

OCT 28 1996

MEMORANDUM TO: David L. Meyer, Chief
Rules Review and Directives Branch
Division of Freedom of Information
and Publications Services
Office of Administration
Original Signed By
RICHARD L. BANGART

FROM: Richard L. Bangart, Director
Office of State Programs

SUBJECT: SMALL BUSINESS REGULATORY ENFORCEMENT
FAIRNESS ACT

Attached please find the following summary descriptions, which OSP does not consider to be major rules, for OMB transmittal and approval relative to the requirements of the Small Business Regulatory Enforcement Fairness Act.

- Statement of Principles and Policy for the Agreement State Program
- Policy Statement on Adequacy and Compatibility of Agreement State Programs

If you have any questions regarding this submittal, please contact Rosetta Virgilio of my staff at 415-2307.

Attachments:
As stated

cc: Mike Lesar, ADM

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DATE	10/18/96	10/18/96	10/18/96	10/28/96

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Office of State Programs *Richard L. Bangart*

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AGENCY: U.S. Nuclear Regulatory Commission

TITLE OF ACTION: Statement of Principles and Policy for the Agreement State Program

LEVEL OF SIGNIFICANCE: Not a major rule

UPCOMING ACTION: Approval of Statement of Principles and Policy for the Agreement State Program

RIN: Statement of Principles and Policy for the Agreement State Program

ESTIMATED DATE OF ISSUANCE: November 1996

STATUTORY/JUDICIAL DEADLINE: None

DESCRIPTION OF ACTION:

Under Section 274 of the Atomic Energy Act of 1954, as amended, the NRC is authorized to enter into agreements with the Governor of any State, whereby the State is authorized, as an Agreement State, to regulate the use of reactor-produced isotopes (byproduct materials), source materials, special nuclear materials in quantities not sufficient to form a critical mass, uranium mill tailings, and the disposal of low-level radioactive waste. The NRC periodically reviews each Agreement State program and actions taken by the State under its Agreement to ensure compliance with Section 274 of the Act. The Statement of Principles and Policy for the Agreement State Program establishes Agreement State Program principles, and describes the respective roles and responsibilities of the NRC and the States in the administration of this program. The Policy Statement will provide guidance in delineating the NRC's and the State's respective responsibilities and expectations.

AGENCY: U.S. Nuclear Regulatory Commission

TITLE OF ACTION: Policy Statement on Adequacy and Compatibility
of Agreement State Programs

LEVEL OF SIGNIFICANCE: Not a major rule

UPCOMING ACTION: Approval of the Policy Statement on Adequacy
and Compatibility of Agreement State Programs

RIN: Policy Statement on Adequacy and Compatibility
of Agreement State Programs

ESTIMATED DATE OF ISSUANCE: January 1997

STATUTORY/JUDICIAL DEADLINE: None

DESCRIPTION OF ACTION:

Under Section 274 of the Atomic Energy Act of 1954, as amended, the NRC is authorized to enter into agreements with the Governor of any State, whereby the State is authorized, as an Agreement State, to regulate the use of reactor-produced isotopes (byproduct materials), source materials, special nuclear materials in quantities not sufficient to form a critical mass, uranium mill tailings, and the disposal of low-level radioactive waste. The NRC periodically reviews each Agreement State program and actions taken by the State under its Agreement to ensure compliance with Section 274 of the Act. The Policy Statement on Adequacy and Compatibility of Agreement State Programs clarifies the meaning and use of the terms "adequate" and "compatible" as applied to an Agreement State radiation control program. The policy statement is intended as guidance to the Agreement States, NRC staff, and the public to make clear how the Commission intends to evaluate the adequacy of NRC and Agreement State programs and the compatibility of Agreement State programs.

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OSP FILE CODE: SP-8-2 + SP-5-16

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AGENCY:

U.S. Nuclear Regulatory Commission

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Richard L. Bangert

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