



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 1, 1997

MILL AGREEMENT STATES (COLORADO, ILLINOIS, TEXAS, WASHINGTON)

TRANSMITTAL OF STATE AGREEMENTS PROGRAM INFORMATION (SP-97-024)

Your attention is invited to the following:

INCIDENT AND EVENT INFORMATION.....

PROGRAM MANAGEMENT INFORMATION...

TRAINING COURSE INFORMATION.....

TECHNICAL INFORMATION.....

OTHER INFORMATION..... XX

REQUEST FOR  
INFORMATION ON FINAL  
MILL LICENSE  
TERMINATION SURVEY

Supplementary information: The U.S. Nuclear Regulatory Commission is considering proposing a legislative amendment that would revise section 274 c.(4) of the Atomic Energy Act to modify the requirement that upon termination of an activity that results in production of mill tailings, the Commission must determine whether or not the licensee has complied with all applicable standards and requirements under the license. The draft amendment would eliminate this requirement with respect to licenses issued by Agreement States.

Whether the NRC will go forward with an amendment, or what its precise language would be, has not yet been the subject of a Commission determination. It may be possible to effectuate the change simply by amending section 274 c.(4) of the Atomic Energy Act of 1954 to strike out the language that now reads: "The Commission shall also retain authority under any such agreement to make a determination that all applicable standards and requirements have been met prior to termination of a license for byproduct material, as defined in section 11e.(2)." However, a number of considerations remain to be explored, including responses from affected Agreement States on the questions listed below.

The proposed amendment is postulated on the assumption that the NRC is duplicating work already being done by Agreement States. The scope of your agreement includes regulatory jurisdiction over mill tailings to which the amendment would pertain. Therefore, we would appreciate receiving your input on the following questions:

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PDR STPRG ESGGEN  
PDR

SP-A-4

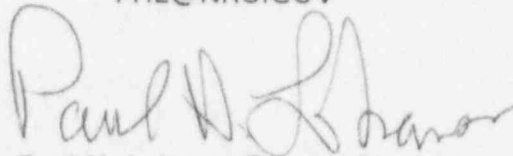
APR - 1 1997

1. Does your State routinely carry out a final "termination review" in these circumstances to verify that the licensee has complied with all applicable State standards and requirements?
2. If the State does carry out a termination review, what is the scope of that review?
3. Would you have any objection to the legislative amendment described above?

Because we would like to include the proposed amendment in an omnibus bill that is being considered for submission to the Congress in the very near future, we would appreciate receiving your response to the above questions by **April 7, 1997**.

If you have any questions regarding this correspondence, please contact me as shown below.

POINT OF CONTACT:	Paul H. Lohaus
TELEPHONE:	(301) 415-2326
FAX:	(301) 415-3502
INTERNET:	PHL@NRC.GOV



Paul H. Lohaus, Deputy Director  
Office of State Programs

APR - 1 1997

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Original Signed By:  
**PAUL H. LOHAUS**

Paul H. Lohaus, Deputy Director  
 Office of State Programs

Distribution:

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DCD (SP03)  
 PDR (YES ☒ NO ☐)

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NAME	PHLohaus:nb	RLBangart							
DATE	04/01/97 *	04/01/97 *							

OSP FILE CODE: SP-A-4

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Paul H. Lohaus, Deputy Director  
Office of State Programs

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PDR (YES ☒ NO ☐)

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## TIME SENSITIVE INFORMATION

U. S. NUCLEAR REGULATORY COMMISSION  
OFFICE OF STATE PROGRAMS

OFFICE OF STATE PROGRAMS FAX: (301) 415-3502

NUMBER OF PAGES: 3 including this page

DATE: APRIL 1, 1997

TO: RADIATION CONTROL PROGRAM DIRECTORS IN  
COLORADO, ILLINOIS, TEXAS, WASHINGTON

FROM: PAUL H. LOHAUS, DEPUTY DIRECTOR  
OFFICE OF STATE PROGRAMS

SUBJECT: SP-97-024 REQUEST FOR INFORMATION ON FINAL  
MILL LICENSE TERMINATION SURVEY

VERIFICATION - (301) 415-3340

# < TRANSACTION REPORT >

04-01-1997(TUE) 17:09

## [ BROADCAST ]

NO.	DATE	TIME	DESTINATION STATION	PG.	DURATION	MODE	RESULT
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31557		16:57	217 524 4724 - IL	3	0° 01' 27"	NORM.E	OK
31558		16:59	512 239 6362 - TRANCE	3	0° 01' 28"	NORM.E	OK
31559		17:07	360 753 1496 - WA	3	0° 01' 19"	NORM.E	OK
				12	0° 05' 39"		