



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

JUN 19 1985

Ref: SA/JOL

MEMORANDUM FOR: John Davis, Director, NMSS
James Taylor, Director, IE
Robert Minogue, Director, RES
Guy Cunningham, Executive Legal Director
Harold Denton, Director, NRR
James Keppler, Regional Administrator, RIII

FROM: G. Wayne Kerr, Director, OSP

SUBJECT: DRAFT PROPOSAL FROM IOWA FOR SECTION 274b AGREEMENT

Iowa is proceeding towards a Section 274b Agreement with NRC. The target date for the Agreement to become effective is January 1, 1986.

The State has prepared a draft program narrative to support their request for the Agreement. The request will be in the form of a letter from the Governor to the Chairman. When the official request is received, OSP will prepare an assessment and FR notice and circulate the request (with supporting documents), assessment and FR notice to you for concurrence. Following the public comment period, OSP will evaluate the comments and prepare a Commission paper on the request. The reference criteria for evaluating a request for a Section 274b Agreement is contained in a Commission Policy Statement. A copy is enclosed (enclosure 1).

To provide as smooth a process as possible, we are providing copies of the State's draft program narrative for your review and comment (enclosure 2). It is our intention to then discuss and resolve the staff's comments with Iowa so that the Governor's request, when received, can be handled expeditiously.

Our preliminary review of the draft narrative has resulted in several comments which are contained in enclosure 3 of the memorandum.

Please provide your comments to me by July 15, 1985. If you have any questions, please call Don Nussbaumer, X-27767 or Joel Lubenau, X-29887.

G. Wayne Kerr
G. Wayne Kerr, Director
Office of State Programs

Enclosures:
As stated

cc: R. Lickus, SLO, RIII, w/encl.

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Contact?*

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POLICY STATEMENTS

46 FR 7540

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Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States Through Agreement

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Statement of Policy.

SUMMARY: The Nuclear Regulatory Commission has revised its statement of policy regarding criteria for guidance of States and NRC in discontinuance of NRC regulatory authority and assumption of regulatory authority by States through agreement. This action is necessary to make editorial changes to update the policy statement, to allow States to enter into agreements for low-level waste only, and to incorporate the provisions and requirements of the Uranium Mill Tailings Radiation Control Act of 1978. Adoption of this policy will allow interested States to enter into agreements with the NRC and regulate low-level waste sites only. Additionally, those States that meet the criteria for the regulation of uranium mills and tailings may exercise regulatory authority over these sources as provided by the Uranium Mill Tailings Radiation Control Act of 1978, as amended.

The revised statement of policy reflects the following principal changes:

1. Modification of Criterion 27 to allow a State to seek an agreement for the regulation of low-level waste as a separate category.
2. Inclusion of additional criteria for States wishing to continue regulating uranium and thorium processors and mill tailings after November 8, 1981.
3. Editorial and clarifying changes to make the statement current.

DATES: This policy statement is effective January 23, 1981.

FOR FURTHER INFORMATION CONTACT: John F. Kendig, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, telephone: 301-492-7767.

SUPPLEMENTARY INFORMATION:

1. These criteria were developed to implement a program, authorized by Pub. L. 86-373 which was enacted in the form of a new section to the Atomic Energy Act (Section 274) and approved by the President on September 23, 1959

and amended by Pub. L. 95-604

approved November 8, 1978. These criteria are intended to indicate factors which the Commission intends to consider in approving new or amended agreements. They are not intended to limit Commission discretion in viewing individual agreements or amendments. In accordance with these statutory provisions, when an agreement between a State and the NRC is effected, the Commission will discontinue its regulatory authority within that State over one or more of the following materials: byproduct material as defined in Section 11e(1) of the Act (radioisotopes), byproduct material as defined in Section 11e(2) of the Act (mill tailings or wastes), source material (uranium and thorium), special nuclear material (uranium 233, uranium 235 and plutonium) in quantities not sufficient to form a critical mass and permanent disposal of low-level waste containing one or more of the materials stated above but not including mill tailings.

2. An agreement may be effected between a State and NRC: (1) upon certification by the Governor that the State has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by the proposed agreement and the State desires to assume regulatory responsibility for such materials; and (2) after a finding by the Commission that the State program is in accordance with the requirements of subsection c of section 274 and in all other respects compatible with the Commission's program for the regulation of such materials, and is adequate to protect the public health and safety with respect to the materials covered by the proposed agreement. It is also necessary that the State have enabling legislation authorizing its Governor to enter into such an agreement.

3. The original criteria were published on March 24, 1961 (26 FR 2537) after discussions with various State officials and other State representatives, to provide guidance and assistance to the States and the AEC (now NRC) in developing a regulatory program which would be compatible with that of the NRC. The criteria were circulated among States, Federal agencies, labor and industry, and other interested groups for comment.

4. The criteria require that the State authority consider the total accumulated occupational radiation exposure of individuals. To facilitate such an approach, it is the view of the NRC that an overall radiation protection program is desirable. The maximum scope of

Commission. To the extent that an issue addresses items within the current regulations, certification is unnecessary since litigation was permissible under the original policy statement. However, issues which raise matters going beyond the existing regulations may now be certified directly to the Commission.

A request for certification should clearly present (a) the nexus of the issue to the TMI-2 accident (i.e., in what way does the TMI accident provide a basis for the concerns presented), (b) the significance of the issue (i.e., what is the consequence of not addressing the issue), (c) to the extent possible, the differences in rationale underlying the certification from the rationale underlying the Commission consideration of additional TMI-related requirements (e.g., different reasoning, incorrect assumptions, incomplete information).

To the extent that a contention raises the need for a requirement already included in the Commission's list of requirements for new operating licenses, certification is unnecessary. As under the old policy statement, litigation of the need for those requirements is permitted without further action by the Commission. The Commission itself has already found sufficient basis for allowing consideration of those items.

It should be emphasized that this policy statement (as well as the previous policy statement) is intended to address issues arising from the TMI-2 accident. Other issues are to be treated according to normal Commission procedures.⁴

¹ The Licensing Board should certify any such question directly to the Commission. In the event that a party wishes to request directed certification, the Board should be given a reasonable opportunity to address the certification question prior to Commission action since (a) the Board might rule that the issue is within the existing regulations rendering certification unnecessary and (b) otherwise it would be helpful to have the benefit of the Board's reasoning. See *Toledo Edison Co. v. Lewis-Beese Nuclear Power Station, Unit 1*, ALB 87-7 NRC 727 (1975).

⁴ See e.g., 10 CFR 2.756.

POLICY STATEMENTS

Each State's radiation protection program is not, however, a necessary or appropriate subject for coverage in the criteria. Consequently, the criteria are silent on the question of whether a State should have a total regulatory program covering all sources of radiation, including those not subject to control by the NRC under the Atomic Energy Act, such as x-rays, radium, accelerators, etc.

These revised criteria provide for entering into an agreement for a separate category of materials, namely, low-level waste material in permanent disposal facilities. They also provide new criteria for States wishing to continue regulating uranium and thorium processing and the wastes resulting therefrom under the provisions of the Uranium Mill Tailings Radiation Control Act of 1978 (Pub. L. 95-604) after November 8, 1981. The revised criteria also contain a number of editorial changes such as changing AEC to NRC where appropriate to conform to present practice and law.

6. Inquiries about details of the criteria or other aspects of the NRC Federal-State Relations Program should be addressed to the Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Criteria¹

Objectives

1. *Protection.* A State regulatory program shall be designed to protect the health and safety of the people against radiation hazards.

Radiation Protection Standards²

2. *Standards.* The State regulatory program shall adopt a set of standards for protection against radiation, which shall apply to byproduct, source and special nuclear materials in quantities not sufficient to form a critical mass.

3. *Uniformity in Radiation Standards.* It is important to strive for uniformity in technical definitions and terminology, particularly as related to such things as units of measurement and radiation dose. There shall be uniformity on maximum permissible doses and levels of radiation and concentrations of radioactivity, as fixed by Part 20 of the NRC regulations based on officially approved radiation protection guides.

4. *Total Occupational Radiation Exposure.* The regulatory authority shall consider the total occupational radiation

exposure of individuals, including that from sources which are not regulated by it.

5. *Surveys, Monitoring.* Appropriate surveys and personnel monitoring under the close supervision of technically competent people are essential in achieving radiological protection and shall be made in determining compliance with safety regulations.

6. *Labels, Signs, Symbols.* It is desirable to achieve uniformity in labels, signs and symbols, and the posting thereof. However, it is essential that there be uniformity in labels, signs, and symbols affixed to radioactive products which are transferred from person to person.

7. *Instruction.* Persons working in or frequenting restricted areas³ shall be instructed with respect to the health risks associated with exposure to radioactive materials and in precautions to minimize exposure. Workers shall have the right to request regulatory authority inspections as per 10 CFR 19, section 19.16 and to be represented during inspections as specified in section 19.14 of 10 CFR 19.

8. *Storage.* Licensed radioactive material in storage shall be secured against unauthorized removal.

9. *Waste Disposal.* The standards for the disposal of radioactive materials into the air, water, and sewers, and burial in the soil shall be in accordance with Part 20. Holders of radioactive material desiring to release or dispose of quantities in excess of the prescribed limits shall be required to obtain special permission from the appropriate regulatory authority.

10. *Regulations Governing Shipment of Radioactive Materials.* The State shall to the extent of its jurisdiction promulgate regulations applicable to the shipment of radioactive materials, such regulations to be compatible with those established by the U.S. Department of Transportation and other agencies of the United States whose jurisdiction over interstate shipment of such materials necessarily continues. State regulations regarding transportation of radioactive materials must be compatible with 10 CFR Part 71.

11. *Records and Reports.* The State regulatory program shall require that holders and users of radioactive materials (a) maintain records covering personnel radiation exposures, radiation

surveys, and disposal of materials; (b) keep records of the receipt and transfer of the materials; (c) report significant incidents involving the materials, as prescribed by the regulatory authority; (d) make available upon request of a former employee a report of the employee's exposure to radiation; (e) at request of an employee advise the employee of his or her annual radiation exposure; and (f) inform each employee in writing when the employee has received radiation exposure in excess of the prescribed limits.

12. *Additional Requirements and Exemptions.* Consistent with the overall criteria here enumerated and to accommodate special cases or circumstances, the State regulatory authority shall be authorized in individual cases to impose additional requirements to protect health and safety, or to grant necessary exemptions which will not jeopardize health and safety.

Prior Evaluation of Uses of Radioactive Materials

13. *Prior Evaluation of Hazards and Uses, Exceptions.* In the present state of knowledge, it is necessary in regulating the possession and use of byproduct, source and special nuclear materials that the State regulatory authority require the submission of information on, and evaluation of, the potential hazards and the capability of the user or possessor prior to his receipt of the materials. This criterion is subject to certain exceptions and to continuing reappraisal as knowledge and experience in the atomic energy field increase. Frequently there are, and increasingly in the future there may be, categories of materials and uses as to which there is sufficient knowledge to permit possession and use without prior evaluation of the hazards and the capability of the possessor and user. These categories fall into two groups—those materials and uses which may be completely exempt from regulatory controls, and those materials and uses in which sanctions for misuse are maintained without pre-evaluation of the individual possession or use. In authorizing research and development or other activities involving multiple uses of radioactive materials, where an institution has people with extensive training and experience, the State regulatory authority may wish to provide a means for authorizing broad use of materials without evaluating each specific use.

14. *Evaluation Criteria.* In evaluating a proposal to use radioactive materials, the regulatory authority shall determine the adequacy of the applicant's facilities

¹ The criteria were first adopted in February 1961 (28 FR 2537, March 24, 1961, and amended in November 1965 (30 FR 15044, December 4, 1965). Minor editorial changes were made in June 1968 to reflect the authority of the U.S. Department of Transportation and Organization change in NCRP.

² Suggested State regulations and State legislation will give content to all criteria enunciated.

³ "Restricted area" means any area access to which is controlled by the licensee for the purpose of radiation protection of individuals from exposure to radiation and radioactive materials. "Restricted area" shall not include any area used as residential quarters, although a separate room or rooms in a residential building may be set apart as a restricted area.

POLICY STATEMENTS

and safety equipment, his training and experience in the use of the materials for the purpose requested, and his proposed administrative controls. States should develop guidance documents for use by license applicants; this guidance should be consistent with NRC licensing and regulatory guides for various categories of licensed activities.

15. *Human Use.* The use of radioactive materials and radiation on or in humans shall not be permitted except by properly qualified persons (normally licensed physicians) possessing prescribed minimum experience in the use of radioisotopes or radiation.

Inspection

16. *Purpose, Frequency.* The possession and use of radioactive materials shall be subject to inspection by the regulatory authority and shall be subject to the performance of tests, as required by the regulatory authority. Inspection and testing is conducted to determine, and to assist in obtaining, compliance with regulatory requirements.

Frequency of inspection shall be related directly to the amount and kind of material and type of operation licensed, and it shall be adequate to insure compliance.

17. *Inspections Compulsory.* Licensees shall be under obligation by law to provide access to inspectors.

18. *Notification of Results of Inspection.* Licensees are entitled to be advised of the results of inspections and to notice as to whether or not they are in compliance.

Enforcement

19. *Enforcement.* Possession and use of radioactive materials should be amenable to enforcement through legal sanctions, and the regulatory authority shall be equipped or assisted by law with the necessary powers for prompt enforcement. This may include, as appropriate, administrative remedies looking toward issuance of orders requiring affirmative action or suspension or revocation of the right to possess and use materials, and the impounding of materials, the obtaining of injunctive relief, and the imposing of civil or criminal penalties.

Personnel

20. *Qualifications of Regulatory and Inspection Personnel.* The regulatory agency shall be staffed with sufficient trained personnel. Prior evaluation of applications for licenses or authorizations and inspection of licensees must be conducted by persons possessing the training and experience relevant to the type and level of

radioactivity in the proposed use to be evaluated and inspected. This requires competency to evaluate various potential radiological hazards associated with the many uses of radioactive material and includes concentrations of radioactive materials in air and water, conditions of shielding, the making of radiation measurements, knowledge of radiation instruments—their selection, use and calibration—laboratory design, contamination control, other general principles and practices of radiation protection, and use of management controls in assuring adherence to safety procedures. In order to evaluate some complex cases, the State regulatory staff may need to be supplemented by consultants or other State agencies with expertise in geology, hydrology, water quality, radiobiology and engineering disciplines.

To perform the functions involved in evaluation and inspection, it is desirable that there be personnel educated and trained in the physical and/or life sciences, including biology, chemistry, physics and engineering, and that the personnel have had training and experience in radiation protection. For example, the person who will be responsible for the actual performance of evaluation and inspection of all of the various uses of byproduct, source and special nuclear material which might come to the regulatory body should have substantial training and extensive experience in the field of radiation protection. It is desirable that such a person have a bachelor's degree or equivalent in the physical or life sciences, and specific training-radiation protection.

It is recognized that there will also be persons in the program performing a more limited function in evaluation and inspection. These persons will perform the day-to-day work of the regulatory program and deal with both routine situations as well as some which will be out of the ordinary. These persons should have a bachelor's degree or equivalent in the physical or life sciences, training in health physics, and approximately two years of actual work experience in the field of radiation protection.

The foregoing are considered desirable qualifications for the staff who will be responsible for the actual performance of evaluation and inspection. In addition, there will probably be trainees associated with the regulatory program who will have an academic background in the physical or life sciences as well as varying amounts of specific training in radiation protection but little or no actual work

experience in this field. The background and specific training of these persons will indicate to some extent their potential role in the regulatory program. These trainees, of course, could be used initially to evaluate and inspect those applications of radioactive materials which are considered routine or more standardized from the radiation safety standpoint, for example, inspection of industrial gauges, small research programs, and diagnostic medical programs. As they gain experience and competence in the field, trainees could be used progressively to deal with the more complex or difficult types of radioactive material applications. It is desirable that such trainees have a bachelor's degree or equivalent in the physical or life sciences and specific training in radiation protection. In determining the requirement for academic training of individuals in all of the foregoing categories proper consideration should be given to equivalent competency which has been gained by appropriate technical and radiation protection experience.

It is recognized that radioactive materials and their uses are so varied that the evaluation and inspection functions will require skills and experience in the different disciplines which will not always reside in one person. The regulatory authority should have the composite of such skills either in its employ or at its command, not only for routine functions, but also for emergency cases.

Special Nuclear Material, Source Material and Tritium

21. *Conditions Applicable to Special Nuclear Material, Source Material and Tritium.* Nothing in the State's regulatory program shall interfere with the duties imposed on the holder of the materials by the NRC, for example, the duty to report to the NRC, on NRC prescribed forms (1) transfers of special nuclear material, source material and tritium, and (2) periodic inventory data.

22. *Special Nuclear Material Defined.* Special nuclear material: in quantities not sufficient to form a critical mass, for present purposes means uranium enriched in the isotope U-235 in quantities not exceeding 350 grams of contained U-235; uranium 233 in quantities not exceeding 200 grams; plutonium in quantities not exceeding 200 grams; or any combination of them in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of

POLICY STATEMENTS

such ratios for all of the kinds of special nuclear material in combination should not exceed "1" (i.e., unity). For example,

$$\frac{175 \text{ (grams contained U-235)}}{350} + \frac{50 \text{ (grams U-233)}}{200} + \frac{50 \text{ (grams Pu)}}{200} = 1$$

(This definition is subject to change by future Commission rule or regulation.)

Regulation

23. State practices for assuring the fair and impartial administration of regulatory law, including provision for public participation where appropriate, should be incorporated in procedures for:

- Formulation of rules of general applicability;
- Approving or denying applications for licenses or authorization to possess and use radioactive materials, and
- Taking disciplinary actions against licensees.

Arrangements For Discontinuing NRC Jurisdiction

24. *State Agency Designation.* The State should indicate which agency or agencies will have authority for carrying on the program and should provide the NRC with a summary of that legal authority. There should be assurances against duplicate regulation and licensing by State and local authorities, and it may be desirable that there be a single or central regulatory authority.

25. *Existing NRC Licenses and Pending Applications.* In effecting the discontinuance of jurisdiction, appropriate arrangements will be made by NRC and the State to ensure that there will be no interference with or interruption of licensed activities or the processing of license applications, by reason of the transfer. For example, one approach might be that the State, in assuming jurisdiction, could recognize and continue in effect, for an appropriate period of time under State law, existing NRC licenses, including licenses for which timely applications for renewal have been filed, except where good cause warrants the earlier reexamination or termination of the license.

26. *Relations With Federal Government and Other States.* There should be an interchange of Federal and State information and assistance in connection with the issuance of regulations and licenses or authorizations, inspection of licensees, reporting of incidents and violations, and training and education problems.

27. *Coverage, Amendments, Reciprocity.* An agreement providing for

the following quantities in combination would not exceed the limitation and are within the formula, as follows:

discontinuance of NRC regulatory authority and the assumption of regulatory authority by the State may relate to any one or more of the following categories of materials within the State, as contemplated by Public Law 86-373 and Public Law 95-604:

- Byproduct materials as defined in section 11e(1) of the Act,
- Byproduct materials as defined in section 11e(2) of the Act,
- Source materials,
- Special nuclear materials in quantities not sufficient to form a critical mass,
- Low-level wastes in permanent disposal facilities, as defined by statute or Commission rules or regulations containing one or more of the materials stated in a, c, and d above but not including byproduct material as defined in Section 11e(2) of the Act; but must relate to the whole of such category or categories and not to a part of any category.* If less than the five categories are included in any discontinuance of jurisdiction, discontinuance of NRC regulatory authority and the assumption of regulatory authority by the State of the others may be accomplished subsequently by an amendment or by a later agreement.

The agreement may incorporate by reference provisions of other documents, including these criteria, and the agreement shall be deemed to incorporate without specific reference the provisions of Pub. L. 86-373 and Pub. L. 95-604 and the related provisions of the Atomic Energy Act.

Arrangements should be made for the reciprocal recognition of State licenses and Federal licenses in connection with out-of-the-jurisdiction operations by a State or Federal licensee.

28. *NRC and Department of Energy Contractors.* The State should provide exemptions for NRC and DOE contractors which are substantially equivalent to the following exemptions:

- Prime contractors performing work

*A State which does not wish to continue regulation of uranium and thorium processors and byproduct material, as defined in Section 11e(2) of the Atomic Energy Act as amended, after November 8, 1981 pursuant to Pub. L. 95-604 may obtain authority over all source material licenses within the State except for uranium or thorium processors.

for the DOE at U.S. Government-owned or controlled sites;

- Prime contractors performing research in, or development, manufacture, storage, testing, or transportation of, atomic weapons or components thereof;

- Prime contractors using or operating nuclear reactors or other nuclear devices in a U.S. Government-owned vehicle or vessel; and

- Any other prime contractor or subcontractor of DOE or NRC when the State and the NRC jointly determine (i) that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety and (ii) that the exemption of such contractor or subcontractor is authorized by law.

Additional Criteria for States Regulating Uranium or Thorium Processors and Wastes Resulting Therefrom After November 8, 1981

Statutes

29. State statutes or duly promulgated regulations should be enacted, if not already in place, to make clear State authority to carry out the requirements of Public Law 95-604, Uranium Mill Tailings Radiation Control Act (UMTRCA) as follows:

- Authority to regulate the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content.

- That an adequate surety (under terms established by regulation) will be provided by the licensee to assure the completion of all requirements established by the (cite appropriate State agency) for the decontamination, decommissioning, and reclamation of sites, structures, and equipment used in conjunction with the generation or disposal of such byproduct material.

- If in the States' licensing and regulation of byproduct material or of any activity which produces byproduct material, the State collects funds from the licensee or its surety for long-term surveillance and maintenance of such material, the total amount of the funds collected by the State shall be transferred to the U.S. if custody of the byproduct material and its disposal site is transferred to the Federal Government upon termination of the State license. (See 10 CFR 150.32.) If no default has occurred and the reclamation or other bonded activity has been performed, funds for the purpose

Not Applicable to Iowa

POLICY STATEMENTS

are not to be transferred to the Federal Government. The funds collected by the State shall be sufficient to ensure compliance with the regulations the Commission establishes pursuant to Section 161X of the Atomic Energy Act.

d. In the issuances of licenses, an opportunity for written comments, public hearing (with transcript) and cross examination is required.

e. In the issuances of licenses, a written determination of the action to be taken based upon evidence presented during the public comment period and which is subject to judicial review is required.

f. A ban on major construction prior to completion of the aforementioned stipulations.

g. An opportunity shall be provided for public participation through written comments, public hearings, and judicial review of rules.

30. In the enactment of any supporting legislation, the State should take into account the reservations of authority to the U.S. in UMTRCA as stated in 10 CFR 150.15a and summarized by the following:

a. The establishment of minimum standards governing reclamation, long-term surveillance or maintenance, and ownership of the byproduct material.

b. The determination that prior to the termination of a license, the licensee has complied with decontamination, decommissioning and reclamation standards, and ownership requirements for sites at which byproduct material is present.

c. The requirement that prior to termination of any license for byproduct material, as defined in Section 11e.(2), of the Atomic Energy Act or for any activity that results in the production of such material, title to such byproduct material and the disposal site be transferred to the Federal Government or State at the option of the State, provided such option is exercised prior to termination of the license.

d. The authority to require such monitoring, maintenance, and emergency measures after the license is terminated as necessary to protect the public health and safety for those materials and property for which the State has assumed custody pursuant to Pub. L. 95-604.

e. The authority to permit use of the surface or subsurface estate, or both of the land transferred to the United States or State pursuant under provision of the Uranium Mill Radiation Tailings Control Act.

f. The authority to exempt land ownership transfer requirements of Section 83(b)(1)(A).

31. It is preferable that State statutes contain the provisions of Section 8 of the Model Act. But the following may be accomplished by adoption of either procedures by regulation or technical criteria. In any case, authority for their implementation should be adequately supported by statute, regulation or case law as determined by the State Attorney General.

In the licensing and regulation of ores processed primarily for their source material content and for the disposal of byproduct material, procedures shall be established which provide a written analysis of the impact on the environment of the licensing activity. This analysis shall be available to the public before commencement of hearings and shall include:^{*}

a. An assessment of the radiological and nonradiological public health impacts;

b. An assessment of any impact on any body of water or groundwater;

c. Consideration of alternatives to the licensed activities; and

d. Consideration of long-term impacts of licensed activities (see Item 36b.(1)).

Regulations

32. State regulations should be reviewed for regulatory requirements, and where necessary incorporate regulatory language which is equivalent to the extent practicable or more stringent than regulations and standards adopted and enforced by the Commission, as required by Section 274c (see 10 CFR 40 and 10 CFR 150.31(b)).

Organizational Relationships Within the States

33. Organizational relationships should be established which will provide for an effective regulatory program for uranium mills and mill tailings.

a. Charts should be developed which show the management organization and lines of authority. This chart should define the specific lines of supervision from program management within the radiation control group and any other department within the State responsible for contributing to the regulation of uranium processing and disposal of tailings. When other State agencies or regional offices are utilized, the lines of communication and administrative control between the agencies and/or regions and the Program Director should be clearly drawn.

b. Those States that will utilize personnel from other State Departments

^{*}It is strongly recommended that a 30-day period be provided for public review.

or Federal agencies in preparing the environmental assessment should designate a lead agency for supervising and coordinating preparation of the environmental assessment. It is normally expected that the radiation control agency in Agreement States will be the lead agency. The basic premise is that the lead agency is required to prepare the environmental assessment. Utilization of an applicant's environmental report in lieu of a lead agency assessment of the proposed project is not adequate or appropriate. However, the lead agency may prepare an environmental assessment based upon an applicant's environmental report. Other credible information may be utilized by the State as long as such information is verified and documented by the State.

c. When a lead agency is designated, that agency should coordinate preparation of the statement. The other agencies involved should provide assistance with respect to their areas of jurisdiction and expertise. Factors relevant in obtaining assistance from other agencies include the applicable statutory authority, the time sequence in which the agencies become involved, the magnitude of their involvement, and relative expertise with respect to the project's environmental effects.

In order to bring an environmental assessment to a satisfactory conclusion, it is highly recommended that an initial scoping document be developed which clearly delineates the area and scope of work to be performed by each agency within a given time constraint.

d. For those areas in the environmental assessment where the State cannot identify a State agency having sufficient expertise to adequately evaluate the proposal or prepare an assessment, the State should have provisions for obtaining outside consulting services. In those instances where non-governmental consultants are utilized, procedures should be established to avoid conflict of interest consistent with State law and administrative procedures.

Medical consultants recognized for their expertise in emergency medical matters, such as the Oak Ridge and Hanford National Laboratories, relating to the intake of uranium and its diagnosis thereof associated with uranium mining and milling should be identified and available to the State for advice and direct assistance.

During the budget preparation, the State should allow for funding costs incurred by the use of consultants. In addition, consultants should be available for any emergencies which

POLICY STATEMENTS

may occur and for which their expertise would be needed immediately.

Personnel

34. Personnel needed in the processing of the license application can be identified or grouped according to the following skills: Technical; Administrative; and Support.

a. Administrative personnel are those persons who will provide internal policy, policy memoranda, reviews and budgetary services necessary to assure completion of the licensing action. Support personnel are those persons who provide secretarial, clerical support, legal, and laboratory services. Technical personnel are those individuals who have the training and experience in radiation protection necessary to evaluate the engineering and radiological safety aspects of a uranium concentrator. Current indications are that 2 to 2.75 total professional person years' effort is needed to process a new conventional mill license, in situ license, or major renewal, to meet the requirements of UMTRCA. This number includes the effort for the environmental assessment and the in-plant safety review. It also includes the use of consultants. Heap leach applications may take less time and is expected to take 1.0 to 1.5 professional staff years' effort, depending on the circumstances encountered. Current indications are that the person years effort for support and legal services should be one secretary for approximately 2 conventional mills and 1/2 staff years for legal services for each noncontested mill case. The impact on environmental monitoring laboratory support services is difficult to estimate but should be added into the personnel requirements.

In addition, consideration should be given to various miscellaneous post-licensing ongoing activities including the issuance of minor amendments, inspections, and environmental surveillance. It is estimated that these activities may require about 0.5 to 1 person years effort per licensed facility per year, the latter being the case for a major facility. These figures do not include manpower for Title I activities of UMTRCA.

b. In evaluating license applications the State shall have access to necessary specialties, e.g., radiological safety, hydrology, geology and dam construction and operation.

In addition to the personnel qualifications listed in the "Guide for Evaluation of State Radiation Control Programs," Revision 3, February 1, 1980, the regulatory staff involved in the regulatory process (Radiation) should

have additional training in Uranium Mill Health Physics and Environmental Assessments.

c. Personnel in agencies other than the lead agency are included in these total person year numbers. If other agencies are counted in these numbers then it shall be demonstrated that these personnel will be available on a routine and continuing basis to a degree claimed as necessary to successfully comply with the requirements of UMTRCA and these criteria. The arrangements for making such resources available shall be documented, such as an interagency memorandum of understanding and confirmed by budgetary cost centers.

Functions To Be Covered

35. The States should develop procedures for licensing, inspection, and preparation of environmental assessments.

a. Licensing

(1) Licensing evaluations or assessments should include in-plant radiological safety aspects in occupational or restricted areas and environmental impacts to populations in unrestricted areas from the plant.

(2) It is expected that the State will review, evaluate and provide documentation of these evaluations. Items which should be evaluated are:

- (a) Proposed activities;
- (b) Scope of proposed action;
- (c) Specific activities to be conducted;
- (d) Administrative procedures;
- (e) Facility organization and radiological safety responsibilities, authorities, and personnel qualifications;
- (f) Licensee audits and inspections;
- (g) Radiation safety training programs for workers;
- (h) Radiation safety program, control and monitoring;
- (i) Restricted area markings and access control;
- (j) At existing mills, review of monitoring data, exposure records, licensee audit and inspection records, and other records applicable to existing mills;
- (k) Environmental monitoring;
- (l) Emergency procedures, radiological;
- (m) Product transportation; and
- (n) Site and physical decommissioning procedures, other than tailings.

(o) Employee exposure data and bioassay programs.

b. Environmental Assessment

(1) The environmental evaluation should consist of a detailed and documented evaluation of the following items:

- (a) Topography;

- (b) Geology;
- (c) Hydrology and water quality;
- (d) Meteorology;
- (e) Background radiation;
- (f) Tailings retention system;
- (g) Interim stabilization, reclamation, and Site Decommissioning Program;
- (h) Radiological Dose Assessment;
- (1) Source terms
- (2) Exposure pathway
- (3) Dose commitment to individuals
- (4) Dose commitment to populations
- (5) Evaluation of radiological impacts to the public to include a determination of compliance with State and Federal regulations and comparisons with background values
- (6) Occupational dose
- (7) Radiological impact to biota other than man
- (8) Radiological monitoring programs, pre-occupational and operational
- (i) Impacts to surface and groundwater, both quality and quantity;
- (j) Environmental effects of accidents; and
- (k) Evaluation of tailings management alternatives in terms of regulations.
- (2) The States are encouraged to examine the need to expand the scope of the assessment into other areas such as:
- (a) Ecology;
- (b) Environmental effects of site preparation and facility construction on environment and biota;
- (c) Environmental effects of use and discharge of chemicals and fuels; and
- (d) Economic and social effects.
- c. Inspections
- (1) As a minimum, items which should be inspected or included during the inspection of a uranium mill should adhere to the items evaluated in the in-plant safety review. The principal items recommended for inspection are:
- (a) Administration;
- (b) Mill circuit, including any additions, deletions, or circuit changes;
- (c) Accidents/incidents;
- (d) Part 19 or equivalent requirements of the State;
- (e) Action taken on previous findings;
- (f) A mill tour to determine compliance with regulations, and license conditions;
- (g) Tailings waste management in accordance with regulations and license conditions (see NRC Reg. Guide 3.11.1);
- (h) Records;
- (i) Respiratory protection in accordance with license conditions or 10 CFR Part 20.
- (j) Effluent and environmental monitoring;
- (k) Training programs;
- (l) Transportation and shipping;
- (m) Internal review and audit by management;

POLICY STATEMENTS

(n) Exit interview; and
(o) Final written report documenting the results of the inspection and findings on each item.

(2) In addition, the inspector should perform the following:

(a) Independent surveys and sampling.

(3) Additional guidance is contained in appropriate NRC regulatory and inspection guides. A complete inspection should be performed at least once per year.

d. Operational Data Review

(1) In addition to the reporting requirements required by the regulations or license conditions, the licensee will submit in writing to the regulatory agency within 60 days after January 1 and July 1 of each year, reports specifying the quantity of each of the principal radionuclides released to unrestricted areas in liquid and in gaseous effluents during the previous six months of operation. This data shall be reported in a manner that will permit the regulatory agency to confirm the potential annual radiation doses to the public.

(2) All data from the radiological and non-radiological environmental monitoring program will also be submitted for the same time periods and frequency. The data will be reported in a manner that will allow the regulatory agency to conform the dose to receptors.

Instrumentation

36. The State should have available both field and laboratory instrumentation sufficient to ensure the licensee's control of materials and to validate the licensee's measurements.

a. The State will submit its list of instrumentation to the NRC for review. Arrangements should be made for calibrating such equipment.

b. Laboratory-type instrumentation should be available in a State agency or through a commercial service which has the capability for quantitative and qualitative analysis of radionuclides associated with natural uranium and its decay chain, primarily, U-238, Ra-226, Th-232, Pb-210, and Rn-222, in a variety of sample media such as will be encountered from an environmental sampling program.

Analysis and data reduction from laboratory analytical facilities should be available to the licensing and inspection authorities in a timely manner. Normally, the data should be available within 30 days of submittal. State acceptability of quality assurance (QA) programs should also be established for the analytical laboratories.

c. Arrangements should also be completed so that a large number of

samples in a variety of sample media resulting from a major accident can be analyzed in a time frame that will allow timely decisions to be made regarding public health and safety.

d. Arrangements should be made to participate in the Environmental Protection Agency quality assurance program for laboratory performance.

46 FR 24764

Published 5/1/81

Statement of Policy; Programmatic Environmental Impact Statement of the Cleanup of Three Mile Island Unit 2

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Statement of Policy.

SUMMARY: On November 21, 1979, the Nuclear Regulatory Commission directed the staff to prepare a Programmatic Environmental Impact Statement (PEIS) on the decontamination and disposal of radioactive wastes resulting from the March 28, 1979 accident at Three Mile Island, Unit 1. A Statement of Policy and Notice of Intent regarding that decision was published in the Federal Register on November 27, 1979 (page 67738). As stated at that time: "In the Commission's judgment an overall study of the decontamination and disposal process will assist the Commission in carrying out its regulatory responsibilities under the Atomic Energy Act to protect the public health and safety as decontamination progresses. It will also be in keeping with the purposes of the National Environmental Policy Act to engage the public in the Commission's decisionmaking process, and to focus on the environmental issues and alternatives before commitments to specific clean-up choices are made." As directed, the Commission's staff has now completed a final programmatic environmental impact statement on all phases of the cleanup of TMI Unit 2 to meet the foregoing objectives.

Preparation of this final statement has had the benefit of extensive comments from government agencies and the public. Comments on the draft PEIS from the Advisory Panel for the Decontamination of TMI-2 (a panel which the Commission established to provide independent advice from local officials, scientists and individuals in the area) had not been received prior to completion of the PEIS. However, the Commission has now received the Panel's comments and finds that the staff's final PEIS is responsive to those

comments. The Commission concludes that this statement satisfies our obligations under the National Environmental Policy Act (NEPA).

Now that the environmental impact statement for TMI-2 has been published, the Commission believes that the licensee should accelerate the pace of the cleanup to complete expeditiously all decontamination activities consistent with ensuring protection of public health and safety and the environment.

As the licensee proposes specific decontamination alternatives for each major cleanup activity, the staff will determine whether these proposals and the associated impacts that are predicted to occur fall within the scope of those already assessed in the PEIS. If they do not, additional reviews will be undertaken in accordance with NEPA. Each proposed cleanup activity will be carefully reviewed to assure that all applicable NRC requirements to protect the health and safety of the public are met. If a specific proposal requires an amendment to the facility operating license, public notice will be provided in accordance with Commission regulations. The staff may act on each major cleanup activity if the activity and associated environmental impacts fall within the scope of those already assessed in the PEIS. The staff will keep the Commission informed of staff actions on each major activity prior to staff approval of the major activity.

If any cleanup activity and associated environmental impacts fall outside the scope of those already assessed in the PEIS, the staff shall complete necessary reviews in accordance with NEPA and NRC requirements, and submit recommendations to the Commission.

Any future proposal for disposition of processed accident-generated water shall be referred to the Commission for approval.

On September 26, 1980, the Commission issued a Statement of Policy on the Pennsylvania Public Utility Commission's order to the licensee to cease and desist from using any operating revenues for cleanup and restoration costs at TMI-2 which are not covered by insurance. We reiterate here our previous position that we will not excuse the licensee from compliance with any order, regulation or other requirement imposed by this Commission to protect public health and safety and the environment.

Furthermore, the cleanup should be carried out in accordance with the criteria in Appendix R of the PEIS as well as in conformance with the existing operating license (DPR-73) and with

POLICY STATEMENTS

an "unacceptably wide departure" from them.

I want to emphasize that my concern with these judgments is not that they will eventually be found to be unwarranted. It could well be that the Commission's ongoing severe accident research program (at a funding level of about \$50 million per year) will over the next year or two provide the necessary support for these judgments. That comprehensive and complex research program has been underway since as early as 1980 and the Commission has yet to have its first briefing on the overall results obtained thus far.

Information to support these judgments may also become available as a result of the industry's IDCOR program, but again, the Commission has yet to receive any results of that effort. Much of the same is also true for the NRC staff's ongoing effort to review and evaluate the adequacy of the existing plant-specific probabilistic risk assessments. Again, the Commission

has yet to see any concrete results from this effort. In the absence of this type of information, I simply do not see a basis for the Commission to reach these judgments on the likely outcome of the severe accident evaluations. For this reason, I would have deleted these judgments from the proposed policy statement.

Commissioner Gilinsky's Separate Views on the Severe Accident Policy

I share Commissioner Assestine's concerns and those of the Commission's Advisory Committee on Reactor Safeguards over the application of this policy. I share especially the ACRS's strong reservations about the overemphasis in this policy statement on use of "probabilistic risk assessment" in design decisions dealing with protection against severe accidents. In view of the lack of reliability data and the uncertainties in calculational techniques, reactor safety must continue to depend on time-tested

engineering principles. Particularly important in this context are redundant and diverse means of protection against, and mitigation of, reactor core damage. The Commission should now be giving additional guidance on what it will require in these areas.

I find it surprising and disappointing that after all this time, despite the large research programs we conduct, and the extensive expertise and experience of our staff, we have not yet—in the words of this policy statement—"produced significant new insights into consequence mitigation features sufficient to support further regulatory changes * * *".

In a sense, this increases the importance of public comments on this policy, for it appears that conceptual improvements in reactor safety will have to come from outside this agency.

48 FR 33376

Published 7/21/83

Discontinuance of NRC Authority and Assumption Thereof by States Through Agreement; Criteria for Guidance of States and NRC

AGENCY: Nuclear Regulatory Commission.

ACTION: Statement of policy: Revision.

SUMMARY: Criterion 9 of the NRC's Policy for Discontinuance of Authority dated January 23, 1981 appearing at 48 FR 7540-7546, deals with waste disposal. It states that the standards for disposal into air, water and sewer, and burial in soil shall be in accordance with 10 CFR Part 20. The Commission's regulation 10 CFR Part 61, which became effective December 27, 1982, provides licensing procedures, performance objectives, technical requirements and financial assurance requirements for the issuance of licenses by NRC for the land disposal of most wastes that are commonly referred to as low-level waste. In addition, the Nuclear Waste Policy Act of 1982 requires that the NRC and the Agreement States provide and approve certain stated financial arrangements prior to issuance of a license for low-level radioactive waste disposal or in the case of licenses in effect, prior to termination of such licenses. The financial arrangements are to cover completion of all requirements for the decontamination, decommissioning, site closure and reclamation of sites, structures and equipment used in conjunction with low-level waste disposal.

The Commission believes that States seeking an agreement pursuant to Section 274b of the Atomic Energy Act of 1954, as amended, to regulate land disposal of radioactive waste should establish standards for disposal which are in accord with the applicable technical definitions, performance objectives, technical requirements, and financial assurance requirements of 10 CFR Part 61 and the waste transfer and manifest system prescribed in 10 CFR Part 20. For the waste manifest system to function effectively on a national basis, it is necessary for all licensees, both NRC and Agreement State, to follow the same system. Thus, the Agreement States are expected to adopt and implement this system for their licensees.

Therefore, the NRC is revising Criterion 9 to include reference to the performance objectives, technical requirements and financial assurance requirements contained in Part 61 and the waste transfer and manifest system contained in Part 20. The revision also satisfies the provisions of the Nuclear Waste Policy Act of 1982. Criterion 9 will be used in judging the adequacy and compatibility of that aspect of a State's regulatory program for regulating land disposal of low-level radioactive waste. No additional revisions to the criteria are considered necessary at this time to enter into an agreement with a State which includes authority to regulate low-level radioactive waste disposal.

For Agreement States currently regulating operating burial sites, NRC has been and will continue to work with the States to implement Part 61 provisions on a case-by-case basis, to the extent practicable. The waste transfer and manifest system, 10 CFR 20.311 becomes effective December 27, 1983. On an interim basis, arrangements are being made with the Agreement States regulating the existing burial sites to implement the waste classification system and waste transfer and manifest system through the burial site licensees.

FOR FURTHER INFORMATION CONTACT: Kathleen N. Schneider, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: 301-492-9893.

SUPPLEMENTARY INFORMATION: Criterion 9 is revised to read as follows:

9. Radioactive Waste Disposal.

(a) Waste disposal by material users. The standards for the disposal of radioactive materials into the air, water and sewer, and burial in the soil shall be in accordance with 10 CFR Part 20. Holders of radioactive material desiring to release or dispose of quantities or concentrations of radioactive materials in excess of prescribed limits shall be required to obtain special permission from the appropriate regulatory authority.

Requirements for transfer of waste for the purpose of ultimate disposal at a land disposal facility (waste transfer and manifest system) shall be in accordance with 10 CFR 20.

The waste disposal standards shall include a waste classification scheme and provisions for waste form, applicable to waste generators, that is equivalent to that contained in 10 CFR Part 61.

(b) Land disposal of waste received from other persons. The State shall promulgate regulations containing licensing requirements for land disposal

POLICY STATEMENTS

of radioactive waste received from other persons which are compatible with the applicable technical definitions, performance objectives, technical requirements and applicable supporting sections set forth in 10 CFR Part 61. Adequate financial arrangements (under terms established by regulation) shall be required of each waste disposal site licensee to ensure sufficient funds for decontamination, closure and stabilization of a disposal site. In addition, Agreement State financial arrangements for long-term monitoring and maintenance of a specific site must be reviewed and approved by the Commission prior to relieving the site operator of licensed responsibility (section 151(a)(2), Pub. L. 97-425).

Commissioner Roberts, in disapproving, stated "Given the states' and the public's interest in all aspects of our waste disposal regulations and guidance, this revision should go out for public comments."

➤ 48 FR 33781

Published 7/25/83

Draft Commission Policy Statement on Engineering Expertise on Shift

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Draft Commission Policy Statement regarding Engineering Expertise on Shift.

SUMMARY: This draft Policy Statement proposes NRC's position of ensuring that adequate engineering and accident assessment expertise is provided to the shift supervisor. The draft Policy Statement would allow licensees, and applicants for operating licenses, to combine the Senior Reactor Operator and Shift Technical Advisor functions. In addition, the guidance would provide some flexibility in meeting the new requirements of 10 CFR 50.54(m). It is not the intent of this draft Policy Statement to reduce the present requirements for shift technical capabilities, but to allow for the integration of the capabilities into the normal operating crew.

DATES: Submit comments by September 23, 1983. Comments received after that date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date.

ADDRESSES: Submit comments, suggestions, or recommendations to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch. Copies of comments received may be examined

in the NRC Public Document Room, 1717 H Street NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: James A. Norberg, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301-443-7863, or Clare Goodman, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone 301-492-4894.

SUPPLEMENTARY INFORMATION:

Background

Following the Three Mile Island (TMI) accident, a number of studies and investigations conducted by the NRC, the industry, and others recommended changes in the numbers, qualifications, and organization of nuclear power plant personnel. One of these recommendations was that engineering expertise be available to the shift supervisor for the purpose of improving the plant operating staff's capabilities for responding to abnormal conditions and for evaluating operating experience.

The initial response to this recommendation was the establishment, on an interim basis, of the position of Shift Technical Advisor (STA) as described in an October 30, 1979 letter to all operating nuclear power plants. NUREG-0578 (July 1979)¹ and NUREG-0585 (October 1979) established that the purpose of the STA is to provide engineering expertise and advice to the shift supervisor in the event of abnormal or accident conditions. Following issuance of NUREG-0578 and NUREG-0585, the NRC issued a series of letters and reports to clarify the details of the STA job function and to present an acceptable approach for implementation. Four documents were prepared by the NRC for all operating nuclear power plants: two letters from NRC officials (September 13, 1979 and October 30, 1979); NUREG-0660 (May 1980); and NUREG-0737 (November 1980). In addition, the Institute for Nuclear Power Operations (INPO) issued a report (April 1980) providing "interim guidance" to utilities in formulating their STA programs which were referenced in NUREG-0737. The INPO report also provides guidance on education and training recommended for STA candidates.

At this time, the optimum manner of providing engineering and accident assessment expertise to the shifts is still under evaluation. In the interim, the Commission is issuing this new policy guidance to reassert the Commission's belief that adequate engineering and accident assessment expertise must be available to the operating crew at all operating nuclear power plants. In

¹ Referenced materials are available at the NRC Public Document Room at 1717 H Street, NW., Washington, DC.

addition, this new guidance will provide some flexibility in meeting the new requirements of 10 CFR 50.54(m). This new guidance is not intended to dilute the present requirements for shift technical capabilities, but is intended to allow for the integration of these capabilities into the normal operating crew.

Policy Guidance

The Commission continues to stress the importance of providing engineering and accident assessment expertise on shift. Therefore, licensees of operating plants and applicants for operating licenses should establish policies that will ensure that at least one individual with this expertise is on shift whenever a nuclear power unit is in an operational mode other than cold shutdown or refueling as defined by the unit's technical specifications. At this time, there are no changes proposed for formal education of operators and senior operators not fulfilling the engineering and accident assessment function.

The intent of this policy guidance can be accomplished by either of the following alternatives:

1. Continuation of an approved STA program, or
2. Assignment of an individual with the following qualifications to the operating shift crew as one of the Senior Operators required by 10 CFR 50.54(m):
 - a. Baccalaureate degree or equivalent in engineering or related sciences, and
 - b. Licensed as a senior operator on the particular nuclear power unit(s), and
 - c. Specific training in the response to and analysis of plant transients and accidents, plant design and layout, capabilities of instrumentation and controls in the control room, and training in the relationship of accident conditions to offsite consequences and protective action strategies.

For individuals fulfilling the engineering and accident assessment function, as delineated in Alternative 2 Part a. above, equivalency shall be defined as:

- (a) Professional Engineer License, or
- (b) Successful completion of the Engineering in Training (EIT) examination, or

(c) Successful completion of the technical portions of an accredited, four year engineering degree program.

If the second alternative is selected, the separate STA position may be eliminated. However, it is not the intent of this policy guidance to dilute the engineering and accident assessment expertise on shift, but only to incorporate these qualifications in a member of the operating crew. In addition, total shift manning will need to be sufficient to provide staffing to

Comments on Draft Iowa Proposal for 274b Agreement

- o The enclosure consists of 2 parts: A May 15, 1985 letter enclosing the draft narrative and a June 5, 1985 letter enclosing final regulations. On page 10, the reference to the State regulations will need to be changed to reflect the fact that the regulations have been approved and adopted.
- o The Iowa Agreement will not include authority to regulate the disposal of low-level radioactive waste or mill tailings. A statement on p.17 is needed to cover this and the Agreement will be prepared accordingly.
- o Minor changes are needed for the State's inspection priority system to conform it to IE MC 2800. The State's intention is to list only those categories for which licenses will be received by Iowa from NRC; therefore a category for portable gauges is needed, as well as a commitment to add other categories and priorities that will conform to NRC's, when they are needed.
- o The staff's resumes will need to be updated to reflect additional training received up to the time of the Governor's request.
- o OSP has discussed the drafting of the Governor's letter and the Agreement with the State and will coordinate final drafts with ELD.
- o Iowa's enabling legislation, "Chapter 136C, the Code" and the MOU's between the Iowa Health Department were previously reviewed by OSP and ELD. The regulations follow the Suggested State Regulations model.