

Mission:
To protect, promote & improve the health
of all people in Florida through integrated
state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, MD
State Surgeon General

Vision: To be the Healthiest State in the Nation

September 15, 2019

Kevin Williams, Deputy Director
Division of Materials Safety, Security, State,
and Tribal Programs (MSST)
and
Michelle Beardsley, State Regulation Review Coordinator,
Health Physicist, Agreement State Programs Branch
MSST, NMSS
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
T8-E18
Washington, D.C. 20555-0001

Sent via email only to AgreementStateReqs.Resource@nrc.gov

Dear Mr. Williams:

Enclosed is a copy of the final revisions to the Florida Radiological Health Rules and legally binding requirements. The final regulations are identified by line-in/line-out text and correspond to the following equivalent amendments to NRC's regulations.

<u>Rats ID</u>	<u>Title</u>	<u>State Section</u>
Multiple RATS NRC 5-1-2015 Letter Comments	NRC 5-1-15 Letter Comments. Multiple RATS	Multiple Rules See Letter for reference to affected rules.
2011-1	Decommissioning Planning, Parts 20, 30, 40, and 70 (76 FR 35512, Published 6-17-2011)	Multiple Rules see attached rule files listed in the RATS 2011-1 attachment.
2012-2	Advance Notification to Native American tribes of Transportation of Certain Types of Nuclear Waste (77 FR 34194, Published 6-11-2012)	64E-5.101 Definition Indian Tribe/Official 64E-5.1606 (Added Tribal Notification to Governors notification language) listed in RATS 2012-2 attachment
2012-3	Technical Corrections – Parts 30, 34, 40, and 71 (77 FR 39899, Published 7-6-2012)	Rule 64E-5.213 & Rule 64E-5.424 (Pt. 34 ANSI Mailing Address change) listed in RATS 2012-3 attachment.
2012-4	Requirements for Distribution of Byproduct Material, Parts 30, 31, 32, 40, and 70 (77 FR 43666, Published 7-25-2012)	(Exempt distributions of products added/revised) Multiple Rules see attached files listed in RATS 2012-4 attachment

2013-1	Physical Protection of Byproduct Material, 10 CFR Parts 20, 30, 32, 33, 34, 35, 36, 37, 39, 51, 71 and 73 (78 FR 16922, Published March 19, 2013)	Rule 64E-5.102 and Rule 64E-5.1506 Non-Pt 37 pieces. See Attached files listed in RATS 2013-1 attachment.
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions 10 CFR Parts 30, 40, 70, 170, and 171 (78 FR 32310, Published May 29, 2013)	Multiple Rules. See attached files listed in RATS 2013-2 attachment.
10CFR Part 71 and 2015-3	Audit Comments Regarding Part 71 and Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements; Including Corrections 10 CFR Part 71	Multiple Rules. See Attached Files listed in 10CFR Part 71 Compatibility Table dated 4/25/2018 and RATS 2015-3 attached.

Issues:

1. Note that the Part 37 license condition modification listed in 2013-1 has been approved. The two Rules not listed in the license condition 30.13 (Carrier exemption) and 71.97 (Advance Notification) are included in Rule 64E-5.102 (carrier exemption) and 64E-5.1506(2) which is part of the RATS 2012-2 Advance Notice to Native American Tribes of Transportation of Certain Types of Nuclear Waste. This completes the missing non-Part 37 portions of RATS 2013-1.
2. RATS 2015-5 Definition of "Indian Tribe" is included in Rule 64E-5.101 and as well as the revision to 71.97(c)(3)(ii) Advance Notification of shipment of irradiated reactor fuel and nuclear waste" is included and updates the text of RATS 2012-2 is listed in Rule 64E-5.1506. This completes the missing transportation portions of RATS 2015-5.
3. Part 71 Compatibility Table dated 4/25/2018 was used to adopt and incorporated by reference the applicable sections of 10 CFR Part 71 printed edition dated 1/1/2019. The RATS 2015-3 table (7/13/2015) was submitted for completion only since its listings are included. Not included are the multiple 49 CFR Parts incorporated by reference. They are available via hyperlinks in the draft rule text.

If you have any questions, please feel free to contact me at 850-245-4043 or Mike.Stephens@FLHealth.gov

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.

Sincerely,



Michael N. Stephens
Environmental Health Program Consultant
Bureau of Radiation Control

MNS/

Enclosures:

NRC Letter 05012015 (pdf), RATS 2011-1, 2012-2, 2012-3, 2012-4, 2013-1, 2013-2, 10 CFR Part 71 Compatibility Table and 2015-3 RATS (Word);
Rules (Word Files) 64E-5.101, 64E-5.102, 64E-5.203, 64E-5.203 Sch A, 64E-5.203 Sch B, 64E-5.203 Table GL Quantities, 64E-5.205, 64E-5.207, 64E-5.208, 64E-5.210, 64E-5.213, 64E-5.214, 64E-5.215, 64E-5.223, 64E-5.224, 64E-5.226, 64E-5.314, 64E-5.424, 64E-5.636, 64E-5.648, 64E-5.649, 64E-5.650, 64E-5.652, 64E-5.653, 64E-5.655, 64E-5.656, 64E-5.659, 64E-5.660, 64E-5.661, 64E-5.662, 64E-5.663, 64E-5.1501, 64E-5.1506, 64E-5.6011, 64E-5.6411, 64E-5.1501, 64E-5.1502, 64E-5.1503, 64E-5.1505, 64E-5.1506, (pdf) (10CFR-part 71 App A dated 1-1-2019 incorporated by reference in 64E-5.1501 for RATS 2012-3 and RATS 2015-3 and 10CFR-Part 71 1-1-2019 Print Edition incorporated by reference in 64E-5.1502 for 10CFR Part 71 and RATS 2015-3)

cc: Cindy Becker, Chief, Bureau of Radiation Control
(Cindy.Becker@FLHealth.gov)