



September 25, 2015

Michelle R. Beardsley, Health Physicist
State Regulation Review Coordinator
U.S. Nuclear Regulatory Commission
ASPB/MSTR/NMSS
Washington, DC 20555-001

Dear Ms. Beardsley:

Attached is a copy of the proposed revision to the North Dakota Radiological Health Rules as identified below. Because North Dakota adopts the NRC rules by reference, the attachments reflect the changes being made to those sections of the rules that have been previously adopted. The changes as tracked in the attachments correspond to the following NRC regulations. Chapter 33-10-22, which incorporates Part 37, is a new section to the North Dakota Radiological Health Rules.

<u>RATS ID</u>		<u>Title</u>	<u>State Section</u>
2013-1	10 CFR Part 37	In its entirety	33-10-22
	§ 30.13	Carriers	33-10-03.1
	§ 71.97	Advance notification of shipments Of irradiated reactor fuel and Nuclear waste	33-10-13.1

We believe adoption of these sections will satisfy the compatibility and health and safety categories established in the office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

If you have any questions, please feel free to contact me at (701)328-5188 or Dale Patrick of my staff at (701)328-5199 or dpatrick@nd.gov.

Sincerely,

Terry L. O'Clair, P.E.
Director
Division of Air Quality

TLO/DP:csc