

March 16, 2004

Ms. Beverly O. Hall, Acting Director
Division of Radiation Protection
Department of Environment and Natural Resources
3825 Barrett Drive
Raleigh, NC 27609-7221

We have reviewed the proposed revisions to North Carolina Administrative Code, Chapter 11 (15A NCAC 11), Radiation Protection Regulations, received electronically by our office on February 10, 2004. Our review and comments are in response to the State's request for Nuclear Regulatory Commission (NRC) evaluation of the changes to North Carolina's radiation control rules that incorporated the amendments identified on the States Regulation Status Data Sheet (SRS). These regulations were reviewed by comparison to the equivalent NRC

amendments identified in the enclosed SRS. We discussed our review of the regulations with you on March 16, 2004.

As a result of our review, we have 14 comments and three editorial suggestions. Under our current procedure, a finding that a State regulation meets the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final State regulation. Please provide a final amended version of your rules, showing the location of any changes made, in response to our comments. If there are any comments which the State believes are in error, the State should identify the section of their regulations that meet the designated compatibility category. Please note that we have limited our review to regulations required for compatibility and/or health and safety, but have determined that if these regulations were adopted, incorporating our comments and without significant change, they would meet the compatibility and health and safety categories established in the Office of State and Tribal Programs (STP) Procedure [SA-200](#).

We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in STP Procedure [SA-201](#), "Review of State Regulatory Requirements" ~~and~~ ~~SA-200~~ (please

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STATE SECTION		NRC SECTION			



