

Ms. Patti Shwayder, Executive Director
Colorado Department of Public Health
and Environment
8100 Lowry Boulevard
Denver, CO 80222-6928

June 16, 1997

Dear Ms. Shwayder:

On June 3, 1997, the Management Review Board (MRB) met to consider the proposed final Integrated Materials Performance Evaluation Program (IMPEP) report on the Colorado Agreement State Program. The MRB found the Colorado program adequate to protect public health and safety and compatible with NRC's program.

Section 5, page 26, of the enclosed final report presents the IMPEP team's recommendations. Note that there is one additional recommendation that was made by the MRB. The Colorado equivalent rule to NRC's 10 CFR 34.25, "Leak Testing, Repair, Tagging, Opening, Modification, and Replacement of Sealed Sources," does not contain the provision that sealed sources not fastened to, or contained in, a radiographic exposure device shall be permanently tagged. For purposes of compatibility, the MRB recommended this requirement be implemented through some form of legally binding requirement, such as a license condition, until the final regulation is promulgated. During the MRB meeting, Mr. Quillin committed to implement this recommendation. We request your evaluation and response to those recommendations within 30 days from receipt of this letter.

Based on the results of the current IMPEP review, the next review will be scheduled in four years, unless program concerns develop that require an earlier evaluation.

I appreciate the courtesy and cooperation extended to the IMPEP team during the review and your support of the Radiation Control Program. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely, *Original Signed by*
Hugh L. Thompson, Jr.
Deputy Executive Director
for Regulatory Programs

Enclosure:

As stated

cc: Lee Thielen, Associate Director
Colorado Department of Public Health
and Environment
Robert Quillin, Director,
Laboratory and Radiation Services Division
Howard Roitman, Director,
Hazardous Materials and Waste Management Division

bcc: Chairman Jackson
Commissioner Rogers
Commissioner Dicous
Commissioner Diaz
Commissioner McGaffigan

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Colorado File

DCD (SP01)
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RRatliff, TX
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CPaperiello, NMSS

* See Previous Concurrence.

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Section 5, page 25, of the enclosed final report presents the IMPEP team's recommendations. Note that there is one additional recommendation that was identified at the MRB to implement the requirements of "Leak Testing, Repair, Tagging, Opening, Modification, and Replacement of Sealed Sources" regulation through legal binding requirements on a case-by-case basis until the final regulation is promulgated. Mr. Quillin committed to implement this recommendation during the MRB, as necessary. We request your evaluation and response to those recommendations within 30 days from receipt of this letter.

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Hazardous Materials and Waste Management Division

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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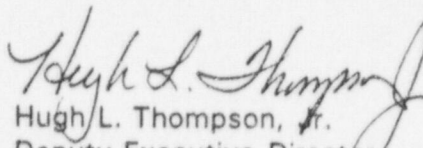
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