



June 16, 2021

Ms. Theresa Clark, 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. Clark:

Attached is a copy of the draft revisions to the Texas Regulations for Control of Radiation, 25 Texas Administrative Code (TAC), §289.252 relating to Licensing of Radioactive Material, §289.256 relating to Medical and Veterinary Use of Radioactive Material, and §289.257 relating to Packaging and Transportation of Radioactive Material. The draft revisions for §§289.252, 289.256, and 289.257 were made available for public comment on April 6, 2021, with a request for comments by April 20, 2021. The draft regulations are identified by underlined text for new text and [~~brackets and strike through~~] for deleted text. The rules file we are sending has track changes on with the changes showing in red to assist you in reviewing these regulations.

The following chart identifies the outstanding required changes that have been addressed in these draft 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>
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements	§289.257

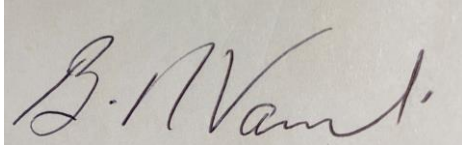
<u>Rats ID</u>	<u>NRC Title</u>	<u>State Section</u>
2015-5	Miscellaneous Corrections	§289.257
2018 - 1	Medical Use of Byproduct Material – Medical Event Definitions, Training and Experience, and Clarifying Amendments	§289.252 §289.256
2018 - 2	Miscellaneous Corrections – Organizational Changes	§289.252 §289.257
2018 - 3	Miscellaneous Corrections	§289.252
2019 - 1	Miscellaneous Corrections	§289.252
2019 - 2	Organizational Changes and Conforming Amendments	§289.257
2020 - 1	Individual Monitoring Devices	No changes at this time
2020 - 2	Social Security Number Fraud Prevention	§289.256

The RATS assignments from 2018, 2019, and 2020, which identify the equivalent amendments to NRC’s regulations are also attached. The other changes from 2015 RATS assignments were included in NRC’s letter to Mr. Chuck Flynn dated October 16, 2018. We believe that the final adoption of these revisions will satisfy 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 Brian Vamvakias at 512-834-6655, or Brian.Vamvakias@dshs.texas.gov; or Charlotte Sullivan at 512-834-6730, or Charlotte.Sullivan@dshs.texas.gov.

Sincerely,

A rectangular image showing a handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and appears to read "B. Vamvakias".

Brian Vamvakias, M.S.
Radiation Unit Manager
Policy, Standards, and Quality Assurance Section
Consumer Protection Division
Texas Department of State Health Services

Charlotte Sullivan

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

Attachments