NORTH DAKOTA
DEPARTMENT *of* HEALTH

ENVIRONMENTAL HEALTH SECTION
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December 6, 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 State sections in the attachments correspond to the following NRC regulations with markups included.

RATS ID		**Title**	**State Section**
2015-5	§ 19.17(a)	Inspections not warranted; Informal review	33-10-10.1
	§ 20.1007	Standards for Protection Against Radiation	33-10-04.2
	§ 20.2203(d)	Standards for Protection Against Radiation	33-10-04.2
	10 CFR Part 20 Appendix G	Standards for Protection Against Radiation	33-10-04.2
	§ 30.6(a)(3)	Communications	33-10-03.1
	§ 37.7(c)	Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material	33-10-22
	§ 37.27(c)(1)	Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material	33-10-22

RATS ID		Title	State Section
	§ 37.77(a)(1)	Advance notification of Shipment of category 1 Quantities of radioactive Material	33-10-22
	§ 40.5(a)(3)	Communications	33-10-16
	§ 70.5(a)(3)	Communications	33-10-17
	§ 71.1(a)	Communications and records	33-10-13.1
	§ 71.4, *Indian Tribe*	Definitions	33-10-13.1
	§ 71.97(c)(3)(ii)	Advance notification of Shipment of irradiated Reactor fuel and nuclear Waste	33-10-13.1
	§ 150.4	Communications	33-10-19
2015-1	§ 70.50(c)(2)	Reporting requirements	33-10-17
2015-3	§ 71.0(d)(1)	Purpose and Scope	33-10-13.1
	§ 71.4	Definition: Contamination	33-10-13.1
	§ 71.4	Definition: Criticality Safety Index (CSI)	33-10-13.1
	§ 71.4	Definition: Low Specific Activity (LSA) material	33-10-13.1
	§ 71.4	Definition: Special form Radioactive material	33-10-13.1
	§ 71.4	Definition: Uranium – natural, Depleted, enriched	33-10-13.1
	§ 71.6	Information Collection Requirements: OMB Approval	33-10-13.1
	§ 71.14(a)(1) – (a)(3)	Exemption for low-level materials	33-10-13.1

RATS ID	Title	State Section
§ 71.15(d)	Exemption from classification as Fissile material	33-10-13.1
§ 71.17	General License: NRC approved package	33-10-13.1
§ 71.21	General License: Use of foreign Approved package	33-10-13.1
§ 71.85(d)	Preliminary determinations	33-10-13.1
§ 71.91(a)	Records	33-10-13.1
§ 71.91(c) and (d)	Records	33-10-13.1
§ 71.101(a)	Quality assurance requirements	33-10-13.1
§ 71.101(b) and (c)(1)	Quality assurance requirements	33-10-13.1
§ 71.101(g)	Quality assurance requirements	33-10-13.1
§ 71.103(a)	Quality assurance organization	33-10-13.1
§ 71.103(b)	Quality assurance organization	33-10-13.1
§ 71.106	Changes to quality assurance program	33-10-13.1
§ 71.135	Quality assurance records	33-10-13.1
Part 71 – Appendix A	Determination of A1 and A2	33-10-13.1
Part 71 – Appendix A Table A-1 Revised	A1 and A2 Values for Radionuclides	33-10-13.1
Part 71 – Appendix A Table A-2 Revised	Exempt Material Activity Concentrations and Exempt Consignment Activity Limits for Radionuclides	33-10-13.1
Part 71 – Appendix A Table A-3 Revised	General Values for A1 and A2	33-10-13.1

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