



**NEW MEXICO
ENVIRONMENT DEPARTMENT**



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

1100 St. Francis Drive Suite 2022
Post Office Box 5469
Santa Fe, NM 87502-5469
Phone (505) 476-8600 Fax (505) 476-8654
<https://www.env.nm.gov/rcb/>

BUTCH TONGATE
Cabinet Secretary
J.C. BORREGO
Deputy Secretary

June 16, 2017

Pamela J. Henderson, Deputy Director
Division Materials Safety and State Agreements
Office of Federal and State Materials and
Environment Management Programs
U.S. Nuclear Regulatory Commission
T8-E24
Washington, D.C. 20555-0001

Dear Ms. Henderson:

Enclose is a copy of the proposed revisions to New Mexico Radiation Protection Rules contained in the following part: 20.3.1 GENERAL PROVISIONS, 20.3.3 LICENSING OF RADIOACTIVE MATERIAL, 20.3.4 STANDARDS FOR PROTECTION AGAINST RADIATION, 20.3.5 RADIATION SAFETY REQUIREMENTS FOR INDUSTRIAL RADIOGRAPHIC OPERATIONS, 20.3.7 MEDICAL USE OF RADIONUCLIDES, 20.3.12 LICENSES AND RADIATION SAFETY REQUIREMENTS FOR WELL LOGGING, and 20.3.15 LICENSES AND RADIATION SAFETY REQUIREMENTS FOR IRRADIATORS to address implementation of regulation equivalent to NRC’s 10 CFR regulations identified in RATS 2011-1, 2011-2, 2012-1, 2012-2, 2012-3, 2012-4, 2013-1 and 2013-2.

RATS ID	NRC Chronology Identification	Date State Adoption	Incoming Package	Outgoing Package	Notes
2011-1	Decommissioning Planning, Parts 20, 30, 40, and 70. 77 FR 35512	December 17, 2015	Final 20.3.3 and 20.3.4 NMAC		
2011-2	Licenses, Certifications, and Approvals for Materials Licensees. 76FR56951	November 14, 2014	Final 20.3.3 and 20.3.12 NMAC		

2012-1	Change of Compatibility of 10 CFR 31.5 and 31.6 77FR3640	January 25, 2015	Final 20.3.3 NMAC		
2012-2	Advance Notification to Native American tribes of Transportation of Certain Types of Nuclear Waste. 77FR34194	August 10, 2015	Final 20.3.3 NMAC		
2012-3	Technical Corrections – Parts 30, 34, 40, and 71 77FR39899	August 6, 2015	Final 20.3.3 and 20.3.5 NMAC		
2012-4	Requirements for Distribution of Byproduct Material, Parts 30, 31, 32, 40, and 70. 77FR43666	October 23, 2015	Final 20.3.3 NMAC		
2013-1	Physical Protection of Byproduct Material, 10 CFR Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, 51, 71 and 73. 78FR16922	March 19, 2016	Final 20.3.3, 20.3.4, 20.3.5, 20.3.7, 20.3.12 and 20.3.15 NMAC		
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions 10 CFR Parts 30, 40, 70, 170, and 171. 78FR32310	August 27, 2016	Final 20.3.3 NMAC		

We understand the adoption of these requirements satisfy the compatibility and health and safety Categories established in the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure SA-200.

If you have any questions or concerns, please contact Michael Ortiz at (505) 476-8605 or michael.ortiz1@state.nm.us.

Sincerely,

Santiago M. Rodriguez

Santiago M. Rodriguez, Bureau Chief
Radiation Protection Program
New Mexico Environment Department