



SCOTT A. THOMPSON  
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN  
Governor

October 23, 2015

Pamela J. Henderson, Deputy Director  
Division Materials Safety and State Agreements  
Office of Federal and State Materials and Environmental Management Programs  
U.S. Nuclear Regulatory Commission (NRC)  
Washington, D.C. 20555-0001

Dear Ms. Henderson:

Enclosed is the text of the Part 37 License Condition that is being added to Oklahoma Department of Environmental Quality Radioactive Materials licenses subject to NRC's Increased Control requirements. This License Condition will be replaced by new Oklahoma rules incorporating 10 CFR Part 37. The new Oklahoma rule is anticipated to become effective in September 2016.

We believe the addition of this License Condition by license amendment satisfies the compliance requirements of 10 CFR Part 37.

If you have any questions, please contact me at [john.flynn@deq.ok.gov](mailto:john.flynn@deq.ok.gov) or (405) 702-5171.

Sincerely,

A handwritten signature in black ink that reads "John Flynn". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Flynn".

John Flynn, PE  
Environmental Engineer  
Radiation Management Section  
Land Protection Division

Enclosures: As stated



## Text of Part 37 License Condition

XX. By March 18, 2016, the licensee shall comply with 10 CFR, Part 37 except as follows:

- A. Sections 37.7, 37.9, 37.11(a-b), 37.13, 37.43(d)(9), 37.77(f), 37.107, and 37.109 are excluded.
- B. Any reference to the Commission or NRC shall be deemed to be a reference to the Oklahoma Department of Environmental Quality (DEQ) except:
  - 1. 37.5 Definitions: *Agreement State, Byproduct material, Commission, Fingerprint orders, Person,*
  - 2. 37.25(b),
  - 3. 37.27(a) and (c),
  - 4. 37.29(a),
  - 5. 37.71 referring to NRC's license verification system.
  - 6. 37.71 "licensee of the Commission or an Agreement State" shall be deemed to be a reference to "licensee of the DEQ, NRC or an Agreement State."
- 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. License required reports of events or notifications in 37.41, 37.45, 37.57, 37.77(a)-(d), 37.81, shall be submitted to the Radiation Programs Manager at the DEQ.