



July 27, 2017

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 final revisions to the North Dakota Radiological Health Rules as identified below. Because North Dakota adopts the NRC rules by reference, the attachments reflect the changes made to those sections of the rules adopted as of October 1, 2016. The State Sections in the attachments correspond to the following NRC's regulations.

RATS ID	Title	State Section
2011-1 §20.1403	Criteria for License termination Under restricted conditions	33-10-04.2
§ 20.1404(a)	Alternate criteria for license termination	33-10-04.2
§ 20.1406(c)	Minimization of contamination	33-10-04.2
§ 20.1501(a) & (b)	General	33-10-04.2
§ 30.34(b)	Terms and conditions of licenses	33-10-03.1
§ 30.35(e)	Financial assurance and Recordkeeping for decommissioning	33-10-03.1
§ 40.36(d)	Financial assurance and Recordkeeping for decommissioning	33-10-16
§ 40.46	Inalienability of licenses	33-10-16

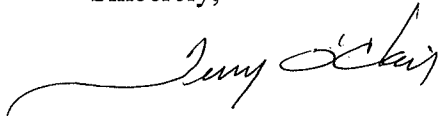
RATS ID	Title	State Section	
	Appendix A to Part 40 Criterion 9	Criteria relating to the operation of Uranium Mills.....	33-10-16
	§ 70.25(e)	Financial assurance and Recordkeeping for decommissioning	33-10-17
	§ 70.36	Inalienability of licenses	33-10-17
2012-2	§ 71.4, §71.97(a), § 71.97(c)(1), §71.97(c)(3) § 71.97(d)(4), §71.97(e), § 71.97(f)(1)	Advance Notification to Native American tribes of Transportation of Certain Types of Nuclear Waste	33-10-13.1
2012-3	§ 30.34(h)(1)(ii)	Terms and conditions of licenses	33-10-03.1
	§ 34.20(a)(1)	Performance requirements for industrial radiography equipment	33-10-05.1
	Part 40, Appendix A, section I, Criterion 4(d)	Criteria Relating to the Operation of Uranium Mills.....	33-10-16
	Part 40, Appendix A, section I, Criterion 8A	Criteria Relating to the Operation of Uranium Mills.....	33-10-16
	Part 71, Appendix A, Table A-1	Packaging and Transportation of Radioactive Material, A ₁ and A ₂ Values for Radionuclides	33-10-13.1
2015-2	§ 37.29(a)(10)	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	33-10-22
	§ 37.43(d)(1)	General security program requirements	33-10-22
	§ 37.77(f)	Advance notification of shipment of category 1 quantities of radioactive material	33-10-22

RATS ID		<u>Title</u>	<u>State Section</u>
2015-4	§ 37.23(b)(2)	Access authorization program requirements	33-10-22
	§ 40.61(a)(2)	Records	33-10-16

We believe adoption of these sections satisfy the compatibility and health and safety categories established in the office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

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,



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

TLO/DPP:saj