

KENNY C. GUINN  
Governor

MICHAEL J. WILLDEN  
Director

STATE OF NEVADA



YVONNE SYLVA  
Administrator

Vacant  
State Health Officer

DEPARTMENT OF HUMAN RESOURCES  
HEALTH DIVISION

505 E. King Street, Room 201

Carson City, Nevada 89701-4797

Telephone: (775) 684-4200 • Fax: (775) 684-4211

December 11, 2001

Paul H. Lohaus, Director  
Office of State and Tribal Programs  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Mr. Lohaus:

This is to acknowledge receipt of your letter dated November 21, 2001 in which you summarized the review findings of the Nevada radioactive material regulatory program audit concluded by the NRC audit team on September 14, 2001. Thank you for the effort and resources expended to review the Nevada program.

We note statements in the report that have been framed to imply that certain findings and associated actions to be taken by the state to maintain the program are mandatory where the same or similar points might elsewhere be suggested as only recommendations for state consideration.

The events of the attack on the World Trade Center buildings clearly complicated the audit process and we understand that NRC staff could not meet audit requirements to complete the draft report within 30 days.

Due to the timing of the receipt of the report and the holidays, we will be providing our written response by the week of January 7, 2002.

Also, because of this date change, this will move the Management Review Board hearing into February. We suggest the date of February 11, 2002. We also want to invite the Board to Nevada for this hearing.

The original agreement between Nevada and the U.S. Atomic Energy Commission (AEC) was dated in 1972. Please advise me as to how the findings relate to this rather "outdated" agreement and whether or not there are plans to produce an "updated" version of this agreement for states to review and consider continuation as an agreement state.

SP08

If you require further information or have any questions, please feel free to contact me at (775) 684-4200.

Sincerely,

A handwritten signature in cursive script that reads "Yvonne Sylva". The signature is fluid and elegant, with the first name and last name clearly distinguishable.

Yvonne Sylva  
Administrator  
YS/caw

cc: Alex Haartz, Deputy Administrator  
Nevada State Health Division

Alan Tinney, Chief  
Bureau of Health Protection Services

Stan Marshall, Supervisor  
Radiological Health Section

Bob Loux, Director  
Nevada Agency for Nuclear Projects