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Sabrina Atack, Acting Deputy Director
Division of Materials 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

September 10, 2018

Dear Ms. Atack:

Enclosed is a copy of the final revisions to Wisconsin Chapter DHS 157 'Radiation Protection'. The rule was published on Wisconsin's register in January 2018. We request NRC's comments by November 20, 2018. The enclosed revisions are identified by line in/line out text and correspond to the equivalent amendments to NRC's regulations found below. Updates incorporated due to NRC comments are highlighted in yellow. Minor copy-editing and proofreading updates incorporated since the proposed rule submission process are highlighted in green.

RATS-ID	Title	State Section
2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	DHS 157.03
2012-3	Technical Corrections Parts 30, 34, 40 and 71 77 FR 39899	DHS 157.13; DHS 157.36; DHS 157 Appendix O
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	DHS 157.09(2); DHS 157.13
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions Parts 30, 40 and 70 78 FR 32310	DHS 157.09(1) DHS 157.11(1) DHS 157.13(4m)
2013-1	Physical Protection of Byproduct Material Parts 20, 30, 32, 33, 34, 35, 36, 37, 39 and 71 78 FR 16922	DHS 157.100 through DHS 157.122

2015-5	Miscellaneous Corrections Parts 19, 20, 30, 32, 37, 40, 61, 70, 71 and 150 80 FR 74974	various
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71 80 FR 33987	DHS 157.03; DHS 157.92-.94; DHS 157 Appendix O

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.

1. With regard to RATS-ID 2012-2, 2012-3, 2012-4, 2013-2, and 2015-3, the enclosed changes address NRC comments communicated via letter dated Jan 27, 2017. Note that portions of several comments made in the letter were not accepted fully, but accepted with slight revision. We have included text from our existing rule to demonstrate that our rule text is compatible with the equivalent provision in 10 CFR 35.
2. With regard to RATS-ID 2013-1 and 2015-5, the enclosed changes address NRC comments communicated via letter dated February 2, 2017. Note that portions of several comments made in the letter were not accepted. We have included text from our existing rule to demonstrate that our rule text is compatible with the equivalent provision in 10 CFR 35.
3. The NRC letter dated February 14, 2017 included no comments that needed to be addressed.

If you have any questions, please feel free to contact Mark Paulson of my staff at 608-264-6516 or mark.paulson@dhs.wisconsin.gov.

Sincerely,



Paul Schmidt
Chief, Radiation Protection Section
State of Wisconsin

Enclosures:

1. Response to NRC letter dated Jan 27, 2017
2. Response to NRC letter dated Feb 2, 2017
3. NRC-DHS compatibility chart (crosswalk)
4. Draft DHS 157

Cc: Darren Piccirillo