

**Miscellaneous Corrections – Organizational Changes**  
**10 CFR Parts 37, 40, 70 and 71**  
**(83 FR 57231), Published November 21, 2018)**  
**RATS ID: 2018-2**  
**Effective Date: December 21, 2018**  
**Date Due for State Adoption: December 21, 2021**

\*Revised 5/12/2020 to revise reviewer note for 37.77

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
§ 37.7(a)	Communications		D	<p>§ 37.7(a) is revised to read as follows:</p> <p>(a) By mail addressed to: ATTN: Document Control Desk; Director, Office of Nuclear Reactor Regulation; Director, Office of New Reactors; or Director, Office of Nuclear Material Safety and Safeguards, as appropriate, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001;</p>			
§ 37.77	Advance notification of shipment of category 1 quantities of radioactive material	§289.252(ii)(21)(A)(i)(I) *Reviewer note: The Agreement States	B: 37.77(a)-(d)  C: 37.77(e) and (f)	In § 37.77, wherever it appears, remove the title "Division of Security Policy," and in paragraph (c)(1), remove the phrase "of Nuclear Security".			Wording doesn't exist in DSHS rule. No change is necessary.

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		<p>should not have this NRC organization title in their regulations, since these notifications should go to their State Agency.</p> <p>[See 78 FR 16990, Comment D.12]</p>					
§ 37.81(g)	Reporting of Events	§289.252(ii)(23)(G)	C	<p>In § 37.81(g) introductory text, remove the third sentence that states:</p> <p>“In addition, the licensee shall provide one copy of the written report addressed to the Director, Division of Security Policy, Office of Nuclear Security and Incident Response, U.S. NRC, Washington, DC 20555-001.”</p>	No	No	Included in current RAM rule packet
§ 40.23	General license for carriers of	TCEQ Rules	NRC	Amend § 40.23 as follows:			TCEQ Rules

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	transient shipments of natural uranium other than in the form of ore or ore residue			<p>a. In paragraph (b)(1), remove the title "Division of Security Policy,";</p> <p>b. In paragraph (b)(2)(ix), remove the title "Division of Security Policy" and add in its place the title "Office of Nuclear Security and Incident Response".</p> <p>c. In paragraph (c), remove the title "Division of Security Policy" and add in its place the title "Division of Physical and Cyber Security Policy".</p> <p>d. In paragraph (d), remove the title "Division of Security Policy" and add in its place the title "Division of Physical and Cyber Security Policy"; and remove the telephone number "(301) 415-6828" and add in its place the telephone number "301-287-3598".</p>			
§ 40.64	Reports	TCEQ Rules	NRC	In § 40.64(c)(2) and (3), remove the last sentence in each paragraph.			TCEQ Rules

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§ 40.66	Requirements for advance notice of export shipments of natural uranium	TCEQ Rules	NRC	Amend § 40.66 as follows:  a. In paragraph (a), remove the title "Division of Security Policy,"; b. In paragraph (b)(5), remove the title "Division of Security Policy," and add in its place the title "Director,"; and c. In paragraph (c), remove the title "Division of Security Policy," and add in its place the title "Director,".			TCEQ Rules
§ 40.67	Requirement for advance notice of importation of natural uranium from countries that are not party to the Convention on the Physical Protection of Nuclear Material	TCEQ Rules	NRC	Amend § 40.67 as follows:  a. In paragraph (a), remove the title "Division of Security Policy,"; and b. In paragraphs (c) and (d), remove the title "Division of Security Policy" and add in its place the phrase "Director, Office of Nuclear Security and Incident Response".			TCEQ Rules

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§ 70.5	Communications		D	In § 70.5, wherever it appears, remove the title “Division of Security Policy,”			No change necessary – not found in DSHS rule
§ 70.20b	General license for carriers of transient shipments of formula quantities of strategic special nuclear material, special nuclear material of moderate strategic significance, special nuclear material of low strategic significance, and irradiated reactor fuel		NRC	In § 70.20b, wherever it appears, remove the title “Division of Security Policy,”			No change necessary – not found in DSHS rule
§ 70.32	Conditions of licenses	For 70.32 (a)(2), etc. – DSHS equivalent is §289.252(x)	NRC: 70.32(a)(1) (a)(4) (a)(5), (a)(6), (a)(7), (b)(1), (b)(3),	In § 70.32, wherever it appears, remove the title “Division of Security Policy, Office of Nuclear Security and Incident Response” and add in its place the title			No change necessary – wording was not found in DSHS rule

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		And for 70.32(a)(9) equiv is §289.252(x)(6)	(b)(4),(c), (d), (e), (f), (g), (h), (i), (j), & (k)  C: 70.32 (a)(2), (a)(3), & (a)(8)  H&S: 70.32 (a)(9)  D: 70.32 (b)(2) & (b)(5)	"Office of Nuclear Material Safety and Safeguards".			
§ 71.97	Advance notification of shipment of irradiated reactor fuel and nuclear waste	§289.257(q)(4)(A)(iii) and (q)(7)(A)	B	In § 71.97, wherever it appears, remove the title "Division of Security Policy,"	No	No	Included in current RAM rule packet

