

**Miscellaneous Corrections**  
**10 CFR Parts 37 and 40**  
**(80 FR 45841, Published August 3, 2015)**  
**RATS ID: 2015-4**  
**Effective Date: September 2, 2015**  
**Date Due for State Adoption: September 2, 2018**

NRC Section	Title	Cat.	Summary of Change to CFR	NE Reference	Nebraska
§ 37.23(b)(2)	Access authorization program requirements	B	<p>In § 37.23 (b)(2), remove the incorrect reference “§ 37.25(b)” and replace it with the correct reference “§ 37.25(c)” to read as follows:</p> <p>(b) * * *  (2) * * * *The licensee shall recertify that the reviewing official is deemed trustworthy and reliable every 10 years in accordance with § 37.25(c).</p>	24-005.02 B	<p><u>24-005.02B</u> Each licensee <del>must</del> shall name one or more individuals to be reviewing officials. After completing the background investigation on the reviewing official, the licensee must provide under oath or affirmation, a certification that the reviewing official is deemed trustworthy and reliable by the licensee. The fingerprints of the named reviewing official must be taken by a law enforcement agency, Federal or State agencies that provide fingerprinting services to the public, or commercial fingerprinting services authorized by a State to take fingerprints. The licensee must recertify that the reviewing official is deemed trustworthy and reliable every ten years in accordance with 180 NAC 24-006.023.</p>
§40.61(a)(2)	Records	C	<p>In § 40.61(a)(2), remove the first use of the word “or” and replace it with the word “of” to read as</p>	3-030	<p><u>3-030.03</u> Records of receipt of radioactive material which must be maintained pursuant</p>

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			<p><b>follows:</b></p> <p>(a) * * *</p> <p>(2) The licensee who transferred the material shall retain each record of transfer of source or byproduct material until the Commission terminates each license that authorizes the activity that is subject to the recordkeeping requirement.</p>		<p>to 180 NAC 3-030.01 will be maintained as long as the licensee retains possession of the radioactive material and for five years following transfer, or disposition of the radioactive material and;</p> <ol style="list-style-type: none"> <li>1. Records of transfer of radioactive material must be maintained by the licensee who transferred the material until the Department authorizes their disposition and;</li> <li>2. Records of disposal of radioactive material must be maintained in accordance with 180 NAC 4-054.</li> <li>3. If radioactive material is combined or mixed with</li> </ol>

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					<p>other licensed material and subsequently treated in a manner which makes direct correlation of a receipt record with a transfer, export, or disposition record impossible, evaluative techniques such as first-in-first-out may be used for purposes of the records retention requirements of 180 NAC 3-030.</p>