

**Attachment A**  
**RATS ID 2015-3**

**NAC 459.1997 Adoption by reference and revision of certain provisions of federal regulations regarding packaging and transportation of radioactive material. ([NRS 459.201](#))**

1. The provisions of 10 C.F.R. §§ 71.0(c), 71.1(a), 71.3, 71.4, 71.15, 71.17, 71.21, 71.22, 71.23, 71.47, 71.83 to 71.89, inclusive, 71.97, 71.101(a), 71.101(b), 71.101(c), 71.101(g), 71.105, 71.127 to 71.137, inclusive, and Appendix A to Part 71 are hereby adopted by reference, subject to the following:

- (a) The exclusion of the following definitions from 10 C.F.R. § 71.4:
  - (1) “Close reflection by water”;
  - (2) “Licensed material”;
  - (3) “Optimum interspersed hydrogenous moderation”;
  - (4) “Spent nuclear fuel or spent fuel”; and
  - (5) “State.”
- (b) The substitution of the following rule references:
  - (1) “[NAC 459.737](#)” for “§ 34.31(b) of this chapter” as found in 10 C.F.R. § 71.101(g);
  - (2) “Subsection 1 of [NAC 459.339](#)” for “10 C.F.R. § 20.1502”;
  - (3) “[NAC 459.3062](#)” for “10 C.F.R. Part 35”;
  - (4) “Subsection 6 of [NAC 459.3585](#)” for “10 C.F.R. § 20.1906(e)”;
  - (5) “[NAC 459.181](#)” for “10 C.F.R. § 71.5”;
  - (6) “10 C.F.R. §§ 71.101(a), 71.101(b), 71.101(c)(1), 71.101(g), 71.105 and 71.127 to 71.137, inclusive,” for “subpart H of this part” or “subpart H,” except in 10 C.F.R. §§ 71.17(b), 71.21(b), 71.22(b) and 71.23(b);
  - (7) “10 C.F.R. §§ 71.0(c), 71.1(a), 71.3, 71.4, 71.17(c)(2), 71.21(d)(2), 71.83 to 71.89, inclusive, 71.97, 71.101(a), 71.101(b), 71.101(c)(1), 71.101(g), 71.105 and 71.127 to 71.137, inclusive,” for “subparts A, G and H of this part”;
  - (8) “10 C.F.R. § 71.47” for “subparts E and F of this part”; and
  - (9) “10 C.F.R. §§ 71.101(a), 71.101(b), 71.101(c)(1), 71.101(g), 71.105 and 71.127 to 71.137, inclusive,” for “§§ 71.101 through 71.137.”
- (c) The substitution of the following terms:
  - (1) “Division” for:
    - (I) “Commission” in 10 C.F.R. §§ 71.0(c), 71.17(a), 71.21(a), 71.22(a), 71.23(a) and 71.101(c)(1);
    - (II) “Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response” in 10 C.F.R. §§ 71.97(c)(1) and 71.97(f)(1);
    - (III) “Director, Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001” in 10 C.F.R. § 71.97(c)(3)(iii); and
    - (IV) “NRC” in 10 C.F.R. § 71.101(f);
  - (2) “The Nuclear Regulatory Commission or an agreement state” for “Commission” in 10 C.F.R. § 71.3;
  - (3) “The Governor of Nevada” for:
    - (I) “The governor of a State” in 10 C.F.R. § 71.97(a);
    - (II) “Each appropriate governor” in 10 C.F.R. § 71.97(c)(1);
    - (III) “The governor” in 10 C.F.R. § 71.97(c)(3);
    - (IV) “The governor of the State” in 10 C.F.R. § 71.97(e);
    - (V) “The governor of each State” in 10 C.F.R. § 71.97(f)(1); and
    - (VI) “A governor” in 10 C.F.R. § 71.97(e);
  - (4) “State of Nevada” for “State” in 10 C.F.R. §§ 71.97(a), 71.97(b)(2) and 71.97(d)(4);
  - (5) “The Governor of Nevada’s” for:

- (I) "The governor's" in 10 C.F.R. §§ 71.97(a), 71.97(c)(3), 71.97(e) and 71.97(f)(1);
- (II) "Governor's" in 10 C.F.R. §§ 71.97(c)(1) and 71.97(e); and
- (III) "Governors" in 10 C.F.R. § 71.97(c)(3)(iii);
- (6) "Specific or general" for "NRC" in 10 C.F.R. § 71.0(c);
- (7) "The Division" for "ATTN: Document Control Desk, Director, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards" in 10 C.F.R. § 71.101(c)(1);
- (8) "Each" for "Using an appropriate method listed in § 71.1(a), each" in 10 C.F.R. § 71.101(c)(1);
- (9) "The material must be contained in a Type A package meeting the requirements of 49 C.F.R. § 173.417(a)" for "The fissile material need not be contained in a package which meets the standards of subparts E and F of this part; however, the material must be contained in a Type A package. The Type A package must also meet the DOT requirements of 49 C.F.R. 173.417(a)" as found in 10 C.F.R. §§ 71.22(a) and 71.23(a);
- (10) "Licensee" for "licensee, certificate holder, and applicant for a CoC"; and
- (11) "Licensee is" for "licensee, certificate holder, and applicant for a CoC are."

2. A copy of the publication that contains 10 C.F.R. Part 71 may be obtained by mail from the Superintendent of Documents, United States Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, or by toll-free telephone at (866) 512-1800, at the price of \$64, or free of charge at the Internet address <http://www.gpoaccess.gov/cfr/index.html>.

(Added to NAC by Bd. of Health by R185-08, eff. 5-7-2010; A by R144-13, 10-13-2016)