

Mr. Virgil R. Autry, Director
Division of Radioactive Waste Management
Bureau of Solid and Hazardous Waste
Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201

FEB 18 1997

Dear Mr. Autry:

This will confirm my telephone conversation with Mr. Henry Porter of your staff on Friday, February 14. My call was in response to your E-Mail of February 10, 1997 and enclosed draft of Amendment No. 47 to South Carolina Radioactive Materials License No. 097 issued to Chem Nuclear Systems. Amendment No. 47 would amend the license in its entirety and would incorporate provisions authorizing Chem-Nuclear Systems to receive waste containing special nuclear material (SNM) under the South Carolina license. Your E-Mail indicated the amendment would be issued February 14th. During my discussion with Mr. Porter on February 14th, he indicated the license amendment had been issued.

During my discussion, I asked that South Carolina consider conditioning Amendment No. 47 such that authority for receipt, storage and disposal of low-level radioactive waste containing SNM (identified in conditions 5C-8C), be conditioned such that this authority would not become effective before either the transfer to South Carolina, or termination, of NRC's Part 70 license No. 12-13536-01, issued to Chem-Nuclear Systems for SNM. I indicated that the reason for this request was to eliminate duplication and overlap in the regulation of SNM since, with the issuance of the South Carolina license, SNM would be covered under both the NRC and South Carolina licenses. During our discussion, I referred to an earlier exchange of correspondence with South Carolina (November 24, 1981 letter from D. Nussbaumer to H. Shealy and response dated January 18, 1982 from H. Shealy to D. Nussbaumer), where a similar situation had occurred. Mr. Porter indicated that you had access to these letters in your files.

If you require further information, or have any questions, please let me know.

Sincerely, Original Signed By:
PAUL H. LOHAUS
Paul H. Lohaus, Deputy Director
Office of State Programs

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WASHINGTON, D.C. 20555-0001

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If you require further information, or have any questions, please let me know.

Sincerely,

A handwritten signature in dark ink, reading "Paul H. Lohaus", is written over the typed name.

Paul H. Lohaus, Deputy Director
Office of State Programs