

STATE OF COLORADO

Bill Owens, Governor
Jane E. Norton, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

JAN 31 2002

Josephine M. Piccone, Deputy Director
Office of State and Tribal Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Ms. Piccone:

Enclosed is a copy of the final revisions to the State of Colorado *Rules and Regulations Pertaining to Radiation Control*, Part 18, *Licensing Requirements for Uranium and Thorium Processing*, effective November 20, 2001. These final regulations correspond to the equivalent amendments to U.S. Nuclear Regulatory Commission 10 CFR Part 40, in particular Appendix A.

Part 18 incorporates NRC amendments (RATS ID #1999-1) and incorporates or resolves comments in NRC's letter of August 28, 2001 regarding Colorado's proposed Part 18. Substituted in the Purpose and Scope (RH 18.1.3) is the statement that "Disposal at a uranium or thorium processing site of radioactive material which is not type 2 byproduct material must not inhibit reclamation of the tailings impoundment or the ability of the U.S. government to take title to the impoundment as long-term custodian." This language, suggested by our Radiation Advisory Committee, clarifies and resolves the matters discussed in NRC's August 28, 2001, my letter of August 31, 2001 and the NRC response of October 10, 2001.

These modifications to Part 18 satisfy the compatibility and health and safety categories in the Office of State and Tribal Programs (STP) Procedure SA-200.

If you have any questions, please contact me at (303) 692-3036 or Ken Weaver of my staff at (303) 692-3058 or Kenneth.Weaver@state.co.us.

W. Jacobi, Manager
Radiation Services Program

Enclosures: as stated, Part 18 previously provided under separate cover

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