

FYI

>>> <kwhatley@adph.state.al.us> 07/10/2007 10:24 AM >>>

Kathaleen -

Please see the response from our legal staff to the request. Any questions? Contact me.

----- Forwarded by Kirksey Whatley/RAD/ADPH on 07/10/2007 09:22 AM -----

John
Wible/LEGAL/ADPH

To
06/26/2007 10:47 AM Greg Locklier/LEGAL/ADPH
cc
kwhatley@adph.state.al.us,
bhale@adph.state.al.us
Subject
Re: Fw: RCPD-07-004, Agreement
State Authority to Fingerprint -
Response Requested(Document link:
Kirksey Whatley)

Ala. Code 1975, Section 22-14-2 provides that the State of Alabama wants to enter into agreement with the feds to run the radiation control program and in so doing will be consistent with federal law and regulations. Further, Alabama has signed the agreement so agreeing. Section 22-14-4 provides that the Board of Health (Radiation Control Agency) is authorized to adopt rules with a view toward compatibility with NRC regulations and federal law.

The Act NRC cites is a federal law that requires the fingerprinting of everyone who goes into a nuclear plant. In my judgment, there is nothing in Alabama law that prohibits the Board of Health from adopting a rule so requiring and I suggest that we ought to do it to be in compliance.

John R. Wible, General Counsel
Alabama Department of Public Health
201 Monroe St. Suite 1540
Montgomery, Alabama 36130-3017
Phone: 334.206.5209

Confidentiality Notice: This E-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential or privileged information. If this message concerns a lawsuit, it may be considered a privileged communication. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply E-mail and destroy all copies of the original message.

Greg
Locklier/LEGAL/ADPH

06/23/2007 05:07 PM John Wible
To
cc
Subject
Fw: RCPD-07-004, Agreement State Authority to
Fingerprint - Response Requested

I'll be out of the office next week. Please respond or advise Kirk I'll respond upon my return.

Greg Locklier
Assistant General Counsel
Alabama Department of Public Health
201 Monroe Street, Suite 1540
Montgomery, AL 36104
Phone: (334)206-5209
Fax: (334)206-5874
glocklier@adph.state.al.us

Confidentiality Notice - This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential or privileged information. If this message concerns a lawsuit, it may be considered a privileged communication. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

----- Forwarded by Greg Locklier/LEGAL/ADPH on 06/23/2007 05:06 PM -----

Kirksey
Whatley/RAD/ADPH

06/21/2007 03:37 PM John Wible/LEGAL/ADPH@ADPH, Greg
Locklier/LEGAL/ADPH@ADPH
To
cc
Subject
Fw: RCPD-07-004, Agreement State Authority to
Fingerprint - Response Requested

John/Greg -

NRC is requesting that we advise them of our ability to implement fingerprinting requirements certain classifications of licenses. Attached below is an email that addresses the questions. These questions go far beyond the knowledge of anyone in this office. Please take a look at the questions in the attachment below and let me know what our response should be. The "discussion" section on page 2 of the attachment addresses the questions being asked.

Thanks!

----- Forwarded by Kirksey Whatley/RAD/ADPH on 06/21/2007 03:20 PM -----

"Kathaleen Kerr"
<kjk@nrc.gov>

06/21/2007 03:40 PM To
Kirk Whatley <kwhatley@adph.state.al.us>
cc

Subject
RCPD-07-004, Agreement State Authority to
Fingerprint - Response Requested

NON-PUBLICLY AVAILABLE DOCUMENT

Response requested by July 30, 2007.

The attached letter RCPD-07-004 is contained in the attached electronic file. The PDF version is provided for your convenience.

Please do not relay the attached document to individuals who do not have a "need to know." This document is not to be publicly released.

(See attached file: RCPD-07-004.wpd)(See attached file: RCPD-07-004.pdf)

Mail Envelope Properties (469396AA.DD4 : 7 : 48596)

Subject: Fw: RCPD-07-004, Agreement State Authority to Fingerprint -
Response Requested
Creation Date 7/10/2007 10:24:22 AM
From: <kwhatley@adph.state.al.us>
Created By: kwhatley@adph.state.al.us

Recipients

nrc.gov

OWGWPO04.HQGWDO01

KJK (Kathaleen Kerr)

Post Office

OWGWPO04.HQGWDO01

Route

nrc.gov

Files

Size

Date & Time

MESSAGE

8995

7/10/2007 10:24:22 AM

TEXT.htm

10760

pic17371.gif

987

ecblank.gif

45

doclink.gif

149

RCPD-07-004.wpd

24439

RCPD-07-004.pdf

40393

Mime.822

115364

Options

Expiration Date:

None

Priority:

Standard

ReplyRequested:

No

Return Notification:

None

Concealed Subject:

No

Security:

Standard