

Rajapakse, Champa

From: Scott, Phillip (CDPH-RHB) <Phillip.Scott@cdph.ca.gov>
Sent: Friday, October 02, 2015 4:38 PM
To: AgreementStateRegs Resource
Cc: Erickson, Randy; Beardsley, Michelle; Perez, Gonzalo (CDPH-DFDRS); Hsu, Stephen (CDPH-DFDRS-RHB); Fassell, John (CDPH-DFDRS-RHB-RMS); Sapunor, Peter (CDPH-EXEC-OLS); Greger, Robert (CDPH-DFDRS-RHB); Scott, Phillip (CDPH-RHB)
Subject: [External_Sender] Review of Agreement State Regulations/Legally Binding Requirements - Part 37 (RATS ID 2013-1) - REVISION
Attachments: Proposed Part 37 LBR-08-2015-Revision-10-02-15-pls.docx

Ms. Pamela J. Henderson, Deputy Director
Division of Materials Safety, State, Tribal, and Rulemaking Programs (MSTR)
Office of Nuclear Material Safety and Safeguards (NMSS)
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Ms. Henderson:

On behalf of Gonzalo L. Perez, Chief, Radiologic Health Branch, California Department of Public Health, attached for your review is a copy of the revised proposed legally binding requirement (LBR) addressing comments identified in your letter dated August 31, 2015 (ML12516A443) pertaining to the Physical Protection of Byproduct Material requirements NRC adopted under 10 CFR 37 (RATS ID 2013-1 & 2015-2).

Though our original submitted indicated that the proposed Part 37 LBR was not intended to address all changes found in RATS IDs 2013-1 and 2015-2, your letter contained 2 comments not directly related to 10 CFR Part 37. This resubmittal is only addressing the comment specific to Part 37. As requested, the change to the LBR is highlighted. The comments specific to Part 30 and Part 71 will be addressed in an upcoming rulemaking.

We request a response as soon as possible for quick implementation.

If you have any questions, please contact Gonzalo L. Perez at (916) 440-7942, Chief, Radiologic Health Branch, or Phillip Scott, Chief, Regulations Unit at (916) 440-7978.

Phillip L. Scott, MA, CRT
Regulations Unit
Radiologic Health Branch
California Department of Public Health
916-440-7978