



State of Utah

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Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

July 21, 2016

Pamela J. Henderson, Deputy Director
Division of Material Safety, State, Tribal and Rulemaking Programs
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
T8-E18
Washington, D.C. 20555-0001

Dear Ms. Henderson:

Enclosed is a copy of the final revisions to R313-19-13 and R313-22 of the Utah Administrative Code (Radiation Control Rules) as approved by the Utah Waste Management and Radiation Control Board. Final revisions to R313-19-13 and R313-22 were approved by the Board on June 9, 2016 with an effective date of June 10, 2016. Based on comments received from the NRC (November 13, 2015 ML15300A211), additional amendments were made to R313-19-13 and R313-22 in order to incorporate NRC's requested changes. For convenience, the November 13, 2015 letter and compatibility comments are attached.

The final rules for R313-19-13 and R313-22 are enclosed as well as the associated publication information from the July 1, 2016 edition of the *Utah State Bulletin* which documents final rulemaking action by the Utah Waste Management and Radiation Control Board. The enclosed final rules with the NRC requested revisions are identified by line-in/line-out text and highlighted in yellow. The enclosed rules correspond to the following equivalent amendments to NRC's regulations.

<u>Rats ID</u>	<u>Title</u>	<u>State Sections</u>
• 2012-4	Requirements for Distribution of Byproduct Material	R313-19-13, <i>Requirements of General Applicability to Licensing of Radioactive Material, Exemptions</i> R313-22, <i>Specific Licenses</i>

Because we have completed the changes requested by the NRC, we believe the final adoption of these revisions satisfies the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

DRC-2016-008723

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If you have any questions, please contact Rusty Lundberg at (801) 536-4257.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott T. Anderson", with a large, stylized flourish at the end.

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

STA/RL

Enclosures: Final rules R313-19 and R313-22, Utah Admin. Code
Confirmation of Notice of Effective Date filings, *Utah State Bulletin*, July 1, 2016

c: Michelle R. Beardsley, NRC, NMSS/MSTR/ASPB
Binesh Tharakan, NRC, Region IV, RSAO