

**October 16, 2000**

Mr. Edgar D. Bailey, CHP, Chief  
Radiologic Health Branch  
Division of Food, Drug & Radiation Safety  
California Department of Health Services  
P. O. Box 942732  
Sacramento, CA 94234-7320

Dear Mr. Bailey:

As discussed on October 11, 2000, I am providing supporting references for the Nuclear Regulatory Commission's (NRC) License Termination Rule.

1. Final Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities, NUREG-1496; and
2. The Statement of Considerations for the License Termination Rule, which is part of the Federal Register Notice (62 FR 39058) dated July 21, 1997.

We appreciate California's efforts to carry out responsibility under their Agreement to complete adoption of a license termination rule. Under NRC's Management Directive 5.9 and the Office of State and Tribal Programs (STP) Procedure SA-200, all Agreement States should have adopted a compatible license termination rule by August 20, 2000. The compatibility category for 10 CFR 20, Subpart E, "Radiological Criteria for License Termination" is Category C. This category means an Agreement State should adopt the essential elements of the rule in order to maintain a compatible program. The definitions in 10 CFR 20.1003 that were modified in this rulemaking must also be addressed in your rulemaking. Management Directive 5.9 and STP Procedure SA-200 can be found at the following website:

<http://www.hsr.doe.gov/nrc/agstates/program/sp00054.pdf>

We provided you comments on your proposed rule by letter dated October 2, 2000. If you have any questions on the comments or we can be of further assistance to you on this matter, please let us know.

Sincerely,

**/RAI**  
Paul H. Lohaus, Director  
Office of State and Tribal Programs

