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CARLOS ROMERO  
Director

June 23, 2010

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

Dear Mr. Reis:

Enclosed is a copy of the proposed revisions to the New Mexico Radiation Protection Rules contained in the following parts: 20.3.3 NMAC "Licensing of Radioactive Materials", 20.3.4 NMAC "Standards for Protection against Radiation", 20.3.10 NMAC "Notices, Instructions and Reports to Workers: Inspections"; and 20.3.12 NMAC "Licenses and Radiation Safety Requirements for Well Logging". We request NRC's comments by July 24, 2010.

The proposed regulations correspond to the following equivalent amendments to NRC's regulations:

<b>RATS ID</b>	<b>Title</b>	<b>State Section</b>	<b>Comments</b>
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent" Parts 19 and 20	20.3.4 NMAC (amended), and 20.3.10 NMAC (repeal & replace)	See attached files and corresponding tables.
2009-1	Medical Use of Byproduct Material - Authorized User Clarification Part 35	20.3.7.714 NMAC (not attached with this submittal - see comments for explanation)	ML091280050 package incorporated by reference 10 CFR 35 training requirements for all types of users
2004-1	Comment in ML091680237 (7/16/09) concerning RATS 2004-1	20.3.3.302.C(4)(a) NMAC	See attached file 20.3.3_amend_only.doc
2007-3	Comment in ML091680237 (7/16/09) concerning RATS 2007-3	20.3.3.306.D NMAC	See attached file 20.3.3_amend_only.doc

N/A	10 CFR 39	20.3.12 NMAC "Licenses and Radiation Safety Requirements for Well Logging" (repeal & replace)	See attached file and correspondence tables
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Terrence Reis  
June 24, 2010  
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We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in FSME Procedure SA-200.

If you have any questions, please feel free to contact Daniela Bowman of my staff at 505-476-3061 or [daniela.bowman@state.nm.us](mailto:daniela.bowman@state.nm.us), or Michael Ortiz, Acting Staff Manager at (505)699-0060 or [michael.ortiz1@state.nm.us](mailto:michael.ortiz1@state.nm.us).

Sincerely,



Carlos Romero, Director  
Environmental Health Division  
cc: Kathleen Schneider, NRC

Attached electronic files:

- Proposed amendments to 20.3.3 NMAC - file name 20.3.3\_amend\_only.doc
- Proposed amendments to 20.3.4 NMAC - file name 20.3.4\_amend\_only.doc
- Proposed revision (by repeal & replace) of entire 20.3.10 NMAC - file name 20.3.10\_Repeal&Replace.doc
- Cross reference table of 10 CFR 19 versus 20.3.10 NMAC - file name 10cfr19\_vs\_20.3.10.doc
- Cross reference table of 20.3.10 NMAC versus 10 CFR 19 - file name 20.3.10NMAC\_vs\_10CFR19.doc
- Proposed revision (by repeal & replace) of entire 20.3.12 NMAC - file name 20.3.12\_Repeal&Replace.doc
- Cross reference table of 10 CFR 39 versus 20.3.12 NMAC - file name 10cfr39\_vs\_20.3.12.doc
- Cross reference table of 20.3.12 NMAC versus 10 CFR 39 - file name 20.3.12NMAC\_vs\_10CFR39.doc