

June 27, 2003

Mr. Eugene W. Potter  
Radiation Management Program Unit Leader  
Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment  
8100 Lowry Boulevard  
Denver, CO 80230-6928

Dear Mr. Potter:

I am responding to your June 13, 2003 letter requesting the Nuclear Regulatory Commission's (NRC) participation in an advisory capacity to the Uranium Site Closure Committee. NRC recently revised its guidance, Office of State and Tribal Programs (STP) Procedure SA-900: "Termination of Uranium Milling Licenses in Agreement States." The procedure provides guidance for use by Agreement States on preparation and submittal of license termination proposals, and guidance to be followed by NRC staff for review of such proposals. The procedure is available on the NRC STP external web site at: <http://www.hsrdo.ornl.gov/nrc/procedures/sa900.pdf>.

The revised procedure incorporates recommendations from a working group composed of five Agreement State and four NRC representatives, and extensive public comments including comments from the Nuclear Energy Institute, the National Mining Association and Agreement States. We believe the procedure has provided clear guidance for stakeholders to understand NRC's internal processes and needs for making its concurrence determination for termination of uranium milling licenses, and therefore we do not plan to participate in an advisory capacity to the Uranium Site Closure Committee.

However, consistent with the procedure, we will continue to interact with State staff early-on to provide feedback on significant issues that are unique to a specific uranium milling site. Mr. Dennis Sollenberger and Mr. Terry Brock of my staff will attend the July 9<sup>th</sup> meeting to discuss our procedure, answer questions, and help provide guidance on issues such as approval of alternative standards, and NRC review of the Long Term Surveillance Plan. In addition, staff members from the Office of Nuclear Material Safety and Safeguards plan to participate in the meeting by teleconference, if it is available.

If you have any questions regarding the correspondence, please contact me at (301) 415-3340 or Kevin Hsueh of my staff at (301) 415-2598.

Sincerely,

**/RA/**

Paul H. Lohaus, Director  
Office of State and Tribal Programs

Eugene W. Potter

June 27, 2003

Distribution:

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DCD (SP08) PDR (YES✓)

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