



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 18, 2006

ALL AGREEMENT STATES, NEW JERSEY, PENNSYLVANIA, VIRGINIA

**INFORMATION REQUEST: FACILITIES POSSIBLY AFFECTED BY PROPOSED LTR-  
PREVENTION OF LEGACY SITES RULE (STP-06-087)**

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to reduce the likelihood that facilities will become legacy sites. The amended regulation would require NRC and Agreement State licensees to report how their facility design, construction, and operating procedures will detect and minimize the presence of contamination, in the contiguous and offsite environment, including the subsurface.

To accomplish this task, in June 2006, the NRC formed a proposed rule Working Group comprised of NRC personnel and one Agreement State representative from the Organization of Agreement States (OAS). At this time the License Termination Rule (LTR)-Legacy Sites Working Group (WG) is beginning to identify the number and types of facilities that may be affected by the proposed rule. The types of facilities that will need to submit this report are those who possess or use radioactive material, with a half-life greater than 120 days, in an unsealed form, and "whose processes have liquid volumes with the potential to contaminate the subsurface environment."

In order to complete this task, the WG is requesting the Agreement States to provide\* the following information on the types of facilities that NRC believes will be affected by the proposed rule that are currently under the Agreement States' jurisdiction:

- All Part 40 equivalent facilities, including uranium mills and solution mining
- All Part 70 equivalent facilities
- The following Byproduct Material facilities:

- Academic Broad Scope
- Research and Development
- Manufacturing and Distribution
- Pool irradiators
- Nuclear laundry
- Decontamination services
- Waste disposal services
- Waste treatment services
- Facilities shutdown or under decommissioning

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\* This information request has been approved by OMB 3150-0029, expiration 06/30/07. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to [infocollects@nrc.gov](mailto:infocollects@nrc.gov), and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

The above information should be provided to Mr. Kevin O'Sullivan, NMSS/IMNS, within 30 days of the date of this letter. Mr. O'Sullivan can be reached at 301-415-8112, or at e-mail: KRO2@NRC.GOV.

If you have any questions regarding this correspondence, please contact me or the individual named below.

POINT OF CONTACT: Osiris Siurano  
TELEPHONE: (301) 415-2307

INTERNET: OSP@NRC.GOV  
FAX: (301) 415-3502

***/RA Kathleen N. Schneider for/***

Dennis K. Rathbun, Deputy Director  
Office of State and Tribal Programs

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Dennis K. Rathbun, Deputy Director  
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**\*See previous concurrence**

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