



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>
2015-2	§ 37.29(a)(10)	33-10-22
	Relief from fingerprinting, identification, and criminal history records checks and other elements of background investigations for designated categories of individuals permitted unescorted access to certain radioactive materials	
	§ 37.43(d)(1)	33-10-22
	General security program requirements	
	§ 37.77(f)	33-10-22
	Advance notification of shipment of category 1 quantities of radioactive material	

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.

Ms. Beardsley

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September 25, 2015

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,

A handwritten signature in cursive script that reads "Terry O'Clair". The signature is written in black ink and has a long, sweeping underline that extends to the left.

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

TLO/DP:csc