

Tony Evers
Governor



State of Wisconsin
Department of Health Services

Karen E. Timberlake
Secretary

DIVISION OF PUBLIC HEALTH

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June 3, 2021

Theresa Clark, 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

Dear Ms. Clark:

Enclosed is a copy of the legally binding requirements to address changes to 10 CFR 35 and other miscellaneous corrections. The legally binding requirements correspond to the following equivalent amendments to NRC's regulations:

RATS ID	Title	State Section
2018-1	Medical Use of Byproduct Material - Medical Event Definitions, Training and Experience, and Clarifying Amendments, 10 CFR Parts 30, 32 and 35	License Condition
2018-2	Miscellaneous Corrections - Organizational Changes, 10 CFR Parts 37, 40, 70, and 71	License Condition
2018-3	Miscellaneous Corrections to 10 CFR Parts 1, 2, 34, 37, 50, 71, 73, and 140	License Condition

We believe that adoption of these legally binding requirements satisfies the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

If you have any questions, please contact Mark Paulson by telephone at 608-264-6516 or by email at mark.paulson@wisconsin.gov.

Sincerely,

A handwritten signature in black ink that reads "Paul Schmidt".

Paul Schmidt, Chief
Radiation Protection Section
State of Wisconsin

Enclosures: As stated

Proposed License Condition:

In lieu of s. DHS 157.13(4)(i); s. DHS 157.68(2)(a); s. DHS 157.61(1)(b) and (c); s. DHS 157.61(4)(b); s. DHS 157.61(5), (7) to (10), and (12); s. DHS 157.63(3) to (6); s. DHS 157.64(1) and (4) to (8); s. DHS 157.65(1), (8) to (10); s. DHS 157.66; s. DHS 157.67(1), (4), (15), (17), and (18); s. DHS 157.72(1); s. DHS 157.94(5); s. DHS 157.9708(4); and s. DHS 157.9719, the licensee shall comply with Title 10, Code of Federal Regulations:

- (a) Part 30 section 30.34(g);
- (b) Part 32 section 32.72; and
- (c) 35.2 Definitions: Associate Radiation Safety Officer, Ophthalmic Physicist; and
- (d) Part 35 sections 35.24(b), 35.24(c), 35.40(b), 35.41, 35.50, 35.51, 35.55, 35.57, 35.190, 35.204, 35.290, 35.300, 35.390, 35.392, 35.394, 35.396, 35.400, 35.433, 35.490, 35.491, 35.500, 35.590, 35.600, 35.610, 35.655, 35.690, 35.3045, and 35.3204; and
- (e) Part 37 sections 37.77(a) and 37.43(d); and
- (f) Part 71 section 71.97.

Except as follows:

- (a) Any reference to the Commission or NRC shall be deemed to be a reference to the Wisconsin Department of Health Services, except:
 - a. References to “NRC or Agreement State”, “Commission or an Agreement State”, or “Commission or Agreement State” shall be deemed to be a reference to “Wisconsin Department of Health Services, NRC, or an Agreement State”;
 - b. References to Commission master materials licensees, permittees, permits, permittees of broad scope, and broad scope medical use permittees; and
 - c. References to NRC’s Medical Uses Licensee Toolkit web page; and
 - d. References to the NRC Web site; and
 - e. References to U.S. Nuclear Regulatory Commission as part of a mailing address.
- (b) License required reports of events or notifications in 30.34(g), 35.204, 35.3204, 35.3045, and 37.77(a) shall use DHS contact information in DHS 157.13(17).