

DCD (SP08)



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

December 4, 1996

The Honorable Bill Richardson  
United States House of Representatives  
Washington, D.C. 20515

Dear Congressman Richardson:

Thank you for your letter of October 30, 1996 which forwarded a September 18, 1996 letter from Mr. Mark Weidler, Secretary of the New Mexico Environment Department, expressing concern about the Nuclear Regulatory Commission policy to discontinue funding for Agreement State training. This policy went into effect on October 1, 1996.

As you may know, the Commission has initiated a Strategic Assessment and Rebaselining effort that includes a review of the relationship between the NRC and the Agreement States. Funding of Agreement State training is again being addressed in this evaluation, and the NRC has conducted several public meetings to discuss this, along with other issues. While the Commission has not made a final decision on this matter, a majority of the Commission is preliminarily in favor of a compromise position in which the NRC would provide training to Agreement States without charge on a "space available" basis. Funding for travel and technical assistance would be borne by the Agreement States. Our objectives in the Strategic Assessment and Rebaselining effort with respect to this issue are to determine an equitable method of funding and an appropriate scope for NRC's Agreement State activities.

The Commission believes that the stakeholders' comments (from Agreement and non-Agreement States, Agreement and non-Agreement State licensees, and members of the public) will be important in the final resolution of this difficult issue. Your comments certainly will be considered in the analysis. Therefore, I have forwarded your October 30, 1996 letter with its enclosure to the Secretary of the Commission to be addressed as a comment on the Strategic Assessment and Rebaselining effort, Direction Setting Issue 4, NRC's Relationship with Agreement States. We welcome your further comments on this and other Strategic Issues. For your information, I have enclosed the public announcement and package of Direction-Setting Issues (DSI) that the Commission released for discussion at the public meetings.

The Commission recently informed the staff that it does not object to the staff implementing its preliminary views on training discussed above. NRC expects that space available training partially will reduce the need for Agreement States to seek training from other sources or to develop their own training courses and the financial burdens of doing so. Additionally, a working group consisting of representatives from the NRC and Agreement States already has been formed to evaluate the ongoing evolution of training programs for Agreement State personnel, the criteria for evaluation of Agreement State programs in the area of training qualification, and possible training options for Agreement State personnel.

9612300073 961204  
PDR STPRG ESGNM  
PDR

50

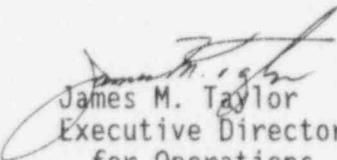
SP-R-14

SP-A6-19

NRC FILE CENTER COPY

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues resulting from the expenditure of NRC fee-based budget resources on costs, such as funding for Agreement State training, that cannot be attributed to an individual licensee or class of licensees. In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,



James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

The Honorable Bill Richardson

-2-

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues resulting from the expenditure of NRC fee-based budget resources on costs, such as funding for Agreement State training, that cannot be attributed to an individual licensee or class of licensees. In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,

**Original signed by**

**James M. Taylor**

James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

Distribution:

EDO RF (GT96844)  
SECY (CRC-96-1123)  
DIR RF  
JMTaylor  
HLThompson  
RLBangart  
PLohaus  
SDroggitis  
DSollenberger  
Reimbursement Cost File  
New Mexico File

DCD (SP08) PDR (YES\_X\_ NO\_\_)

*OCA*  
*DR*  
*12/4/96*

DOCUMENT NAME: G:\RICHARDSON.DMS

\*See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	OSP	OSP:DD	OSP:D	DEDS	EDO
NAME	DMSollenberger:kk*	PHLohaus*	RLBangart*	HLThompson	JMTaylor
DATE	11/27/96	11/27/96	11/27/96	11/ /96	11/2/96

OSP FILE CODE: SP-R-14, SP-AG-19

The Honorable Bill Richardson

-2-

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues associated with charging fees to NRC licensees for activities which do not benefit them (such as funding for Agreement State Training). In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,

James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

Distribution:

EDO RF (GT96844)  
SECY (CRC-96-1123)  
DIR RF  
JMTaylor  
HLThompson  
RLBangart  
PLOhaus  
SDroggitis  
DSollenberger  
Reimbursement Cost File  
New Mexico File

DCD (SP08) PDR (YES\_X\_ NO\_\_)

DOCUMENT NAME: G:\RICHARDSON.DMS

\*See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	OSP	OSP:DD	OSP:D	DEDS	EDO
NAME	DMSollenberger:kk*	PHLohaus*	RLBangart*	HLThompson	JMTaylor
DATE	11/27/96	11/27/96	11/27/96	11/ /96	11/ /96

OSP FILE CODE: SP-R-14, SP-AG-19

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues resulting from the expenditure of NRC fee-based budget resources on costs, such as funding for Agreement State training, that cannot be attributed to an individual licensee or class of licensees. In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,

James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

Distribution:

EDO RF (GT96844)  
SECY (CRC-96-1123)  
DIR RF  
JMTaylor  
HLThompson  
RLBangart  
PLOhaus  
SDroggitis  
DSollenberger  
Reimbursement Cost File  
New Mexico File

DCD (SP08) PDR (YES X NO   )

DOCUMENT NAME: G:\RICHARDSON.DMS

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	OSP <i>NSP</i>	OSP:DO <i>NSP</i>	QSP:D <i>NSP</i>	DEDS	EDO
NAME	DMSollenberger:kk	PHLOhaus <i>NSP</i>	RLBangart <i>NSP</i>	HLThompson	JMTaylor
DATE	11/27/96	11/27/96	11/27/96	11/ /96	11/ /96

OSP FILE CODE: SP-R-14, SP-AG-19



# ACTION

## EDO Principal Correspondence Control

FROM: DUE: 11/18/96

EDO CONTROL: G960844  
DOC DT: 10/30/96  
FINAL REPLY:

Rep. Bill Richardson

TO:

Chairman Jackson

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 96-1123

Executive Director

DESC:

ROUTING:

ENCLOSES LETTER FROM MARK E. WEIDLER, NEW MEXICO  
ENVIRONMENT DEPT. RE NEW MEXICO'S PARTICIPATION  
IN THE AGREEMENT STATE PROGRAM

Taylor  
Milhaon  
Thompson  
Blaha

DATE: 11/05/96

ASSIGNED TO:

CONTACT:

SP

Bangart

SPECIAL INSTRUCTIONS OR RE/MARKS:

Ref. GT96810 & GT96795.

96 NOV -5 AM 11:19

OSP

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-96-1123                      LOGGING DATE: Nov 1 96

ACTION OFFICE: EDO

AUTHOR: REP. BILL RICHARDSON  
AFFILIATION: U.S. HOUSE OF REPRESENTATIVES

ADDRESSEE: CHAIRMAN JACKSON

LETTER DATE: Oct 30 96                      FILE CODE: ID&R 15

SUBJECT: AGREEMENT STATES POLICY ON FINANCIAL SUPPORT FOR  
TRAINING

ACTION: Signature of EDO

DISTRIBUTION: CHAIRMAN

SPECIAL HANDLING: OCA TO ACK

CONSTITUENT: MARK WEIDLER

NOTES:

DATE DUE: Nov <sup>19</sup>~~18~~ 96

SIGNATURE: .                      DATE SIGNED:

AFFILIATION:

EDO -- G960844



Congress of the United States  
House of Representatives  
Washington, DC 20515-3105

October 30, 1996

Chairwoman Shirley Ann Jackson  
United States Nuclear Regulatory Commission  
Mail Stop: O16 G15  
Washington, D.C. 20555

Dear Chairwoman Jackson:

I am writing to you about an issue which was brought to my attention by an important constituent. I am forwarding the attached letter to you and would greatly appreciate assistance in resolving the relevant issues it raises.

I am concerned about the matter outlined in the attached, and I believe your office would both want to know of this situation and be able to effectively address the concerns raised. I look forward to your response.

Thank you for your attention to this matter. If I can provide you further information please do not hesitate to contact me or John Sloan of my staff.

With warm regards,

Bill Richardson  
Chief Deputy Whip

BR/js

DISTRICT OFFICES

SANTA FE:  
1494 SOUTH ST. FRANCIS DR.  
SANTA FE, NM 87505  
(505) 988-7230

GALLUP:  
GALLUP CITY HALL  
2ND AND AZTEC STREETS  
GALLUP, NM 87301  
(505) 722-8522

LAS VEGAS:  
SAN MIGUEL COUNTY COURTHOUSE  
P.O. BOX 1805  
LAS VEGAS, NM 87701  
(505) 425-7270

RIO RANCHO:  
P.O. BOX 44277  
RIO RANCHO, NM 87174  
(505) 892-0901

CLOVIS:  
P.O. BOX 1108  
CLOVIS, NM 88102  
(505) 769-3380





*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**  
*Harold Runnels Building*  
1190 St. Francis Drive, P.O. Box 26110  
Santa Fe, New Mexico 87502  
(505) 827-2850

GARY E. JOHNSON  
GOVERNOR

MARK E. WEIDLER  
SECRETARY

EDGAR T. THORNTON, III  
DEPUTY SECRETARY

September 18, 1996

The Honorable Bill Richardson  
United States Representative  
2209 Rayburn House Office Bldg.  
Washington, D.C. 20515

Dear Representative Richardson:

New Mexico became an Agreement State in 1974. The 1978 amendment to the Atomic Energy Act requires the NRC to periodically review Agreement State Programs. New Mexico's Radiation Control Program has always met the requirements to protect the public health and safety. Amendments to the New Mexico Radiation Protection Regulations, which became effective in May 1995, kept the state's program in compliance with NRC requirements.

Historically, the NRC has maintained a continuing relationship with each Agreement State to assure continued compatibility of the State's regulatory program and its adequacy to protect health and safety. This relationship included, among other things, training of Agreement State regulatory staffs at no charge to the participants. Beginning October 1996, the NRC will begin charging the Agreement States such as New Mexico for all training needs.

New Mexico's Radiation Control Program is funded wholly from the State General Fund and monies are unavailable to support training programs for staff previously sponsored by NRC.

The Department believes that the minimal support (approximately \$15,000 per year) provided to New Mexico through the States Agreement Program is a bargain for the NRC and should be continued. Should the NRC be required to assume regulatory responsibility for the state byproduct programs based on rescission of the agreement, the cost to the NRC would be substantial compared to the minimal support now provided to New Mexico.

If financial assistance for Radiation Control Program personnel training is not restored, New Mexico will have to look seriously at returning its entire Radiation Control Program to the NRC. Such an action would undoubtedly lead to the closure of many of the State's smaller businesses licensed to possess and use radioactive materials, since they will be unable to conform to the NRC's ever-escalating fee schedule.

Your assistance in petitioning NRC to amend its policy and restore financial support for the training needs of the Agreement States is strongly encouraged and will be greatly appreciated.

Please contact Mr. Benito J. Garcia or Mr. William Floyd of my staff at (505) 827-1557 should you have any questions.

Sincerely,

Mark E. Weidler, Secretary  
New Mexico Environment Department

MEW:lr  
Attachment



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 4, 1996

The Honorable Bill Richardson  
United States House of Representatives  
Washington, D.C. 20515

Dear Congressman Richardson:

Thank you for your letter of October 30, 1996 which forwarded a September 18, 1996 letter from Mr. Mark Weidler, Secretary of the New Mexico Environment Department, expressing concern about the Nuclear Regulatory Commission policy to discontinue funding for Agreement State training. This policy went into effect on October 1, 1996.

As you may know, the Commission has initiated a Strategic Assessment and Rebaselining effort that includes a review of the relationship between the NRC and the Agreement States. Funding of Agreement State training is again being addressed in this evaluation, and the NRC has conducted several public meetings to discuss this, along with other issues. While the Commission has not made a final decision on this matter, a majority of the Commission is preliminarily in favor of a compromise position in which the NRC would provide training to Agreement States without charge on a "space available" basis. Funding for travel and technical assistance would be borne by the Agreement States. Our objectives in the Strategic Assessment and Rebaselining effort with respect to this issue are to determine an equitable method of funding and an appropriate scope for NRC's Agreement State activities.

The Commission believes that the stakeholders' comments (from Agreement and non-Agreement States, Agreement and non-Agreement State licensees, and members of the public) will be important in the final resolution of this difficult issue. Your comments certainly will be considered in the analysis. Therefore, I have forwarded your October 30, 1996 letter with its enclosure to the Secretary of the Commission to be addressed as a comment on the Strategic Assessment and Rebaselining effort, Direction Setting Issue 4, NRC's Relationship with Agreement States. We welcome your further comments on this and other Strategic Issues. For your information, I have enclosed the public announcement and package of Direction-Setting Issues (DSI) that the Commission released for discussion at the public meetings.

The Commission recently informed the staff that it does not object to the staff implementing its preliminary views on training discussed above. NRC expects that space available training partially will reduce the need for Agreement States to seek training from other sources or to develop their own training courses and the financial burdens of doing so. Additionally, a working group consisting of representatives from the NRC and Agreement States already has been formed to evaluate the ongoing evolution of training programs for Agreement State personnel, the criteria for evaluation of Agreement State programs in the area of training qualification, and possible training options for Agreement State personnel.

50

SP-R-14

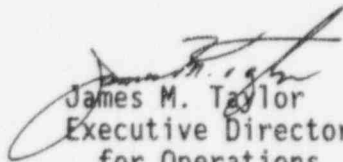
NRC FILE CENTER COPY

SP-A6-19

9612300073 712

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues resulting from the expenditure of NRC fee-based budget resources on costs, such as funding for Agreement State training, that cannot be attributed to an individual licensee or class of licensees. In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,

  
James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues resulting from the expenditure of NRC fee-based budget resources on costs, such as funding for Agreement State training, that cannot be attributed to an individual licensee or class of licensees. In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,

**Original signed by**  
**James M. Taylor**

James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

Distribution:

EDO RF (GT96844)  
SECY (CRC-96-1123)  
DIR RF  
JMTaylor  
HLThompson  
RLBangart  
PLohaus  
SDroggitis  
DSollenberger  
Reimbursement Cost File  
New Mexico File

DCD (SP08) PDR (YES\_X\_ NO\_\_)

*OCA*  
*DR*  
*12/4/96*

DOCUMENT NAME: G:\RICHARDSON.DMS

\*See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	OSP	OSP:DD	OSP:D	DEDS	EDO
NAME	DMSollenberger:kk*	PHLohaus*	RLBangart*	HLThompson	JMTaylor
DATE	11/27/96	11/27/96	11/27/96	11/ /96	12/2/96

OSP FILE CODE: SP-R-14, SP-AG-19

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues associated with charging fees to NRC licensees for activities which do not benefit them (such as funding for Agreement State Training). In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,

James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

Distribution:

EDO RF (GT96844)  
SECY (CRC-96-1123)  
DIR RF  
JMTaylor  
HLThompson  
RLBangart  
PLohaus  
SDroggitis  
DSollenberger  
Reimbursement Cost File  
New Mexico File

DCD (SP08) PDR (YES\_X\_ NO\_\_)

DOCUMENT NAME: G:\RICHARDSON.DMS

\*See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	OSP	OSP:DD	OSP:D	DEDS	EDO
NAME	DMSollenberger:kk*	PHLohaus*	RLBangart*	HLThompson	JMTaylor
DATE	11/27/96	11/27/96	11/27/96	11/ /96	11/ /96

OSP FILE CODE: SP-R-14, SP-AG-19



The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues resulting from the expenditure of NRC fee-based budget resources on costs, such as funding for Agreement State training, that cannot be attributed to an individual licensee or class of licensees. In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, the Commission noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,

James M. Taylor  
Executive Director  
for Operations

Enclosures:  
As stated

Distribution:

EDO RF (GT96844)

SECY (CRC-96-1123)

DIR RF

JMTaylor

HLThompson

RLBangart

PLohaus

SDroggitis

DSollenberger

Reimbursement Cost File

New Mexico File

DCD (SP08) PDR (YES X NO   )

DOCUMENT NAME: G:\RICHARDSON.DMS

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	OSP <i>NSH</i>	OSP:DE <i>RLB</i>	OSP:D <i>RLB</i>	DEDS	EDO
NAME	DMSollenberger:kk	PHLohaus <i>in</i>	RLBangart <i>RLB</i>	HLThompson	JMTaylor
DATE	11/27/96	11/27/96	11/27/96	11/ /96	11/ /96

OSP FILE CODE: SP-R-14, SP-AG-19



# ACTION

## EDO Principal Correspondence Control

FROM:

DUE: 11/18/96

EDO CONTROL: G960844

DOC DT: 10/30/96

FINAL REPLY:

Rep. Bill Richardson

TO:

Chairman Jackson

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 96-1123

Executive Director

DESC:

ROUTING:

ENCLOSES LETTER FROM MARK E. WEIDLER, NEW MEXICO  
ENVIRONMENT DEPT. RE NEW MEXICO'S PARTICIPATION  
IN THE AGREEMENT STATE PROGRAM

Taylor  
Milhaon  
Thompson  
Blaha

DATE: 11/05/96

DESIGNED TO:

CONTACT:

SP

Bangart

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. GT96810 & GT96795.

96 NOV -5 AM 11:18

OSP

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-96-1123                      LOGGING DATE: Nov 1 96

ACTION OFFICE: EDO

AUTHOR: REP. BILL RICHARDSON  
AFFILIATION: U.S. HOUSE OF REPRESENTATIVES

ADDRESSEE: CHAIRMAN JACKSON

LETTER DATE: Oct 30 96                      FILE CODE: ID&R 15

SUBJECT: AGREEMENT STATES POLICY ON FINANCIAL SUPPORT FOR  
TRAINING

ACTION: Signature of EDO

DISTRIBUTION: CHAIRMAN

SPECIAL HANDLING: OCA TO ACK

CONSTITUENT: MARK WEIDLER

NOTES:

DATE DUE: Nov <sup>19</sup>~~18~~ 96

SIGNATURE: .                      DATE SIGNED:

AFFILIATION:

EDO -- G960844



Congress of the United States  
House of Representatives  
Washington, DC 20515-3103

October 30, 1996

Chairwoman Shirley Ann Jackson  
United States Nuclear Regulatory Commission  
Mail Stop: O16 G15  
Washington, D.C. 20555

Dear Chairwoman Jackson:

I am writing to you about an issue which was brought to my attention by an important constituent. I am forwarding the attached letter to you and would greatly appreciate assistance in resolving the relevant issues it raises.

I am concerned about the matter outlined in the attached, and I believe your office would both want to know of this situation and be able to effectively address the concerns raised. I look forward to your response.

Thank you for your attention to this matter. If I can provide you further information please do not hesitate to contact me or John Sloan of my staff.

With warm regards,

Bill Richardson  
Chief Deputy Whip

BR/js

DISTRICT OFFICES

SANTA FE:  
1496 SOUTH ST. FRANCIS DR.  
SANTA FE, NM 87505  
(505) 988-7230

GALLUP:  
GALLUP CITY HALL  
2ND AND AZTEC STREETS  
GALLUP, NM 87301  
(505) 722-6522

LAS VEGAS:  
SAN MIGUEL COUNTY COURTHOUSE  
P.O. BOX 1805  
LAS VEGAS, NM 87701  
(505) 425-7270

RIO RANCHO:  
P.O. BOX 44277  
RIO RANCHO, NM 87174  
(505) 892-0901

CLOVIS:  
P.O. BOX 1108  
CLOVIS, NM 88102  
(505) 769-3380



State of New Mexico  
**ENVIRONMENT DEPARTMENT**  
Harold Runnels Building  
1190 St. Francis Drive, P.O. Box 26110  
Santa Fe, New Mexico 87502  
(505) 827-2850

GARY E. JOHNSON  
GOVERNOR

MARK E. WEIDLER  
SECRETARY

EDGAR T. THORNTON, III  
DEPUTY SECRETARY

September 18, 1996

The Honorable Bill Richardson  
United States Representative  
2209 Rayburn House Office Bldg.  
Washington, D.C. 20515

Dear Representative Richardson:

New Mexico became an Agreement State in 1974. The 1978 amendment to the Atomic Energy Act requires the NRC to periodically review Agreement State Programs. New Mexico's Radiation Control Program has always met the requirements to protect the public health and safety. Amendments to the New Mexico Radiation Protection Regulations, which became effective in May 1995, kept the state's program in compliance with NRC requirements.

Historically, the NRC has maintained a continuing relationship with each Agreement State to assure continued compatibility of the State's regulatory program and its adequacy to protect health and safety. This relationship included, among other things, training of Agreement State regulatory staffs at no charge to the participants. Beginning October 1996, the NRC will begin charging the Agreement States such as New Mexico for all training needs.

New Mexico's Radiation Control Program is funded wholly from the State General Fund and monies are unavailable to support training programs for staff previously sponsored by NRC.

The Department believes that the minimal support (approximately \$15,000 per year) provided to New Mexico through the States Agreement Program is a bargain for the NRC and should be continued. Should the NRC be required to assume regulatory responsibility for the state byproduct programs based on rescission of the agreement, the cost to the NRC would be substantial compared to the minimal support now provided to New Mexico.

If financial assistance for Radiation Control Program personnel training is not restored, New Mexico will have to look seriously at returning its entire Radiation Control Program to the NRC. Such an action would undoubtedly lead to the closure of many of the State's smaller businesses licensed to possess and use radioactive materials, since they will be unable to conform to the NRC's ever-escalating fee schedule.

Your assistance in petitioning NRC to amend its policy and restore financial support for the training needs of the Agreement States is strongly encouraged and will be greatly appreciated.

Please contact Mr. Benito J. Garcia or Mr. William Floyd of my staff at (505) 827-1557 should you have any questions.

Sincerely,

Mark E. Weidler, Secretary  
New Mexico Environment Department

MEW:lr  
Attachment