



# The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Radiation Control Program

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September 20, 2018

Sabrina Atack, Acting Deputy Director  
U.S. Nuclear Regulatory Commission  
Division of Materials Safety, Security, State and Tribal Programs (MSST)  
Office of Nuclear Material Safety and Safeguards (NMSS)  
(Via Electronic Mail)

RE: **Final Regulations**

Dear Ms. Atack:

Enclosed, for your review, are the final as published amendments to 105 CMR 120.000 dated September 7, 2018. These final regulations correspond to the following equivalent amendments to NRC's regulations:

RATS ID	Title
2011-1	Decommissioning Planning
2012-4	Requirements for Distribution of Byproduct Material
2013-2	Distribution of Source Materials to Exempt Persons and to General Licensees and Revision of General Licenses and Exemptions
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements; Including Corrections

These final regulations are essentially the same as the proposed regulations previously submitted to you with line-in/line-out text for RATS IDs 2011-1, 2012-4 and 2013-2 (ML16285A473) and 2015-3 (ML17059D085), except all NRC comments were addressed [Five total NRC comments related to RATS-ID 2012-4 and 2013-2 (ML16285A472) and seven total NRC comments related to RATS-ID 2015-3 (ML17059D084)].

Completed tables that identify the State Section that applies to each Change to NRC Section regarding RATS IDs 2011-1, 2012-4, 2013-2 and 2015-3 were previously submitted to you with the proposed regulations and they continue to be the same for these final regulations except that some section structure was updated (e.g. 120.788A was changed to 120.789, etc.) due to

preferences made by the publisher (Secretary of Commonwealth) and Agency legal reviewer. As related to State Sections referenced in the NRC comments, 120.103(C)(10) is now 120.103(E); 120.793 is now 120.794; 120.788A(B) and (C) is now 120.789(B) and (C); 120.791(A) is now 120.792(A); 120.794 is now 120.796; 120.790(B) and (C) is now 120.791(B) and (C); and 120.795 is now 120.798. Any sections referencing those sections were also appropriately updated.

We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in the NMSS Procedure SA-200.

If you have any questions, please contact me at 617-242-3035 ext. 2015 or [Joshua.daehler@state.ma.us](mailto:Joshua.daehler@state.ma.us) .

Sincerely,



Joshua E. Daehler,  
Radioactive Materials Unit Supervisor  
Radiation Control Program

Enclosures:  
As stated.