



Iowa Department of Public Health

Advancing Health Through the Generations

Chester J. Culver
Governor

Patty Judge
Lt. Governor

Thomas Newton, MPP, REHS
Director

August 16, 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 the Adopted and Filed **Final** rules published in the Iowa Administrative Bulletin August 11, 2010, a complete copy of all changes and a current copy of Iowa Administrative Code (IAC) 641-39(136C). These rules incorporated RATS ID 2007-3, 2008-1, 2009-1 and the comments from the Nuclear Regulatory Commission (NRC) in your letters to me dated September 16, 2009 and April 15, 2010.

NRC comments were addressed as follows:

Letter dated September 16, 2009; comment 1 is addressed in item 10 on page 5 of the attached "Changes2010.pdf" document.

Letter dated April 15, 2010:

Comment 1 – Cobalt-57 was previously listed in IAC 641-39(136C) as shown in the attached current version of chapter 39 highlighted on page 30. Therefore, we have taken no action on this comment.

Comment 2 – The State of Iowa requires medical licensees to assay the activity of all photon emitting radiopharmaceuticals prior to administration. See item 33 on page 11 of the attached "Changes2010.pdf" document. Iowa is more restrictive than the NRC and therefore meets the Compatibility Category H&S. Therefore, we have taken no action on this comment.

Comment 3 – This comment has been resolved in item 13 on page 5 of the attached "Changes2010.pdf" document.

These items are highlighted in yellow as requested in your letter dated April 15, 2010.

We believe that the adoption and filing of these revisions satisfies the compatibility and health and safety categories established in the Office of Federal and State Materials and Environmental Programs (FSME) Procedure SA-200.

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Mr. Terrence Reis
U. S. Nuclear Regulatory Commission
August 16, 2010

If you have any questions, please feel free to contact me or Randal S. Dahlin of my staff at 515-281-0419 or rdahlin@idph.state.ia.us.

Best regards,



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RSD/rd

Enclosure