



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 17, 1997

MEMORANDUM TO: Michael S. Callahan
Senior Congressional Liaison Officer
Office of Congressional Affairs

FROM: *Michael T. Lesar*
Michael T. Lesar, Chief
Rules Review Section
Rules Review and Directives Branch
Division of Freedom of Information
and Publications Services
Office of Administration

SUBJECT: TRANSMITTAL OF CONGRESSIONAL LETTERS

Attached are 15 copies of Congressional letters providing notification that an Agreement, pursuant to Section 274 of the Atomic Energy Act between the Commission and the Commonwealth of Massachusetts, has been approved. Also attached are copies of letters to the General Accounting Office, the Speaker of the House, and the President of the Senate prepared for this final action. The Atomic Energy Act requires that a notice of the Agreement be published in the Federal Register within 30 days after the Agreement is signed, which is expected to occur on or before March 20, 1997.

Attachments:
As stated

9704170345 970317
PDR STPRG ESGMA
PDR

The Honorable James M. Inhofe, Chairman
Subcommittee on Clean Air, Wetlands, Private
Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510-6175

March 20, 1997

Dear Mr. Chairman:

We are pleased to inform the Subcommittee that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

In his March 28, 1996 proposal requesting that the Commission enter into an Agreement, Governor William F. Weld certified that the Commonwealth has a program for the control of the radiation hazards associated with the materials covered by the proposed Agreement which is adequate to protect public health and safety. Governor Weld further certified that the Commonwealth desires to assume the regulatory responsibility for such materials.

The proposed Agreement, along with a summary of the NRC staff assessment of the proposed Massachusetts program was published in the Federal Register for public comment as required by Section 274e of the Act. Copies of the proposal and supporting documentation were made available for inspection at the Commission's Public Document Room.

The Commission has determined that the proposed Massachusetts program is compatible with the Commission's program for the regulation of like materials and adequate to protect public health and safety with respect to the materials covered by the proposed Agreement. NRC staff will conduct periodic reviews of the Massachusetts program to ensure that the terms of the Agreement continue to be met.

Sincerely,

Original signed by/

Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Senator Bob Graham

*Identical letters sent to the attached listing.

Distribution:

DIR RF
SDroggitis
Massachusetts File

DCD (SP05) PDR (YES)

DOCUMENT NAME: G:\RLB\CONGRELT.RLB

*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	OCA:D
NAME	RLBlanton:kk	PHLohaus	RLBangart	DKRathbun
DATE	03/05/97*	03/05/97*	03/06/97*	03/26/97

OSP FILE CODE: SP-NA-9

SP-AG-30

The Honorable Dan Schaefer, Chairman
Subcommittee on Energy and Power
Committee on Commerce
United States House of Representatives
Washington, DC 20515-6115

The Honorable Dan Burton, Chairman
Committee on Government Reform and Oversight
United States House of Representatives
Washington, DC 20515-6143

The Honorable Fred Thompson, Chairman
Committee on Governmental Affairs
United States Senate
Washington, DC 20510-6250

The Honorable Pete V. Domenici, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
United States Senate
Washington, DC 20510-6050

The Honorable Joseph M. McDade, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
Washington, DC 20515-6015

Massachusetts Congressional Delegation

Senators

The Honorable Edward M. Kennedy
The Honorable John F. Kerry

Representatives

The Honorable John W. Olver
The Honorable Richard E. Neal
The Honorable James P. McGovern
The Honorable Barney Frank
The Honorable Martin T. Meehan
The Honorable John F. Tierney
The Honorable Edward J. Markey
The Honorable Joseph P. Kennedy II
The Honorable John Joseph Moakley
The Honorable William D. Delahunt

The Honorable James M. Inhofe, Chairman
Subcommittee on Clean Air, Wetlands, Private
Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

We are pleased to inform the Subcommittee that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Sincerely,

Dennis K. Rathbun, Director
Congressional Affairs

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Distribution:

DIR RF

DCD (SP05) PDR (YES)

SDroggitis

Massachusetts File

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NAME	RLBlanton:kk		PHLohaus		RLBangart		DKRathbun		
DATE	03/05/97		03/05/97		03/06/97		03/ /97		

OSP FILE CODE: SP-NA-9



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

March 20, 1997

The Honorable James M. Inhofe, Chairman
Subcommittee on Clean Air, Wetlands, Private
Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510-6175

Dear Mr. Chairman:

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Sincerely,

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Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Senator Bob Graham



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 20, 1997

The Honorable Pete V. Domenici, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
United States Senate
Washington, DC 20510-6050

Dear Mr. Chairman:

We are pleased to inform the Subcommittee that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Senator Harry Reid



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20556-0001

March 20, 1997

The Honorable Joseph M. McDade, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
Washington, DC 20515-6015

Dear Mr. Chairman:

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Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Representative Vic Fazio



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

March 20, 1997

The Honorable Dan Schaefer, Chairman
Subcommittee on Energy and Power
Committee on Commerce
United States House of Representatives
Washington, DC 20515-6115

Dear Mr. Chairman:

We are pleased to inform the Subcommittee that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Representative Ralph Hall



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

March 20, 1997

The Honorable Fred Thompson, Chairman
Committee on Governmental Affairs
United States Senate
Washington, DC 20510-6250

Dear Mr. Chairman:

We are pleased to inform the Committee that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Senator John Glenn



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 20, 1997

The Honorable Dan Burton, Chairman
Committee on Government Reform and Oversight
United States House of Representatives
Washington, DC 20515-6143

Dear Mr. Chairman:

We are pleased to inform the Committee that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Representative Henry Waxman



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

March 20, 1997

The Honorable John F. Kerry
United States Senate
Washington, DC 20510

Dear Senator Kerry:

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Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable Edward M. Kennedy
United States Senate
Washington, DC 20510

Dear Senator Kennedy:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable William D. Delahunt
United States House of Representatives
Washington, DC 20515

Dear Congressman Delahunt:

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March 20, 1997

The Honorable John Joseph Moakley
United States House of Representatives
Washington, DC 20515

Dear Congressman Moakley:

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

March 20, 1997

The Honorable Joseph P. Kennedy, II
United States House of Representatives
Washington, DC 20515

Dear Congressman Kennedy:

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Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable Edward J. Markey
United States House of Representatives
Washington, DC 20515

Dear Congressman Markey:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Dennis K. Rathbun, Director
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20540-0001

March 20, 1997

The Honorable John F. Tierney
United States House of Representatives
Washington, DC 20515

Dear Congressman Tierney:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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The proposed Agreement, along with a summary of the NRC staff assessment of the proposed Massachusetts program was published in the Federal Register for public comment as required by Section 274e of the Act. Copies of the proposal and supporting documentation were made available for inspection at the Commission's Public Document Room.

The Commission has determined that the proposed Massachusetts program is compatible with the Commission's program for the regulation of like materials and adequate to protect public health and safety with respect to the materials covered by the proposed Agreement. NRC staff will conduct periodic reviews of the Massachusetts program to ensure that the terms of the Agreement continue to be met.

Sincerely,

A handwritten signature in dark ink, reading "Dennis K. Rathbun", is written over a horizontal line.

Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable Martin T. Meehan
United States House of Representatives
Washington, DC 20515

Dear Congressman Meehan:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Sincerely,

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Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable Barney Frank
United States House of Representatives
Washington, DC 20515

Dear Congressman Frank:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Sincerely,

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Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable James P. McGovern
United States House of Representatives
Washington, DC 20515

Dear Congressman McGovern:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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The Commission has determined that the proposed Massachusetts program is compatible with the Commission's program for the regulation of like materials and adequate to protect public health and safety with respect to the materials covered by the proposed Agreement. NRC staff will conduct periodic reviews of the Massachusetts program to ensure that the terms of the Agreement continue to be met.

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Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable Richard E. Neal
United States House of Representatives
Washington, DC 20515

Dear Congressman Neal:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Sincerely,

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Dennis K. Rathbun, Director
Office of Congressional Affairs



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

March 20, 1997

The Honorable John W. Oliver
United States House of Representatives
Washington, DC 20515

Dear Congressman Oliver:

We are pleased to inform you that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on March 3, 1997, approved an Agreement with the Commonwealth of Massachusetts under which the Commonwealth will assume certain regulatory authority over byproduct materials as defined in Section 11e.(1) of the Act, source materials and special nuclear materials in quantities not sufficient to form a critical mass. The Commonwealth will also assume regulatory authority over the land disposal of wastes containing source, byproduct and special nuclear materials by persons other than the licensees which generated the waste. The Commonwealth will not assume regulatory authority over byproduct materials as defined by Section 11e.(2) of the Act, for uranium and thorium milling activities.

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Sincerely,

A handwritten signature in cursive script, reading "Dennis K. Rathbun", is written over the typed name.

Dennis K. Rathbun, Director
Office of Congressional Affairs