



September 10, 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 link to the final revisions [Chapter 3 – Radiation Protection – State Records Center & Archives \(nm.gov\)](#) to the New Mexico Radiation Protection Rules, 20.3 NMAC [20.3.1 General Provisions, 20.3.1.6 Definitions, August 10, 2021, 20.3.3 Licensing of Radioactive Material, 20.3.3.7 Definitions, August 10, 2021, 20.3.3.301 Exemptions – unimportant quantities of source material, August 10, 2021, 20.3.3.302 Exemptions – radioactive material other than source material, August 10, 2021, 20.3.3.304 General Licenses – Source Material, 20.3.3.305 General Licenses – other than source material, 20.3.3.306 Transportation of Radioactive Material, August 10, 2021, 20.3.3.307 Filling of Applications for Specific Licenses, August 10, 2021, 20.3.3.310 Public Notice, Participation and Hearing, August 10, 2021, 20.3.3.315 Special requirements for Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices which contain Radioactive Material, August 10, 2021, 20.3.4 Standards for Protection Against Radiation, 20.3.4.425 Security and Control of Licensed or Registered sources of radiation, August 10, 2021, 20.3.4.462 Appendix C – Quantities of Licensed Material Requiring Labeling, August 10, 2021, 20.3.4.466 Appendix G – Requirements for Transfer of Low-Level Radioactive Waste intended for Disposal at Licensed Disposal Facilities and Manifests, August 10, 2021, 20.3.5.10 Specific License for Industrial Radiography, August 10, 2021, 20.3.7.700 General Regulatory requirements, August 10, 2021, 20.3.12.9 Specific Licenses for Well Logging, August 10, 2021, 20.3.15.1502 Specific Licenses for Irradiators, August 10, 2021]. The final regulations are identified by line-in/line-out text (the attached pdf provides details on the rule revisions) and correspond to NRC regulations' equivalent amendments. The revisions followed the NRC review letter dated January 16, 2018, with seventeen comments, and the August 9, 2017, letter with fourteen comments.

Attachments include the work documents with a strikeout of old rules in brackets and new rules underlined. The RATS was revised on August 10, 2021, and revisions are as follows: RATS 2012-4, 2013-1, 2013-2, 2015-3, and 2015-5.

<u>Rats ID</u>	<u>Title</u>	<u>State Section</u>
• 2012-4	See attached PDF	[See attached pdf]
• 2013-1	See attached PDF	[See attached pdf]
• 2013-2	See attached PDF	[See attached pdf]
• 2015-3	See attached PDF	[See attached pdf]
• 2015-4	See attached PDF	[See attached pdf]

We believe that the 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.

(If there are issues) The following are [number] issues that we would like the NRC to address:

1. Description of issue.
2. Description of issue.

(If the regulations do not satisfy the compatibility and health and safety designation, identify those sections and describe the State's rationale for promulgating a regulation that is not compatible with NRC's regulation. Describe any constraint that prevents the State from promulgating a regulation that satisfies the compatibility and health and safety category and whether the program is examining the removal of the constraints. For other legally binding requirements, the State should demonstrate that they are legally binding.)

If you have any questions, please feel free to contact me at [505-270-1930] or [Thomas Collins] of my staff at [505-660-9108] or [Thomas.collins@state.nm.us].

Sincerely,

Santiago M. Rodriguez, Bureau Chief, Liaison Officer  
Radiation Control Bureau

cc: file

