



DIVISION OF PUBLIC HEALTH

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October 4, 2013

Christian E. Einberg, Acting 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 Ms. Einberg:

Enclosed is a copy of the proposed license condition to address implementation of 10 CFR Part 37, Physical Protection of Byproduct Material. The legally binding requirements correspond to the following equivalent amendments to NRC's regulations.

<u>Rats ID</u>	<u>Title</u>	<u>State Section</u>
20013-1	Physical Protection of Byproduct Material, Part 37	License Condition

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

If you have any questions, please feel free to contact Cheryl Rogers at 608-266-8135 or Cheryl.Rogers@dhs.wisconsin.gov.

Sincerely,

Paul Schmidt, Chief  
Radiation Protection Section

Enclosures:  
As stated

Proposed License Condition:

The licensee shall comply with Title 10 Code of Federal Regulations, Part 37 except as follows:

- (a) Sections 37.1, 37.3, 37.7, 37.9, 37.11(a-b), 37.13, 37.43(d)(9), 37.77(f), 37.105, 37.107, and 37.109 are excluded.
- (b) Any reference to the Commission or NRC shall be deemed to be a reference to the Wisconsin Department of Health Services, except in 37.27(c);
- (c) In lieu of the address given in 37.27(c), licensees shall submit fingerprint cards or records to Director, Division of Facilities and Security, U.S. NRC, 11545 Rockville Pike, Rockville, Maryland 20852-2738, ATTN: Criminal History Program, Mail Stop T-03B46M.
- (d) Reference in Part 37 to the following NRC regulation shall be deemed a reference to the identified section(s) in s. DHS 157:

NRC Regulation (10 CFR)	DHS regulation (DHS 157)
30.41(d)	DHS 157.13(15)
- (e) For making required reports of events or notifications in 37.41, 37.45, 37.57, 37.81, use DHS contact information in DHS 157.13(17).