

Miscellaneous Corrections
10 CFR Parts 19, 20, 30, 32, 37, 40, 61, 70, 71, and 150
([80 FR 74974](#), Published December [1, 2015](#))
RATS ID: 2015-5
Effective Date: December 31, 2015
Date Due for State Adoption: December 31, 2018

NRC Section	Title	Cat	Summary of Change to CFR	NE Reference	Nebraska
§ 19.17(a) Amended	Inspections not warranted; informal review	C	In § 19.17(a), remove the phrase “Office of Information Services” and add in its place the phrase “Office of the Chief Information Officer”.	N/A 10-008.01	<p>Chapter does not contain “Office of Information Services” as NE has chosen to have the written statement sent to the <u>Director of the Division of Public Health</u>. – see below.</p> <p>10-008.01 Review of determination that no inspection is warranted.</p> <p>1. If the Department determines, with respect to a complaint under 180 NAC 10-007, that an inspection is not warranted because there are no reasonable grounds to believe that a violation exists or has occurred, the Department will notify the complainant in writing of such determination. The complainant may obtain review of the determination by submitting a written statement of position to the Director of the Division of Public Health, who will provide the licensee or registrant with a copy of the statement by certified mail, excluding, at the request of the complainant, the name of the complainant. The licensee or registrant may submit an opposing</p>

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					written statement of position to the Director of the Division of Public Health, will provide the complainant with a copy of the statement by certified mail.
10 CFR Part 20 Amended	Standards for Protection Against Radiation	C: § 20.1007 D: § 20.2203(d)) B: Appendix G	In part 20, wherever it may occur, remove the phrase “Office of Information Services” and add in its place the phrase “Office of the Chief Information Officer”.	Chapter 4, Appendix D	<p>20.1007 – N/A – Compatibility Category is incorrect. Should be Category D.</p> <p>Appendix G –N/A - Chapter 4, Appendix D does not contain “Office of Information Services” as NE has chosen to have the written requests made to the Director of the Division of Public Health. – see below.</p> <p>Forms U.S. NRC 540, U.S. NRC 541, U.S. NRC 541A and U.S. NRC 542 and U.S. NRC 542A and the accompanying instructions, in hard copy, may be obtained from</p> <p style="text-align: center;">Department of Health and Human Services Division of Public Health, Radiological Health 301 Centennial Mall South P.O. Box 95026 Lincoln, Nebraska 68509-5026</p>
§ 30.6(a)(3) Amended	Communications	D	In § 30.6(a)(3), remove the phrase “Office of Information Services” and add in its place the phrase “Office of the Chief Information Officer”.	N/A	N/A
§ 32.1(c)(1) Amended	Purpose and scope	NR C	In § 32.1(c)(1), remove the word “tribe” wherever it may occur, and add in its place the word “Tribe”.	N/A	N/A

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10 CFR Part 37 Amended	Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material	D: § 37.7(c) B: § 37.27(c)(1)	In part 37, wherever it may occur, remove the phrase “Office of Information Services” and add in its place the phrase “Office of the Chief Information Officer”.	24-007.03A	24-007.03A For the purpose of complying with 180 NAC 24-004 through 24-010, licensees must use an appropriate method listed in 10 CFR 37.7 to submit to the U.S. Nuclear Regulatory Commission, Director, Division of Facilities and Security, 11545 Rockville Pike, ATTN: Criminal History Program/Mail T-03B46M, Rockville, Maryland 20852, one completed, legible standard fingerprint card (Form FD-258, ORIMDNR000Z), electronic fingerprint scan or, where practicable, other fingerprint record for each individual requiring unescorted access to category 1 or category 2 quantities of radioactive material. Copies of these forms may be obtained by writing the Office of Information Services Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by calling 1-(301)415-7513, or by e-mail to FORMS.Resource@nrc.gov. Guidance on submitting electronic fingerprints can be found at http://www.nrc.gov/site-help/e-submittals.html .
§ 37.77(a)(1) Amended	Advance notification of shipment of category 1 quantities of radioactive material	B	In § 37.77(a)(1), remove the Web site address “https://nrc.stp.ornl.gov/special/designee.pdf” and add in its place the Web site address “https://scp.nrc.gov/special/designee.pdf”.	24.023.01A	24-023.01A The notification must be made to the Department and to the office of each appropriate governor or governor’s designee. The contact information, including telephone and mailing addresses, of governors and governors’ designees, is available

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					on the U.S. Nuclear Regulatory Commission's Web site at http://nrc-stp.ornl.gov/special/designee.pdf https://scp.nrc.gov/special/designee.pdf .
10 CFR Part 40 Amended	Domestic Licensing of Source Material	NR C: Appendix A, Criterion 11(F) § 40.27(b)(1)	In part 40, wherever it may occur, remove the word "tribe" and add in its place the word "Tribe".	N/A	N/A
§ 40.5(a)(3) Amended	Communications	D	In § 40.5(a)(3), remove the phrase "Office of Information Services" and add in its place the phrase "Office of the Chief Information Officer".	N/A	N/A
10 CFR Part 61 Amended	Licensing Requirements for Land Disposal of Radioactive Waste	H&S: § 61.7(c) D: § 61.2 §	In part 61, wherever they may occur, remove the word "tribe" and add in its place the word "Tribe", remove the word "tribes" and add in its place the word "Tribes", and remove the word "tribal" and add in its place the word "Tribal".	Chapter 12	N/A - Nebraska was the designated host State in the Central Interstate Low-Level Radioactive Waste Compact (the Compact) for a LLRW disposal facility. In December 1998, the State formally denied the application for the disposal facility. In January 1999, the Nebraska legislature passed and the Governor signed legislation withdrawing Nebraska from the Compact. A lawsuit regarding

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		61. 25 § 61. 70 § 61. 71 § 61. 72 § 61. 73			<p>Nebraska's denial of the application and withdrawal from the compact went to trial in June 2002 with the other members of the Compact suing the State of Nebraska. On September 30, 2002, the judge awarded the plaintiffs 151 million dollars. The State appealed the judge's decision. The State of Nebraska finally paid \$145.8 million in late July 2005 to officially stop the 18 year litigation struggle over the nuclear waste site. The payment also ended Nebraska's role in the compact.</p> <p>There is currently no active Low Level Radioactive Waste Program in Nebraska Department of Health and Human Services or in Nebraska Department of Environmental Quality. Both agencies monitor the status of low level radioactive waste nationally and advise agency management and the Governor as appropriate.</p> <ul style="list-style-type: none"> - This chapter will be brought under review with upper management to determine whether to reserve the chapter or revise.
§ 61.4	Communications	D	In § 61.4, remove the phrase "Office of Information Services" and add in its place the phrase "Office of the Chief Information Officer".	N/A	N/A

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§ 70.5(a)(3)	Communications	D	In § 70.5(a)(3), remove the phrase “Office of Information Services” and add in its place the phrase “Office of the Chief Information Officer”.	N/A	N/A
§ 71.1(a)	Communications and records	D	In § 71.1(a), remove the phrase “Office of Information Services” and add in its place the phrase “Office of the Chief Information Officer”.	N/A	N/A
§ 71.4, <i>Indian Tribe</i>	Definitions	B	In § 71.4, in the definition of Indian Tribe, remove the word “tribe” wherever it may occur, and add in its place the word “Tribe”.	13-002	<p><u>Indian Tribe means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a.</u></p> <p>“Tribe” was capitalized in all other occurrences prior to this revision.</p>
§ 71.97(c)(3)(ii)	Advance notification of shipment of irradiated reactor fuel and nuclear waste	B	<p>In § 71.97, revise paragraph (c)(3)(ii) to read as follows:</p> <p>* * * * *</p> <p>(c) * * *</p> <p>(3) * * *</p> <p>(ii) Contact information for each State, including telephone and mailing addresses of governors and governors’ designees, and participating Tribes, including telephone and mailing addresses of Tribal officials and Tribal official’s designees, is available on the NRC Web site at: https://scp.nrc.gov/special/designee.pdf.</p> <p>* * * * *</p>	13-020.04, item 1 b.	<p>b. <u>The list of governor’s designees and Tribal official’s designees of participating Tribes will be published annually in the Federal Register on or about June 30th to reflect any changes in information. Contact information for each State, including telephone and mailing addresses of governors and governors’ designees, and participating Tribes, including telephone and mailing addresses of Tribal officials and Tribal official’s designees, is available on the U. S. Nuclear Regulatory Commission (NRC) Web site at:</u></p>

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					https://scp.nrc.gov/special/designee.pdf
§ 150.4	Communications	D	In § 150.4, remove the phrase “Office of Information Services” and add in its place the phrase “Office of the Chief Information Officer”.	N/A	N/A
§ 150.15a(b)(6)	Continued Commission authority pertaining to byproduct material.	NR C	In § 150.15a(b)(6), remove the word “tribe” wherever it may occur, and add in its place the word “Tribe”.	N/A	N/A