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RLB
PHL
SCD
KXSJames T. Howell, M.D., M.P.H.
SecretaryLawton Chiles
Governor

December 13, 1996

96 DEC 13 PM 2:15

OSP

Paul Lohaus, Deputy Director
Office of State Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

RE: Proposed Management Directive 5.8
"Proposed 274b Agreements With
States"

Dear Mr. Lohaus:

The state of Florida, Department of Health, Bureau of Radiation Control, provides the following comments on the referenced directive and its attachments.

We disagree with the required "phased" approach listed in this directive. Once NRC has made a finding that a new agreement state has a program that is adequate and compatible, complete jurisdiction and authority can be transferred to the new agreement state. The "phased" approach is a good idea that should be optional only, and implemented if it is requested by the new agreement state.

We also disagree with the omission of the pledge of each party to use it's best efforts to be compatible. This language should be restored to similar wording as in Florida's agreement. Omission of this pledge removes provisions that have served as the basis of our mutual cooperation and efforts to provide early and substantive input in regulations, establishing standards for radiation protection or other important aspects of our radiation programs including inspections, licensing, and enforcement.

Provisions should be made in the handbook regarding facilities or property that is or may be contaminated with agreement materials and are not covered by an existing license.

Provisions should also be made in the handbook under the Regional Office (2), third bullet (c), that no backlogged inspections or licensing actions are transferred unless the state requests them. In addition, backlogged licensing and inspection actions transferred to the state by NRC should be taken into account in the states IMPEP review.

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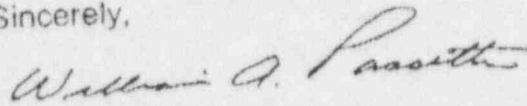
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SP-A-4

December 13, 1996
Page 2

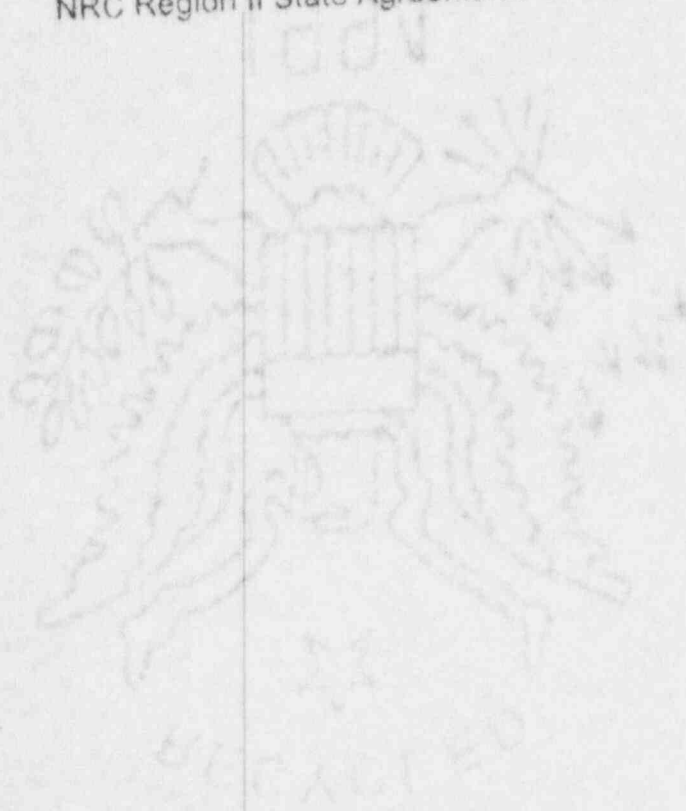
Thank you for the opportunity to comment on this proposed management directive. If you have questions, please call me at (904) 487-1004.

Sincerely,



William A. Passetti
Acting Chief
Bureau of Radiation Control

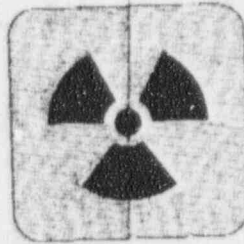
cc: Richard Woodruff,
NRC Region II State Agreements Officer



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Secretary

Facsimile Transmittal Sheet

Bureau of Radiation Control



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Date: 12/13Time: 5:10Number of Pages: 2 (Excluding Transmittal Sheet)To: Paul LobauFrom: HSER William Passetti

HSER

Special Instructions:

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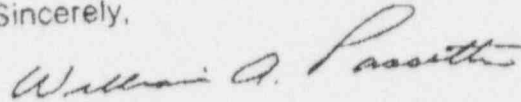
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December 13, 1996
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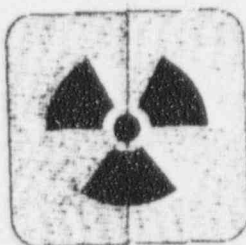
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SP-A-6

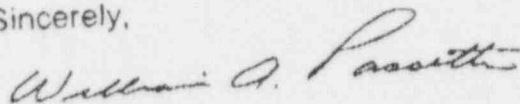
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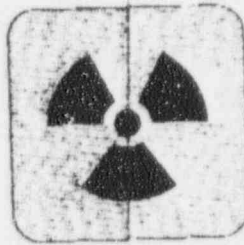
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