



November 6, 2009

Terrance Reis, Deputy Director
Division Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
T8-E24
Washington, D.C. 20555-0001

Dear Mr. Reis:

Attached please find a copy of the final revisions to Title 180 NAC, "Nebraska's Regulations for Control of Radiation" listed below. They became effective July 11, 2009.

- 180 NAC 1 General Provisions
180 NAC 3 Licensing of Radioactive Material
180 NAC 4 Standards for Protection Against Radiation
180 NAC 5 Radiation Safety Requirements for Industrial Radiographic Operations
180 NAC 7 Medical Use of Radioactive Material
180 NAC 10 Notices, Instructions and Reports to Workers: Inspections
180 NAC 13 Transportation of Radioactive Material
180 NAC 14 Radiation Safety Requirements for Well Logging and Subsurface Tracer Studies
180 NAC 15 Training and Experience Requirements for Use of Radiation Sources
180 NAC 17 Enforcement of Radiation Control Act and Rights to Hearing Procedures for Licensees and Registrants; Penalties
180 NAC 18 Fees for Certificates of Registration, Radioactive Material(s) Licenses, Environmental Surveillance, Emergency Response and Other Regulatory Services
180 NAC 19 Licenses and Radiation Requirements for Irradiators

The final regulations cover the following NRC Rats ID's:

Table with 3 columns: Rats ID, Title, State Section. Contains 8 rows of regulatory information.

<u>Rats ID</u>	<u>Title</u>	<u>State Section</u>
2006-2	National Source Tracking System - Serialization Requirements – Part 21 with reference to Part 20 Appendix E	180 NAC 1 & 4
2006-3	National Source Tracking System – Part 20	180 NAC 1 & 4

Note: Rats ID 2006-2 and 2006-3 were not a part of the proposed package sent for NRC review in September of 2007. They have been included in the side-by-side comparison.

We have also attached a side-by-side comparison of Nebraska's regulations Title 180 NAC compared to NRC's 10 CFR's identified with RATS IDs. See the attached "Side by Side Comparison of NRC's RAT's and Nebraska's Title 180." The changes made to 180 NAC since September of 2007 are highlighted in yellow.

We have also included Nebraska's responses to your comments of August 31, 2006 and November 16, 2007. See the attached, "Nebraska Responses to Comments from NRC."

A document showing additional changes made to 180 NAC since September of 2007 that were not covered in the above RAT's is also attached. See the attached "Additional Changes Made to Nebraska's Title 180 NAC, Not Previously Identified."

We identified two items that were inadvertent errors in our final regulations. They are:

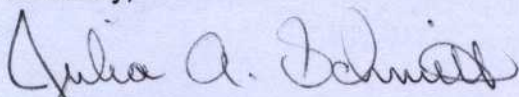
Item 9. From RAT's ID 2004-1 - There was a typographical error and instead of "49 CFR part 107" it was typed as "49 CFR 170". This will be changed on the next revision to 180 NAC 13.

Item 11. From RAT's ID 2004-1 - 180 NAC 13-010 was omitted. It will be included in the next revision to 180 NAC 13.

Other than, the two items mentioned above, our regulations satisfy the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure SA200.

If you have any questions, please feel free to contact Trudy Hill of my staff at 402-471-0578 or Trudy.Hill@Nebraska.gov.

Sincerely,



Julia Schmitt, Manager
Office of Radiological Health

Enclosures:

- 180 NAC 1, 3, 4, 5, 7, 10, 13, 14, 15, 17, 18 and 19
- "Side by Side Comparison of NRC's RAT's ID and Nebraska's Title 180"
- "Nebraska's Response to Comments from NRC"
- "Additional Changes Made to Nebraska's Title 180 NAC, Not Previously Identified"

Xc: Kathleen Schneider, State Regulations Review Coordinator