



September 28, 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:

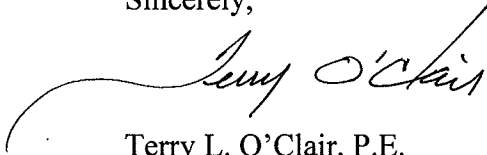
Attached is a copy of the proposed revision to the North Dakota Radiological Health Rules as identified below. Because North Dakota adopts the NRC rules by reference, the attachments reflect the changes being made to those sections of the rules that have been previously adopted. The changes as tracked in the attachments correspond to the following NRC regulations.

<u>RATS ID</u>	<u>Title</u>	<u>State Section</u>	
2013-2	§ 40.4	Definitions	33-10-16
	§ 40.13(c), (c)(2)(i), (c)(2)(iii) (c)(5)(i), (c)(5)(ii)-(iv), (c)(5)(v), (c)(7), (c)(10), (d),Footnote 2	Unimportant quantities of source material	33-10-16
	§ 40.22(a), (a)(1)-(4), (b), (b)(1)-(3), (b)(4), (b)(5), (c), (d), (e)	Small quantities of Source material	33-10-16
	§ 40.54	Requirements for license to initially transfer source material for use under the 'small quantities of source material' general license	33-10-16
	§ 40.55(a), (b), (c),(d),(e)	Conditions of licenses to initially transfer source material for use under the 'small quantities of source material' general license: Quality control, labeling, safety instructions, and records and reports.	33-10-16

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](mailto:dpatrick@nd.gov).

Sincerely,

A handwritten signature in cursive script that reads "Terry O'Clair". The signature is written in black ink and is positioned above the typed name.

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

TLO/DPP:saj