of your request.

We have completed our evaluation of the petition and have determined that issues and concerns raised in the petition merit further NRC consideration and inclusion in a future rulemaking. As in all rulemakings, the Commission will solicit and consider public comments during the proposed rule phase of the rulemaking before determining the approach that will be the basis for the final rule. The petition, the two comments received on the petition, and the comments received during our meeting with you and the public on August 15, 2007, will be evaluated as part of the future rulemaking.

The enclosed *Federal Register* notice regarding the petition is being transmitted to the Office of the Federal Register for publication.

C. Cardwell

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You can track the progress of the issues raised in your petition as they go through the NRC rulemaking process via the "NRC Regulatory Agenda: Semiannual Report (NUREG-0936)" or online at <http://www.regulations.gov>; search on rulemaking docket ID NRC-2008-0173.

Sincerely,

/RA/

Luis A. Reyes **/RA/**
Executive Director
for Operations

Enclosure:
Federal Register Notice Closing Petition

C. Cardwell

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Sincerely,

/RA/

Luis A. Reyes **/RA/**
Executive Director
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