



August 21, 2018

Ms. Sabrina Attack, Acting Deputy Director
Division of Material Safety, Security,
State, and Tribal Programs
Office of Nuclear Material Safety and
Safeguards
U.S. Nuclear Regulatory Commission
T8-E18
Washington, D.C. 20555-0001

Dear Ms. Attack:

Attached is a copy of the proposed revisions to the Texas Regulations for Control of Radiation, 25 Texas Administrative Code (TAC), §289.251 relating to Exemptions, General Licenses, and General License Acknowledgements; §289.252 relating to Licensing of Radioactive Material, §289.253 relating to Radiation Safety Requirements for Well Logging Service Operations and Tracer Studies, §289.256 relating to Medical and Veterinary Use of Radioactive Material, and §289.257 relating to Packaging and Transportation of Radioactive Material. The proposed revisions for §§289.251, 289.252, 289.253, 289.256, and 289.257 was made available for public comment on June 22, 2018, with a request for comments by July 23, 2018. The proposed regulations are identified by underlined text for new text and ~~[brackets and strike-through]~~ for deleted text.

The following chart identifies the outstanding required changes that have been addressed in these adopted rules in order for the Texas Department of State Health Services (DSHS) to meet NRC compatibility.

<u>Rats ID</u>	<u>NRC Title</u>	<u>State Section</u>
1993-1	Decommissioning, Recordkeeping, and License Termination	§289.252
2007-2	Exemptions from Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements	§289.251 §289.252
2007-3	Requirements for Expanded Definition of Byproduct Material	§289.251 §289.252 §289.256
2011-2	Licenses, Certifications, and Approvals for Materials Licensees	§289.252 §289.253
2012-4	Requirements for Distribution of Byproduct Material	§289.251 §289.252
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions	§289.251
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements	§289.257
2015-4	Miscellaneous Corrections	§289.252
2015-5	Miscellaneous Corrections	§289.252

Please see the table that follows on page 4 which identifies the equivalent amendment to NRC's regulations. We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

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If you have any questions, please feel free to contact Chuck Flynn at 512-834-6655, or Chuck.Flynn@dshs.texas.gov; or Charlotte Sullivan at 512-834-6730, or Charlotte.Sullivan@dshs.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chuck Flynn', with a horizontal line extending to the right.

Charles "Chuck" Flynn, M.S., H.P.
Radiation Unit Manager
Policy, Standards, and Quality Assurance Section
Consumer Protection Division
Texas Department of State Health Services

A handwritten signature in black ink, appearing to read 'Charlotte Sullivan', written in a cursive style.

Charlotte Sullivan, Ed. D.
Business Filing and Verification Section Director
Consumer Protection Division
Texas Department of State Health Services

Attachments

