

April 6, 2001

ALL AGREEMENT STATES

CONNECTICUT, INDIANA, MINNESOTA, MICHIGAN, MISSOURI, NEW JERSEY,
PENNSYLVANIA, VIRGINIA, WISCONSIN

**PROGRAM MANAGEMENT INFORMATION: REGULATION OF ACCELERATOR
PRODUCED RADIOACTIVE MATERIAL (STP-01-032)**

In Staff Requirements Memorandum (SRM) COMEXM-00-0002, the Commission directed NRC staff to consult with the States on two potential legislative proposals for regulating accelerator-produced radioactive material. (See: www.nrc.gov/NRC/COMMISSION/COMS/index.html.) The two proposals relate to accelerator-produced material when used for medical purposes and accelerator-produced material used in all applications. To reflect this distinction, some of the questions contained in the enclosed questionnaire relate only to one or the other of these proposals.

The questionnaire requests information* on your regulatory program for accelerator-produced material, and your position on the two potential legislative proposals discussed in the SRM. We will use the information in developing the NRC staff response to the Commission.

Please provide your response, by e-mail if possible, within 30 days from the date of this letter to Mr. Richard Blanton, Office of State and Tribal Program at: RLB@NRC.GOV. To assist us and reduce the time required for your response, we have designed the questions to be yes/no or answered with a number. However, additional comments are welcome.

Thank you for your attention to this matter. If you have any questions about the questionnaire, please contact Ms. Susan Fonner in the Office of the General Counsel at (301) 415-1629.

/RA/

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

Enclosure:
As stated

* This information request has been approved by OMB 3150-0029, expiration 04/30/01. The estimated burden per response to comply with this voluntary collection is approximately 6 hours. Forward any comments regarding the burden estimate to the Information and Records Branch (T-6F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0029), Office of Management and Budget, Washington, DC 20503. If a document does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information.

STP-01-032

April 6, 2001

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DATE	04/06/01		04/06/01		04/05/01		04/06/01		04/06/01	

STP-A-4

State Questionnaire Regarding Accelerator-Produced Radioactive Material

NAME OF STATE: _____

1. Does your State have enabling legislation under which accelerator-produced radioactive material can be regulated? ☐ YES ☐ NO
2. Does your State have regulations under which accelerator-produced radioactive material can be regulated? ☐ YES ☐ NO
3. Does your State require possession of accelerator-produced radioactive material to be registered with a State agency? ☐ YES ☐ NO
4. Does your State require possession of accelerator-produced radioactive material to be licensed by a State agency? ☐ YES ☐ NO
5. Does your State have an inspection program applicable to accelerator-produced radioactive material? ☐ YES ☐ NO
6. Does your State legislation allow an administrative sanction (e.g., a civil penalty or abatement order) to be imposed for a violation relating to failure to obtain a license or to register possession of accelerator-produced radioactive material? ☐ YES ☐ NO
7. Since the inception of your State's program under which accelerator-produced radioactive material is regulated, has any administrative sanction been imposed on any person for failure to comply with statutory or regulatory requirements--
 - (a) relating to licensing of possession of accelerator-produced radioactive material? ☐ YES ☐ NO
 - (b) relating to registration of possession of accelerator-produced radioactive material? ☐ YES ☐ NO
8. Would your State support legislation to provide the NRC with authority to regulate accelerator-produced radioactive material when used for medical purposes? ☐ YES ☐ NO ☐ NO POSITION
9. Would your State support legislation to provide the NRC with authority to regulate accelerator-produced radioactive material in all applications? ☐ YES ☐ NO ☐ NO POSITION

Please provide the information requested in the following table concerning your State's regulation of accelerator-produced radioactive material. Note that the table separates the information into two categories: medical use only, and all applications including medical.

If your State's data do not break out medical applications from all applications, please check here _____, and complete only the column for all applications.

Otherwise, please complete the entire table. If a question is not applicable to your State's program, please write "NA" in the appropriate box. If the question is applicable, but you do not have sufficient data to provide the information requested, please place a question mark in the appropriate box.

NAME OF STATE: _____	Medical Use	All Applications (including medical)
Number of licensees authorized to possess or use accelerator-produced radioactive material		
Number of registrants authorized to possess or use accelerator-produced radioactive material		
Number of personnel hours expended annually to inspect licensees and registrants* authorized to possess or use accelerator-produced radioactive material		
Number of administrative sanctions imposed since January 1, 1996, for failure to comply with State's regulatory requirements (e.g., licensing, registration, incident reporting, etc.) applicable to accelerator-produced radioactive material		
Annual costs** associated with maintaining program for accelerator-produced radioactive material (including standard development, guidance to users, licensing and registration, and inspection)		

*This question is not intended to imply that your State has both licensing and registration programs. If your State does have both types of programs, the number entered in each column should reflect both licensing and registration. If your State does not have both types of programs, please enter the number for the applicable program.

**If your State has one program that encompasses regulation of both accelerator-produced radioactive material and other radioactive material, please report only those costs attributed to regulation of accelerator-produced radioactive material in answer to this question.