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STATE OF NEVADA

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
Bureau of Preparedness, Assurance, Inspections and Statistics**

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July 13, 2017

Pamela J. Henderson, Deputy Director
Division 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:

Please review the enclosed 2010 final revision to the Nevada Revised Statutes (NAC) 459, Hazardous Materials. The adopted revision to the final statute is identified by *blue italics* text.

NRS 459.231 Fund for Care of Sites for Disposal of Radioactive Waste: Creation; administration; deposits; investment; interest; income. is hereby amended to read as follows:

1. There is hereby created as a special revenue fund in the State Treasury a Fund for the Care of Sites for the Disposal of Radioactive Waste. The Director of the Department of Health and Human Services is responsible for the administration of the Fund. All money held by the State Treasurer or received by the Director for that purpose must be deposited in the Fund.
2. The money in the Fund must be invested as other state funds are invested. All interest earned on the deposit or investment of the money in the Fund must be credited to the Fund, except that all interest earned on the money in the Account created pursuant to section 5 of chapter 374, Statutes of Nevada 1961, must be credited to that Account.
3. The Director may expend the annual income from the Fund for the purpose for which the Fund is created, and any income of the Fund which is unexpended at the end of any year must be added to the principal of the Fund. Except as otherwise provided in section 5 of chapter 374, Statutes of Nevada 1961, the principal of the Fund may be expended if approved by the Legislature when in regular session or by the Interim Finance Committee when the Legislature is not in session. Claims against the Fund must be paid as other claims against the State are paid.
4. *Notwithstanding the provisions of this section to the contrary, money in the Fund may be expended for any purpose authorized by the Legislature.*

2010 Statutes of Nevada, 26th Special Session, Page 18 (Chapter 3, AB 3)

If you have any questions, please feel free to contact Michael Schmidt, Radiation Control Specialist III at (775) 687-7530 or at mschmidt@health.nv.gov.

Sincerely,

A handwritten signature in blue ink that reads "Karen K. Beckley". The signature is written in a cursive style with a large initial 'K'.

Karen K. Beckley, M.P.A., M.S.
Manager, Radiation Control Program

MWS/nm